

**1SUPPORTING STATEMENT A FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**Depredation and Control Orders Under 50 CFR 21
OMB Control Number 1018-0146**

Terms of Clearance: To more accurately reflect the purpose of this collection, the Service is proposing to revise this collection to incorporate all depredation and control orders contained in 50 CFR 21 into a single information collection. Subsequently, we request the title of the collection be changed from “Depredation Orders Under 50 CFR 21.43 and 21.46” to “Depredation and Control Orders Under 50 CFR 21.”

We are proposing to merge information collection requirements associated with the management of geese contained in 50 CFR subparts D and E into OMB Control Number 1018-0146. OMB previously approved these information collection requirements under two OMB control numbers:

- 1018-0103, “*Conservation Order for Light Geese, 50 CFR 21.60*” (exp. 03/31/2021), and
- 1018-0133, “*Control and Management of Resident Canada Geese, 50 CFR 20.21, 21.49, 21.50, 21.51, 21.52 and 21.61*” (exp. 06/30/2022).

We are not proposing any changes to the currently approved requirements for either collection and are merely transferring the requirements into 1018-0146. Upon receiving OMB approval of this submission under 1018-0146, we will discontinue both 1018-0103 and 1018-0133 to avoid a duplication of burden.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 *et seq.*) implements four treaties concerning migratory birds that the United States has signed with Canada, Mexico, Japan, and Russia. Under the treaties, we must conserve most species of birds in the United States. Under the MBTA, it is unlawful to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter migratory birds or their parts, nests, or eggs except as authorized by regulation. This information collection is associated with our regulations that implement the MBTA.

Regulations at Subpart D – Control of Depredating and Otherwise Injurious Birds, impose reporting, recordkeeping, and/or notification requirements:

- §21.43 *Depredation order for blackbirds, cowbirds, crows, grackles, and magpies;*
- §21.44 *Depredation order for horned larks, house finches, and white-crowned sparrows in California;*
- §21.46 *Depredation order for depredating California scrub jays and Steller's jays in Washington and Oregon;*
- §21.49 *Control order for resident Canada geese at airports and military airfields;*
- §21.50 *Depredation order for resident Canada geese nests and eggs;*
- §21.51 *Depredation order for resident Canada geese at agricultural facilities;*
- §21.52 *Public health control order for resident Canada geese;*
- §21.53 *Control order for purple swamphens;*
- §21.54 *Control order for muscovy ducks in the United States; and*

§21.55 Control order for invasive migratory birds in Hawaii.

Regulations at Subpart E – Control of Overabundant Migratory Bird Populations, also impose reporting, recordkeeping, and/or notification requirements:

§21.60 Conservation order for light geese; and

§21.61 Population control of resident Canada geese.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

Annual Report (FWS Form 3-2436)

The capture and disposition of all non-target migratory birds, including Endangered, Threatened, or Candidate species must be reported on the Annual Report, FWS Form 3-2436. In addition to the name, address, phone number, and email address of each person or entity operating under the Order, we collect the following information for each target and non-target species taken:

- Description of the area where depredations are occurring;
- Nature of the crops or other interests being injured;
- Extent of such injury;
- Species taken;
- Number taken;
- Month and year taken;
- State and county where birds were taken;
- Purpose of the take (Crop or Animal Species); and
- Take and disposition of non-target species (released, sent to rehab, etc.).

We use the information to:

- Identify the person or entity acting under depredation orders;
- Assess the impact to non-target migratory birds or other species;
- Ensure that agencies and individuals operate in accordance with the terms, conditions, and purpose of the orders;
- Inform us as to whether there are areas in which control activities are concentrated and might be conducted more efficiently; and,
- Help gauge the effectiveness of the depredation and control orders at mitigating order-specific related damages.

Recordkeeping Requirements

Persons and entities operating under depredation and control orders must keep accurate records to complete Forms 3-2436. The records must be legibly written or reproducible in English of any taking and maintained for five years after they have ceased the activity authorized by this Order. Persons or entities who reside or are located in the United States and persons or entities conducting commercial activities in the United States who reside or are located outside the United States must maintain records at a location in the United States where the records are available for inspection. The information must be made available during reasonable times (including during actual operations) to any Federal, State, Tribal, or territorial wildlife law enforcement officer if they inquire about the control operations.

Endangered, Threatened, and Candidate Species Take Report §21.43, §21.49-21.55, and §21.61

If while operating under this order, activities injure birds federally listed as Endangered, Threatened, or is a Candidate for listing, you must immediately contact a federally permitted migratory bird rehabilitator or licensed veterinarian for care and transport instructions. You must be report by phone or email to the nearest regional Migratory Bird Permit Office or Special Agent.

All unintentional injury or killing of non-target migratory bird(s) must also be reported on the annual report, including the disposition of the bird(s).

Persons operating under §21.55 must report the take of any species protected under the Endangered Species Act or the Migratory Bird Treaty Act within 72 hours to the Pacific Region Migratory Bird Permit Office.

Required Notifications

§21.43 – Report take of nontarget federally protected migratory birds to the nearest U.S. Fish and Wildlife Service Field Office or Special Agent.

§21.49 – Airports and military airfields or their agents must obtain authorization from landowners for all management activities conducted outside the airport or military airfield's boundaries.

§21.49 – Airports and military airfields or their agents must notify USFWS Ecological Service offices if control activities are proposed in or around occupied habitats.

§21.50 – Registrants may conduct resident Canada goose nest and egg destruction activities at any time of year. Homeowners' associations and local governments or their agents must obtain landowner consent prior to destroying nests and eggs on private property within the homeowners' association or local government's jurisdiction and be in compliance with all State and local laws and regulations.

§21.50 – To protect certain species from being adversely affected by management actions, registrants must contact the Service if control activities are proposed in or around occupied habitats to discuss the proposed activity and ensure that implementation will not adversely affect protected species or their habitat.

§21.52 – Information on birds carrying metal leg bands must be submitted to the Bird Banding Laboratory by means of a toll-free telephone number at 1-800-327-BAND (or 2263). (USGS OMB Control Number 1028-0082)

§21.52 – Information on birds carrying metal leg bands must be submitted to the Bird Banding Laboratory by means of a toll-free telephone number at 1-800-327-BAND (or 2263).

§21.52 – Any State or Tribal employee or designated agent conducting such activities must promptly furnish whatever information is required concerning such activities to any such wildlife officer.

§21.52 – To protect certain species from being adversely affected by management actions, registrants must contact the Service if control activities are proposed in or around occupied habitats to discuss the proposed activity and ensure that

implementation will not adversely affect protected species or their habitat.

§21.53 – Authorized individuals operating this regulation must immediately report the take of any other species protected under the Endangered Species Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act to the nearest Ecological Services office of the Fish and Wildlife Service.

§21.54 – Authorized individuals operating this order must immediately report the take of any species protected under the Endangered Species Act, or any other bird species protected under the Migratory Bird Treaty Act, to the Fish and Wildlife Service Ecological Services Office for the State or location in which the take occurred.

§21.54 – Authorized individuals operating this order must obtain appropriate landowner permission before conducting activities authorized by this order.

§21.55 – Authorized personnel must obtain authorization from landowners prior to conducting management activities authorized by this order.

§21.55 – Authorized individuals operating this order must immediately report the take of any species protected under the Endangered Species Act or the Migratory Bird Treaty Act within 72 hours the take to the Pacific Region Migratory Bird Permit Office in Portland, Oregon.

§21.61 – Authorized individuals operating under this section must immediately report the take of any species protected under the Endangered Species Act to the Service.

PROPOSED REVISIONS

With this submission, we are proposing the following changes:

Change Title of Information Collection

To more accurately reflect the purpose of this collection, the Service is proposing to change the title of the collection from “Depredation Orders Under 50 CFR 21.43 and 21.46” to “Depredation and Control Orders Under 50 CFR 21.”

FWS Form 3-2436 “Depredation and Control Orders – Annual Reporting”

Previously, all persons or entities acting under depredation orders provided information on the annual report via Form 3-202-21-2143, “*Annual Report – Depredation Order for Blackbirds, Cowbirds, Grackles, Magpies, and Crows*” or Form 3-2500, “*Depredation Order for Depredating Jays in Washington and Oregon*.”

In February 2019, the Service received OMB approval to pretest FWS Form 3-2436 under the Department of the Interior “Fast Track” generic clearance process (OMB Control Number 1090-0011). We are now ready to implement this form (manual submission and automated via ePermits as explained in question 3 below). Subsequently, the Service proposes to discontinue FWS Forms 3-202-21-2143 and 3-2500 and use Form 3-2436 as the sole annual reporting form.

ePermits

As part of this revision, we will also request OMB approval to automate Form 3-2436 in the Service's new “ePermits” initiative (see detailed description below in question 3). The information collected via ePermits will be identical to the paper-based version of the

form and will print out in the same format. ePermits is a new automated system under development by the Service that move us towards a more streamlined permitting and reporting process to improve customer experience and to reduce public burden. Public burden reduction is a priority for the Service; the Assistant Secretary for Fish, Wildlife, and Parks; and senior leadership at the Department of the Interior. This new system will enhance the user experience by allowing users to enter data from any device that has Internet access, including personal computers (PCs), tablets, and smartphones.

Geese Requirements in 50 CFR subparts D and E:

In addition, we are proposing to merge the information collection requirements associated with the management of geese under the following two OMB control numbers into 1018-0146:

1018-0103, “Conservation Order for Light Geese, 50 CFR 21.60” (exp. 03/31/2021)

We published a final EIS on light goose management in June 2007 and reaffirmed 50 CFR §21.60 in a final rule published on November 5, 2008 ([73 FR 65926](#)). Publication of this final rule (copy provided to OIRA as a supplemental document in ROCIS) now supersedes the Arctic Tundra Habitat Emergency Conservation Act which is no longer in effect. These regulations impose the following reporting and recordkeeping requirements:

Conservation Order for Control of Light Geese (50 CFR §21.60)

States and Tribes must keep annual records of activities carried out under the authority of the conservation order and submit an annual report summarizing activities conducted under the conservation order on or before September 15 of each year. Specifically, information must be collected on:

- The number of persons participating in the conservation order;
- The number of days people participated in the conservation order;
- The number of light geese shot and retrieved under the conservation order; and
- The number of light geese shot but not retrieved.

Conservation Order Participants - Provide Information to States (50 CFR §21.60)

Persons acting under the authority of the conservation order must permit at all reasonable times, including during actual operations, any Federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted and must promptly furnish whatever information an officer requires concerning the operation.

1018-0133, “Control and Management of Resident Canada Geese, 50 CFR 20.21, 21.49, 21.50, 21.51, 21.52 and 21.61” (exp. 06/30/2022)

We use the information required in 50 CFR Part 21, Subpart E to monitor the status of resident Canada goose populations and to assess the impacts that this alternative regulatory strategy may have on resident Canada goose populations.

Except for the nest and egg depredation order, there is no specified form for providing the information. The nest and egg depredation order employs a web-based computer registration system with screens designed to collect the appropriate information.

Annual Report - Airport Control Order (50 CFR §21.49) Airports and military airfields

exercising the privileges granted by this section must:

- Submit information on birds carrying metal leg bands to the Bird Banding Laboratory (§21.49(d)(4)). OMB has approved this information collection under OMB Control No. 1028-0082. We use this information to track geographic movement and survival of individual birds.
- Submit an annual report summarizing activities, including the date and numbers and location of birds, nests, and eggs taken by December 31 (§21.49(d)(8)). We use this information to monitor the resident Canada goose populations in different areas of the country.

Immediately report to the appropriate migratory bird office, the take of any species protected under the Endangered Species Act (ESA) (§21.49(d)(8)). This information ensures that the program does not exceed incidental take limits authorized under section 7 of the ESA. Further, to protect certain species from being adversely affected by management actions, registrants must notify USFWS Ecological Service offices if control activities are proposed in or around occupied habitats.

Nest and Egg Depredation Order (50 CFR §21.50) Landowners operating under this order must:

- Register with the Service using our web-based registration system (<https://epermits.fws.gov/eRCGR>) (§21.50(d)(1)). Registration includes name of landowner, names of designated agents, location of management activities, and contact information. The registration is valid for 1 year; the registrant must renew the registration each year he or she wishes to take nests and eggs. To renew the registration, the registrant must review the information and certify that it is correct. If any information entered during initial registration has changed, the registrant only needs to enter the revised information. We use this information for enforcement purposes and to contact registrants when there are questions regarding their report information. We uploaded screen shots of the registration Web site and a copy of the User Guide as supplementary documents in ROCIS.
- Complete an annual report summarizing the date (month), numbers, and location of nests and eggs taken by October 31 (§21.50(d)(6)). We use this information to monitor the effectiveness of the program and the cumulative effect of the take of nests and eggs on various subpopulations of resident Canada goose populations in different areas of the country. We distribute reports of the numbers of nests and eggs taken, by State and county, annually to the States, Flyway Councils, and Service biologists for their use in determining allowable take by other methods, including hunting seasons. We now also include this information on the registration Web site.
- Immediately report to the appropriate migratory bird office, the take of any species protected under the ESA (§21.50(d)(8)). This information ensures that the program does not exceed incidental take limits authorized under section 7 of the ESA.

Agricultural Depredation Order (50 CFR §21.51)

- Authorized agricultural producers and their employees and agents must submit information on birds carrying metal leg bands to the Bird Banding Laboratory (§21.51(d)(5)). This information is used to track geographic movement and survival of individual birds. OMB has approved this information collection under OMB Control No. 1028-0082 (Interior – US Geological Survey).
- Recordkeeping Requirement (*Private Sector Only*) - Authorized agricultural producers must:

- Keep and maintain a log that indicates the date and number of birds killed and the date and number of nests and eggs taken under this authorization;
- Maintain the log for a period of 3 years (and records for 3 previous years of takings at all times thereafter); and
- Make the log and any related records available to Federal, State, or tribal wildlife enforcement officers (§21.51(d)(8)).
- *Reporting Requirement (States and Tribes Only)* - States and Tribes must submit by December 31 an annual report summarizing activities, including the numbers of birds, nests, and eggs taken and county where taken (§21.51(d)(10)). We use this information to monitor the resident Canada goose populations in different areas of the country.
- Persons operating under this order must immediately report to the appropriate migratory bird office, the take of any species protected under the ESA (§21.51(d)(12)). This ensures that the program does not exceed incidental take limits authorized under section 7 of the ESA.

Public Health Control Order (50 CFR §21.52) States and tribes must:

- Submit information on birds carrying metal leg bands to the Bird Banding Laboratory (§21.52(e)(4)). This information is used to track geographic movement and survival of individual birds. OMB has approved this information collection under OMB Control No. 1028-0082.
- Promptly furnish whatever information is required concerning such activities to any Service special agent or refuge officer, State or Tribal wildlife or deputy wildlife agent, warden, protector, or other wildlife law enforcement officer (§21.52(e)(8)).
- Submit by December 31 an annual report summarizing activities, including the numbers and county of birds taken (§21.52(e)(9)). We use this information to monitor the resident Canada goose populations in different areas of the country.
- Immediately report to the appropriate migratory bird office, the take of any species protected under the ESA (§21.52(e)(10)). This ensures that the program does not exceed incidental take limits authorized under section 7 of the ESA.
- Notify USFWS Ecological Service offices if control activities are proposed in or around occupied habitats (§21.52(e)(10)(iv) and (v)).

Population Control of Resident Canada Geese (50 CFR §21.61) States and tribes:

- May request approval for the population control program. Requests must include a discussion of the State's or tribe's efforts to address its injurious situations or a discussion of the reasons why the methods authorized by these regulations are not feasible for dealing with, or applicable to, the injurious situations that require further action. Requests must provide detailed information of the injuries that continue, why the authorized methods have not worked, and why methods not utilized could not resolve the injuries (§21.61(d)). This information is necessary for us to access whether or not the program should be authorized.
- Must keep annual records of activities carried out under the authority of the program including:
 - (1) The number of individuals participating in the program;
 - (2) The number of days each individual participated in the program;
 - (3) The total number of resident Canada geese shot and retrieved during the program;
 and

(4) The number of resident Canada geese shot but not retrieved (§21.61(d)(7)).

We use this information, in conjunction with take under other methods and hunting seasons, to determine cumulative impacts on the various goose populations.

- Must submit by June 1 an annual report summarizing activities conducted under the program and an assessment of the continuation of injuries (§21.61(d)(7)(iv)). We use this information to determine if we should continue to authorize program activities.
- Must provide by August 1 an annual estimate of the breeding population and distribution of resident Canada geese in their State (§21.61(h)). We use this information to monitor the impacts of this program, as well as other authorized activities, on the population and to determine if we should continue to authorize program activities.

Endangered or Threatened Species Take Report (50 CFR §21.51 and §21.61)

Persons operating under §21.51 must immediately report the take of any species protected under the Endangered Species Act to the Service.

States may not undertake any actions under §21.61 if the activities adversely affect other migratory birds or species designated as endangered or threatened under the authority of the Endangered Species Act. Persons operating under §21.61 must immediately report the take of any species protected under the Endangered Species Act to the Service.

NOTE: For this submission, we combined the previously reported and approved burden for the “endangered or threatened species take report” under 1018-0133 with the existing information collection for reporting endangered, threatened, or candidate species take reports under 1018-0146. There will no longer be a separate IC for take associated with the requirements previously approved under 1018-0133.

NOTE: The Service plans to publish a direct final rule in early 2021 to update addresses and form numbers, and making other administrative corrections, in 50 CFR part 21 subparts D and E. We will submit the required RIN request with the Fall 2020 Unified Agenda.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

Those who undertake control activities under these regulations must submit an Annual Report using FWS Form 3-2436. The form will be available on the Service’s website in a fillable format (<http://www.fws.gov/forms/>). We will not require that respondents use the form, but they must submit the required information (larger entities often export from their own databases.). Respondents may submit reports electronically by email, through the mail, or via ePermits (see below). We anticipate the following electronic submissions of the Annual Report (not via ePermits):

- Individuals and private sector categories – 50%
- Government category – 75%

ePermits – We are actively developing a new automated permit application system, referred to as

“ePermits.” The ePermits System will allow the agency to move towards a streamlined permitting process to more significantly reduce the information collection burden on the public, particularly small businesses. Public burden reduction is a priority for the Service; the Assistant Secretary for Fish, Wildlife, and Parks; and senior leadership at the Department of the Interior. The intent of the ePermits System is to fully automate the permitting process to improve the customer experience and to reduce time burden on respondents. This new system will enhance the user experience by allowing users to enter data from any device that has Internet access, including PCs, tablets, and smartphones. It will also link the permit applicant to the Pay.gov system for payment of any associated permit application fees.

Once the new ePermits System is in place, we anticipate a reduction in the amount of time necessary for an applicant to apply for a permit, and perform regular actions related to that permit (e.g., file amendments, renew permits, submitting associated reporting requirements). Through the ePermits account registration, we will track and be able to more accurately report the numbers of small business applicants, along with the type of business (for-profit, farm, not-for profit). This information will allow the Service to be more responsive in identifying the possibility of additional burden reduction on small businesses.

We also plan to eliminate the necessity for physical mail-in applications and associated reporting requirements (though this will remain an option for those who either don't have access to the internet or prefer to submit forms manually), thus further reducing the burden on the public as well. With ePermits, an applicant will be able to establish an account, apply for multiple permits through a single interface, and track all their applications, permits and permit-related actions as well as all communications between Service staff and the permittee/applicant within the same interface, significantly reducing the burden on the government to process these applications and manage permit-related actions.

The Service anticipates the discontinuance of the paper-based versions of a large number of forms after the ePermits System has been in full operation for at least 18-24 months. The elimination of paper based forms is expected to reduce the government cost of administering and processing permit applications.

Geese Requirements – Participating States/Tribes develop their own methodology for collecting information for the light goose conservation order. States may submit the information electronically via email. Allowing States/Tribes to submit their reports electronically reduces administrative burden to respondents and the Federal government. We currently summarize data collected for all three Flyways that harvest light geese. Tables of summarized data are provided to participating States. We estimate that 5% of individuals/households and 80% of State/Tribal governments will utilize electronic submission.

We have an electronic registration and reporting website (<https://epermits.fws.gov/eRCGR>) for landowners operating under the nest and egg depredation order (50 CFR 21.50) as the sole information collection method. All phases of the site development are complete, including summaries of the data collected, which are available to the general public on the site's login page. For all other activities associated with this ICR, we accept responses electronically (email), by fax, or by regular mail. We anticipate receiving nearly 100% of responses electronically.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

No other agency has the authority to regulate take of migratory birds, and the information we propose to collect is not being gathered elsewhere.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This collection will not have a significant impact on small entities. We collect only the minimum information necessary to manage these migratory birds.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Not collecting the information would not affect the depredation order. However, we need the information to assess the take on the species included under this depredation order and determine if some species should be removed from this order.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Persons and entities operating under this order must report take of bird listed as Threatened, Endangered, or are Candidates for Listing prior to reporting this take on their Annual Report.

The regulation at 50 CFR §13.46, Maintenance of records, requires records to be kept for a period of five years.

Accidental take of any species protected under the Endangered Species Act, the MBTA, or the Bald and Golden Eagle Protection Act must be immediately reported to the Service.

There are no other circumstances that require us to collect the information in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On February 11, 2020, we published in the *Federal Register* ([85 FR 7780](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on April 10, 2020. We received one comment which did not address in the information collection requirements. Therefore, no response was required.

In addition to the Federal Register Notice, we consulted with the eight (8) individuals identified in Table 8.1 who are familiar with this collection of information in order to validate our time burden estimate and asked for comments on the questions below:

Table 8.1

Organization	Title
Quad City Airport	Public Safety Manager
Griffith Wildlife Biology	Proprietor of GWB
Leatherman Bioconsulting, Inc.	Not Available
Wright Fish Farms	President
Camp Nine Co., Inc. & Baxter Land Co.	President
Bear Creek Fisheries	President
Seattle-Tacoma Int'l Airport - Port of Seattle	Aviation Wildlife Manager
Keo Fish Farm	Principal Officer

“Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary”

Comments: None received.

Agency Response/Action Taken: No action required.

“The accuracy of our estimate of the burden for this collection of information”

Comments: One commenter indicated that he was extremely familiar with the time requirements to collect information for Annual Report-Form 3-2436 Depredation Order 50 CFR

21 and believed our estimated average time per response for Reporting of 3 hours and for Record Keeping Requirements of 1 hour to be accurate estimations. The commenter indicated that the estimated average time per response for Reporting of 2.5 hours and for Record Keeping Requirements of 1 hour for the (NEW) ePermits Annual Report-Form 3-2436 Depredation Order 50 CFR 21 were likely accurate estimations.

Agency Response/Action Taken: The commenter confirmed the Service's burden estimates. No action required.

“Ways to enhance the quality, utility, and clarity of the information to be collected”

Comments: One respondent felt the Service should add the number of harassment attempts made by species in the table of “Takes” to be consistent with the depredation permit special conditions, Item 1 stating the permit holder must use a program of continual harassment in conjunction with lethal removal.

Agency Response/Action Taken: We will consider this recommendation for future action after evaluating potential burden on respondents. The Service is concerned this recommendation may be overly burdensome and needs to ensure the information is necessary for the Service to monitor take management.

And

“Ways to minimize the burden of the collection of information on respondents”

Comments: One respondent recommends that all annual reports should be due at the same time. They specifically referenced the control order for geese at airports is due December 31st rather than January 31st like the other annual reports.

Agency Response/Action Taken: We agree with this recommendation and will include this change in our future regulatory update to Subpart D scheduled for 2021.

One commenter responded back to clarify what information was being asked of them, but they didn't respond to the follow-up email providing them with the requested information. Despite multiple attempts to contact the remaining 5 individuals, we were unable to solicit their feedback.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We do not provide payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We do not provide any assurance of confidentiality. Information is collected and protected in accordance with the Privacy Act (5 U.S.C. § 552a) and the Freedom of Information Act (5 U.S.C. 552). We will maintain the information in a secure System of Records (Permits System—Interior, FWS-21, September 4, 2003, 68 FR 52610; modification published June 4, 2008, [73 FR 31877](#)). The information is not publicly available and we only share the information with agencies having a legal interest.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

We estimate that we will receive **30,334 responses** totaling **10,887 annual burden hours**. We estimate the annual dollar value of the burden hours to be **\$485,848** (rounded). We used table 1 from the of Bureau of Labor Statistics (BLS) News Release [USDL-20-0451](#), March 19, 2020, Employer Costs for Employee Compensation—December 2019, to obtain the below listed hourly rates necessary calculate the total annual burden:

- Individuals – the hourly rate for all workers is listed as \$37.10, including benefits.
- Private Sector – the hourly rate for all workers is listed as \$34.72, including benefits.
- Government – the hourly rate for all workers is listed as \$52.14, including benefits.

Respondent	Activity	Annual No. of Respondents	Number of Submissions Each	Total Annual Responses	Avg. Time per Response (hours)	Total Annual Burden Hours*	Hourly Labor Costs Incl. Benefits	Dollar Value of Annual Burden Hours
Annual Report – Depredation Order (Form 3-2436) 50 CFR §21								
Individuals	Reporting	8	1	8	3	24	\$ 37.10	\$890.40
	Recordkeeping				1	8	37.10	296.80
Private Sector	Reporting	8	1	8	3	24	34.72	833.28
	Recordkeeping				1	8	34.72	277.76
Government	Reporting	11	1	11	3	33	52.14	1,720.62
	Recordkeeping				1	11	52.14	573.54
(NEW) ePermits Annual Report – Depredation Order (Form 3-2436) 50 CFR §21								
Individuals	Reporting	8	1	8	2.5	20	\$ 37.10	\$742.00
	Recordkeeping				1	8	37.10	296.80
Private Sector	Reporting	8	1	8	2.5	20	34.72	694.40
	Recordkeeping				1	8	34.72	277.76
Government	Reporting	11	1	11	2.5	28	52.14	1,459.92

	Recordkeeping				1	11	52.14	573.54
Report Take - Endangered, Threatened, and Candidate Species 50 CFR §21.43, §21.49-21.55, and §21.61								
Individuals	Reporting	1	1	1	.75	1	\$ 37.10	\$37.10
	Recordkeeping				.25	0	37.10	0.00
Private Sector	Reporting	3	1	3	.75	2	34.72	69.44
	Recordkeeping				.25	1	34.72	34.72
Government	Reporting	3	1	3	.75	2	52.14	104.28
	Recordkeeping				.25	1	52.14	52.14
Conservation Order for Control of Light Geese 50 CFR §21.60 (From 1018-0103)								
Government	Reporting	39	1	39	106	4,134	\$ 52.14	\$215,546.76
	Recordkeeping				8	312	52.14	16,267.68
Conservation Order Participants - Provide Information to States 50 CFR §21.60 (From 1018-0103)								
Individuals	Reporting	21,538	1	21,538	.13333	2,872	\$ 37.10	\$106,551.20
Annual Report - Airport Control Order 50 CFR §21.49 (From 1018-0133)								
Private Sector	Reporting	25	1	25	1	25	\$ 34.72	\$868.00
	Recordkeeping				.5	13	34.72	451.36
Government	Reporting	25	1	25	1	25	52.14	1,303.50
	Recordkeeping				.5	13	52.14	677.82
Initial Registration - Nest & Egg Depredation Order 50 CFR §21.50 (From 1018-0133)								
Individuals	Reporting	126	1	126	.5	63	\$ 37.10	\$2,337.30
Private Sector	Reporting	674	1	674	.5	337	34.72	11,700.64
Government	Reporting	200	1	200	.5	100	52.14	5,214.00
Renew Registration - Nest & Egg Depredation Order 50 CFR §21.50 (From 1018-0133)								
Individuals	Reporting	374	1	374	0.25	94	\$ 37.10	\$3,487.40
Private Sector	Reporting	2,026	1	2,026	0.25	507	34.72	17,603.04
Government	Reporting	600	1	600	0.25	150	52.14	7,821.00
Annual Report - Nest & Egg Depredation Order 50 CFR §21.50 (From 1018-0133)								
Individuals	Reporting	500	1	500	.17	85	\$ 37.10	\$3,153.50
	Recordkeeping				.08	40	37.10	1,484.00
Private Sector	Reporting	2,700	1	2,700	.17	459	34.72	15,936.48
	Recordkeeping				.08	216	34.72	7,499.52
Government	Reporting	800	1	800	.17	136	52.14	7,091.04
	Recordkeeping				.08	64	52.14	3,336.96
Recordkeeping - Agricultural Depredation Order 50 CFR §21.51 (From 1018-0103)								
Private Sector	Recordkeeping	600	1	600	0.5	300	\$ 34.72	\$10,416.00
Annual Report - Agricultural Depredation Order 50 CFR §21.51 (From 1018-0133)								
Government	Reporting	20	1	20	7	140	\$ 52.14	\$7,299.60
	Recordkeeping				1	20	52.14	1,042.80
Annual Report - Public Health Order 50 CFR §21.52 (From 1018-0133)								
Government	Reporting	20	1	20	.75	15	\$ 52.14	\$782.10
	Recordkeeping				.25	5	52.14	260.70
Annual Report and Recordkeeping - Population Control Approval Request 50 CFR §21.61 (From 1018-0133)								
Government	Reporting	3	1	3	12	36	\$ 52.14	\$1,877.04
	Recordkeeping				12	36	52.14	1,877.04
Population Control Approval Request (Population and Distribution Estimates) 50 CFR §21.61 (From 1018-0133)								
Government	Reporting	3	1	3	160	480	\$ 52.14	\$25,027.20
Totals:		30,334		30,334		10,887		\$ 485,848.18

*Rounded to match ROCIS

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount

rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Transfer of Nonhour burden costs from 1018-0103

We estimate that each participating State/tribe will incur overhead costs (materials, printing, postage, etc.) associated with mailing surveys to conservation order participants of approximately \$2,000, or a total of \$78,000 in non-hour burden costs (39 responses x \$2,000). Conservation order participants manually report the data back to the States/tribes who then report it electronically to the Service (as explained in question 3).

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The estimated annual cost to the Federal Government for reviewing and processing reports associated with this collection of information is **\$27,148** (rounded) (\$26,848 in salaries plus \$300 for mailing).

We used Office of Personnel Management Salary Table [2020-DCB](#) to obtain the most up-to-date hourly rates for staff. We used BLS News Release [USD-20-0451](#), March 19, 2020, Employer Costs for Employee Compensation—December 2019, and multiplied the hourly wage by 1.59 to account for benefits.

Action	Position and Grade	Hourly Rate	Fully Burdened Hourly Rate (x 1.59)	Total Annual Hours	Annual Cost
Review and process annual and take reports	GS 12/5	\$ 46.88	\$74.54	55	\$ 4,099.70
Prepare spreadsheet, consolidate information, review harvest totals, and maintain necessary files on light geese.	GS 12/5	46.88	74.54	2.5	186.35
Nest and egg registration - administration	GS 12/5	46.88	74.54	150	11,181.00
Nest and egg registration - collect and assess data	GS 12/5	46.88	74.54	150	11,181.00
TOTAL:					\$ 26,848.05

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

As a result of the proposed changes explained in question 2, we are reporting a burden increase of **30,278 annual responses** and **10,678 annual burden hours**. We are also reporting a nonhour cost burden increase of **\$78,000** associated with the transfer of 1018-0103 into this collection.

For the purpose of transferring the ICs from 1018-0103 and 1018-0133 into 1018-0146, we did not make any burden adjustments to the previously approved burden (see Table 15.1 below for itemized burden changes based on previous submission by collection and new ICs).

Table 15.1 – Itemized burden changes (by collection)

Original Control No.	IC Title	Previous Responses	2020 Responses	Change	Previous Hours	2020 Hours	Change
1018-0146	Annual Report - Depredation Order – Individuals	10	8	(2)	40	32	(8)
	Depredation Annual Report (FWS Form 3-202-21-21430) – Individuals <i>(Merged into Form 3-2436 above (split between regular and ePermits ICs))</i>	5	0	(5)	20	0	(20)
New	ePermits Annual Report - Depredation Order – Individuals <i>(Decreased reporting time from manual submission above)</i>	New	8	8	New	28	28
	Annual Report - Depredation Order – Private Sector	10	8	(2)	40	32	(8)
	Depredation Annual Report (FWS Form 3-202-21-2143) - Private Sector <i>(Merged into Form 3-2436 above (split between regular and ePermits ICs))</i>	5	0	(5)	20	0	(20)
New	ePermits Annual Report - Depredation Order – Private Sector <i>(Decreased reporting time from manual submission above)</i>	New	8	8	New	28	28
	Annual Report - Depredation Order – Government	1	11	10	4	44	40
	Depredation Annual Report (FWS Form 3-202-21-2143) – Government <i>(Merged into Form 3-2436 above (split between regular and ePermits ICs))</i>	20	0	(20)	80	0	(80)
New	ePermits Annual Report - Depredation Order – Government <i>(Decreased reporting time from manual submission above)</i>	New	11	11	New	39	39
	Endangered, Threatened, and Candidate Species Take Report (50 CFR 21.43 and 21.46) - Individuals	1	1	0	1	1	0
	Endangered, Threatened, and Candidate Species Take Report (50 CFR 21.43 and 21.46) - Private Sector <i>(Increase from 1018-0133 below)</i>	1	3	2	1	3	2
	Endangered, Threatened, and Candidate Species Take Report (50 CFR 21.43 and 21.46) – Government	3	3	0	3	3	0
1018-0103	Conservation Order for Control of Light Geese – Government	39	39	0	4,446	4,446	0
	Conservation Order Participants – Individuals	21,538	21,538	0	2,872	2,872	0
1018-0133	Annual Report – Airport Control Order – Private Sector	25	25	0	38	38	0
	Annual Report – Airport Control Order – Government	25	25	0	38	38	0
	Initial Registration – Nest and Egg Depredation Order – Individuals	126	126	0	63	63	0
	Nest and Egg Depredation Order - Initial Registration – Private Sector	674	674	0	337	337	0
	Initial Registration - Nest and Egg	200	200	0	100	100	0

	Depredation Order – Government						
	Renew Registration – Nest and Egg Depredation Order – Individuals	374	374	0	94	94	0
	Renew Registration – Nest and Egg Depredation Order – Private Sector	2,026	2,026	0	507	507	0
	Renew Registration – Nest and Egg Depredation Order – Government	600	600	0	150	150	0
	Annual Report – Nest and Egg Depredation Order – Individuals	500	500	0	125	125	0
	Annual Report – Nest and Egg Depredation Order – Private Sector	2,700	2,700	0	675	675	0
	Annual Report – Nest and Egg Depredation Order – Government	800	800	0	200	200	0
	Recordkeeping – Agricultural Depredation Order– Private Sector	600	600	0	300	300	0
	Annual Report - Agricultural Depredation Order – Government	20	20	0	160	160	0
	Annual Report - Public Health Control Order	20	20	0	20	20	0
	Annual Report - Population Control Approval Request – Government	3	3	0	72	72	0
	Population Control Approval Request (Population and Distribution Estimates) – Government	3	3	0	480	480	0
	Report Take of Endangered Species <i>(Burden estimates merged with same IC previously approved under 1018- 0146)</i>	2	0	(2)	1	0	(1)

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

We will not publish the results of this information collection.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We will display the OMB control number and expiration date on appropriate materials.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.