

CONTINUATION

| 4. MIGRATORY BIRD SPECIES | | 5. PERMIT RECOMMENDATION | | |
|---------------------------|--------------------|--|-----------------------|------------|
| A. DEPREDATING SPECIES | B. NUMBER INVOLVED | A. TAKE RECOMMENDATION | B. NUMBER RECOMMENDED | C. METHODS |
| (9) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (10) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (11) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (12) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (13) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (14) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (15) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (16) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (17) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (18) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (19) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (20) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (21) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (22) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (23) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (24) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (25) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (26) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (27) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (28) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (29) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (30) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (31) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (32) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (33) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (34) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (35) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (36) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (37) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (38) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (39) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| (40) | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |

PRIVACY ACT NOTICE

5 U.S.C. 552a(e)(3) requires that each agency that maintains a system of records provide each individual from whom the agency solicits information with the following information.

AUTHORITY FOR REQUESTING INFORMATION

7 U.S.C. 8351 to 8353, and 16 U.S.C. 667, authorizes officers, agents, and employees of the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) to conduct a program of wildlife services and to enter into agreements with States, local jurisdictions, individuals, and public and private agencies, organizations, and institutions for the purpose of conducting such services.

NATURE OF YOUR DISCLOSURE OF INFORMATION

Disclosure of information solicited by USDA, APHIS, Wildlife Services is voluntary.

PRINCIPLE PURPOSE FOR WHICH THE INFORMATION IS SOLICITED

Information is solicited from you for the purpose of executing and implementing agreements for control of wildlife damage.

ROUTINE USES WHICH MAY BE MADE OF THE INFORMATION

- (1) To cooperative Federal, State, Tribal, and local government officials, employees, or contractors and other parties as necessary to carry out the program; and other parties engaged to assist in administering the program. Such contractors and other parties will be bound by the nondisclosure provisions of the Privacy Act. This routine use assists the agency in carrying out the program, and thus is compatible with the purpose for which the records are created and maintained;
- (2) To the appropriate agency, whether Federal, State, local, Tribal, or foreign, charged with responsibility of investigating or prosecuting a violation of law or of enforcing, implementing, or complying with a statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and either arising by general statute or particular program statute, or by rule, regulation, or court order issued pursuant thereto;
- (3) To the Department of Justice when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or the United States, in litigation, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected;
- (4) For use in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when the agency, or any component thereof, or any employee of the agency in his or her official capacity, or any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation; provided, however, that in each case, the agency determines that disclosure of the records to the court is a use of the information contained in the records that is compatible with the purpose for which the records were collected;
- (5) To appropriate agencies, entities, and persons when the agency suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; the agency has determined that as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, a risk of identity theft or fraud, or a risk of harm to the security of integrity of this system or other systems or programs (whether maintained by the agency or another agency or entity) that rely upon the compromised information; and the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm;
- (6) To USDA contractors, partner agency employee or contractors, or private industry employed to identify patterns, trends, or anomalies indicative of fraud, waste, or abuse;
- (7) To land management agencies, such as the Bureau of Land Management and the U.S. Fish and Wildlife Service, relating to wildlife damage on grazing allotments;
- (8) To consumer reporting agencies in accordance with 31 U.S.C. 3711(e);
- (9) To Federal, State, Tribal, and local regulatory agencies and their employees and contractors who collaborate with Wildlife Services in implementation of, or agencies that regulate, wildlife management projects or programs, or who have an interest in, or regulate, animal or public health, or national security;
- (10) To Federal or State Government-level representatives of the U.S. Environmental Protection Agency, in compliance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) mandate in 7 U.S.C. 136(f, and i thru l), of the location on a cooperator's property where certain regulated pesticide devices are deployed or regulated pesticides are applied; and
- (11) To the National Archives and Records Administration (NARA) or to the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906.

EFFECTS OF FAILURE TO FURNISH INFORMATION

Failure to provide the solicited information will not subject you to penalties or adverse consequences.

Instructions
WS Form 37, USFWS Migratory Bird Permit Application/Review
for requester management of migratory bird damage to resources

REVIEW TYPE (upper right-corner): Select “NEW”, “RENEWAL”, or “WITHOUT CHANGE”. Select RENEWAL only if this is a renewal action for an existing U.S. Fish and Wildlife Service (USFWS) migratory bird damage management permit. Also include the permit number.

SECTION 1, REQUESTER’S INFORMATION: Enter the Requester’s name, address, home and/or work telephone number(s), and fax number or email address.

SECTION 2, LOCATION OF DAMAGE: In Part A, describe the location of the damage using a physical address, or a descriptive address such as “requester’s corn field located on Highway 422, 3 miles east of Rodunka, WA” or “back yard of requester’s residence”. In Parts B and C, enter the county and state.

SECTION 3, RESOURCE/DAMAGE ESTIMATE: In Part A, select all boxes which identify the resources being damaged by category (Agricultural, Health and Safety, Natural Resources, or Property). In Part B, list the specific resources (e.g., field corn, soybeans). In Part C, describe what kind of damage is occurring (e.g., “Canada Geese are feeding on field corn and soybeans and trampling plants. About on-half acre of corn and about one acre of soybeans has been destroyed or damaged”).

SECTION 4, MIGRATORY BIRD SPECIES: On separate rows, list the depredating species (common name or scientific name) doing the damage and the number of birds involved.

SECTION 5, PERMIT RECOMMENDATION: On separate rows, continue Section 4 by marking YES or NO for recommended “permit to take”, the number of birds that are recommended for the Requester to be allowed to take, and the method(s) that are recommended for the requester to use. This should be distinguished from the list in Section 7 by listing the actual tools to be used (e.g. firearms, cage traps, corral traps, repellents, pyrotechnics, gas cannons, vehicles, vegetable oil, etc.).

SECTION 6, ACTIONS: In Part A, if the requester has taken action in the past to address the damage, enter information about it as well as the results. Include only actions that have not been covered under another permit (e.g., the requester may have changed the location of his resource or put up scarecrows to try to mitigate the damage before seeking more effective measures.) Permitted actions for previous years should also be listed if this is a permit review application. If no actions have been taken previous to completing this form, enter “NONE”. In Part B, enter any comments that may be relevant to USFWS’s review of this request.

SECTION 7, RECOMMENDED ACTIONS: Check all boxes for the actions/methods that are to be recommended for this project.

SECTION 8, WS INVESTIGATOR INFORMATION: In Part A, enter the WS Investigator’s name, address, telephone number, and email address. In Part B, enter the WS Investigator’s signature.

SECTION 8, PART B - DIGITAL SIGNATURE: If the form is being digitally signed in Part B, only a LincPass or other USDA-authorized certificated identity may be used. To digitally sign the form:

- a. Click on the digital signature icon (red arrow) in Section 8, Part B
- b. A “Sign Document” window will open allowing selection of an identity from a “Sign As” dropdown list.
- c. Select the applicable Entrust identity (e.g. John Doe (Entrust) yyyy.mm.dd).
- d. A confirmation message will appear providing information specific to this digital signing operation including the fact that it is being signed by you. This information will appear stamped in Section 8, Part B, when the signing is finalized.
- e. Mark the “Lock Document After Signing” box to lock the document from any further editing once signed.
- f. Select the “Review” button to confirm there are no errors with the form that might interfere with the digital signature.
- g. Select the “Sign” button and save the newly signed document to a predetermined location. Be sure to save the document with a modified file name so the base electronic WS Form 37 is not accidentally overwritten (e.g., change WS FORM 37 to WS FORM 37 SMITH).
- h. With VPN connections, an ActivClient Login PIN may be needed. Enter the PIN and select OK.

SECTION 9, DATE OF INVESTIGATION: Enter the date of the investigation. This is usually the date the form is signed by the WS Investigator. It is also the date for the MIS entry.

A copy of the **Privacy Act Notice** must accompany the Requester’s copy of the completed WS Form 37.