

¹Supporting Statement A for Paperwork Reduction Act Submission

OMB Control Number 1018-0133

Control and Management of Resident Canada Geese 50 CFR 20.21, 21.49, 21.50, 21.51, 21.52 and 21.61

Terms of Clearance. The Office of Management and Budget (OMB) approved this information collection on August 30, 2006, with the following terms of clearance: "Reductions in burden to 1018-0022 as a result of this new program should be reflected in DOI's next request for extension in July 2007."

In July 2007, the Fish and Wildlife Service (we, Service) submitted an Information Collection Request (ICR) to OMB to renew approval for 1018-0022 (Federal Fish and Wildlife Permit Applications and Reports--Migratory Birds and Eagles). In that ICR, we addressed and included the burden reductions anticipated as a result of the information collections associated with the program for Control and Management of Resident Canada Geese.

1. Explain the circumstances that make the collection of information necessary.

Under the Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.), we are responsible for ensuring that migratory bird populations do not become threatened or endangered. In 2006, we issued regulations that established two depredation orders and three control orders to allow control and management of resident Canada goose populations without permits. The regulations:

- Allow State and tribal wildlife management agencies, airports, and landowners sufficient flexibility, within predefined guidelines, to reduce resident Canada goose populations.
- Authorize airports, landowners, and State and tribal wildlife agencies (or their authorized agents) to conduct (or allow) management activities, including the take of birds, on resident Canada goose populations.
- Authorize direct population control strategies.

Under this program, the individual States, tribes, or directed public (airports and landowners) are authorized to implement the provisions of the regulations within Service guidelines. In addition to specific strategies, we will continue the use of special and regular hunting seasons, issued under 50 CFR 20, and the issuance of depredation permits and special Canada goose permits, issued under 50 CFR 21.41 and 21.26, respectively.

To fulfill our responsibility to conserve migratory birds, we must be able to estimate how many geese are being taken. We also need to know that birds are being taken for purposes that comply with the MBTA.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, explain how the collection complies with all applicable Information Quality Guidelines.

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.

Airport Control Order - 50 CFR 21.49 - airports and military airfields operating under this order 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. This information is used 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 the take of any species protected under the Endangered Species Act (ESA) (21.49(d)(1)). This information ensures that the program does not exceed incidental take limits authorized under Section 7 of the ESA.

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. We use this information for enforcement purposes and to contact registrants when there are questions regarding their report information.
- 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 other Service biologists for their use in determining allowable take by other methods, including hunting seasons. In the future, we plan to include this information on the registration website.
- Immediately report 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.

- Authorized agricultural producers must (1) 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)).
- States and tribes must submit by December 31 an annual report summarizing activities, including the numbers and county of birds, nests, and eggs 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 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.
- 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 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.

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 individuals 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.

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].

We established an electronic registration and reporting website for landowners operating under the nest and egg depredation order (21.50) as the sole information collection method - <https://epermits.fws.gov/eRCGR>. Once all phases of development of the site are complete, we will make summaries of the information collected available to the general public on the site's login page, including summaries of the number of nests reported by year, State, and county. We also plan to implement a similar site for airports under the airport control order (21.49); however, this site will likely not be operational for several years due to higher electronic permitting priorities. For all other activities associated with this ICR, we accept responses electronically (email), by fax, or by regular mail.

4. Describe efforts to identify duplication.

The information that we collect is not available from any other source. Other than the general identifying information (name, address, telephone number, email address), the information collected is unique for each depredation and control order.

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

We collect only the minimum information necessary to help us effectively manage bird populations and identify potential problems. Small businesses or other small entities are affected primarily by the nest and egg depredation order, which requires online registration and reporting in order to destroy resident Canada goose nests and eggs.

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 conducting this information collection would compromise our ability to conserve resident Canada goose populations in an informed and responsible manner and could consequently jeopardize the health of resident Canada goose populations in the United States. The information is necessary to ensure that the program complies with MBTA and treaty terms. Further, because of other current and potential impacts on these goose populations (primarily special and regular hunting seasons), we believe that accurate and complete annual monitoring of take is justified.

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.

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

8. **Provide 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 (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.**

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. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

On March 18, 2009, we published a notice in the Federal Register (74 FR 11597) announcing our intent to request that OMB renew this information collection. In that notice, we solicited comments for 60 days, ending on May 18, 2009. We received one comment in response to that notice. The commenter opposed the killing of geese, but did not address the information collection requirements. We did not make any changes as a result of this comment.

In addition to our notice, we contacted the following six individuals who registered to take nests and eggs under the nest and egg order. We asked for information about their experience with the registration website, including:

- Whether or not the web pages and instructions are clear
- How long it takes to log on and complete registration, including time to review instructions, gather and maintain data, and enter it into the system.
- How long it takes to log on and complete the annual report, including time to review instructions, gather and maintain data, and enter the data into the system.
- Ways to minimize the burden

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Four individuals responded. All believed our burden estimates were reasonable and the website is easy to navigate. One person commented on the necessity to enter a zero if no nests were taken. We replied and explained that unless the user enters a figure (including zero) in each of the 4 months that eggs or nests can be taken, we would have no way to tell if the report was complete. Some commenters did not realize that they can enter the reports as they go rather than waiting until October. We will make this clear in the instructions. One commenter believed that the website could be more intuitive. We will review the website and consider ways to improve it.

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

We do not provide gifts or payments 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. The information that we collect is subject to the requirements of the Privacy Act and the Freedom of Information Act.

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.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

We anticipate receiving approximately 4,835 responses totaling 8,261 annual burden hours for this information collection. Completion times vary substantially depending on the activity. The table below displays estimates based on our experience over the last 3 years. We estimate the total dollar value of the burden hours to be \$292,976 (rounded).

Regulation/ Activity	Annual Number of Responses	Completion Time (hours) Per Response	Total Annual Burden Hours	Hourly Rate w/ Benefits*	\$ Value of Annual Burden Hours
21.49–Airport Control Order Annual Report - Private Sector - Govt	55 55	1.5 1.5	83 83	\$33.96 \$36.39	\$ 2,818.68 3,020.37
21.50–Nest & Egg Depredation Order Registration/Annual Report - Individuals - Private Sector - Govt	500 3,400 100	0.5 0.5 0.5	250 1,700 50	\$26.07 \$33.96 \$36.39	6,517.50 57,732.00 1,819.50
21.51–Agricultural Depredation Order Recordkeeping - Private Sector Annual Report - Govt	600 30	0.5 8	300 240	\$33.96 \$36.39	10,188.00 8,733.60
21.52–Public Health Control Order Annual Report (Govt)	35	1	35	\$36.39	1,273.65
21.61–Population Control Approval Request Recordkeeping & Report (Govt) Population Estimates (Govt)	30 30	24 160	720 4,800	\$36.39 \$36.39	26,200.80 174,672.00
Totals	4,835		8,261		\$292,976.10

*To obtain the hourly rate for individuals/households, we used the wage calculator at www.bls.gov for all of the United States, all occupations, 2005 data. To obtain the rate for State/local/tribal government, we used data from http://www.bls.gov/oes/current/naics4_999200.htm, Table 19-1023 -- wildlife biologist mean income. For this collection, we have assumed that the rate for the private sector is identical to the rate for State/local/tribal. To account for benefits, we multiplied the rate for individuals/households and the private sector by 1.4, and multiplied the rate for State/local/tribal governments by 1.5. We calculated the benefits in accordance with BLS news release USDL: 08-1802, December 10, 2008. Particular values are:

- Individuals - \$26.07 (\$18.62 multiplied by 1.4)
- Private Sector - \$33.96 (\$24.26 multiplied by 1.4)
- State/local/tribal government - \$36.39 (\$24.26 multiplied by 1.5)

13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.

We have not identified any nonhour costs associated with this information collection.

14. Provide estimates of annualized costs to the Federal Government.

We estimate the annual cost to the Federal Government to administer this information collection to be \$18,565.

Salary Costs - \$17,865 (\$59.55 X 300 hours)

Annually, we estimate Federal staff spend 150 hours on nest and egg registration administration and 150 hours to collect and assess data. Using the Office of Personnel Management Salary Table 2009-DCB, the salary rate for a GS-12/step 5 is \$59.55 including

benefits (\$39.70 hourly rate multiplied by 1.5 to account for benefits). For purposes of this collection, we used the same rate as an average for work (75 hours) performed by coordinators in our Regional Offices. We calculated the benefits in accordance with BLS news release USDL: 08-1802, December 10, 2008.

Other Costs (paper and mailing) - \$700

15. Explain the reasons for any program changes or adjustments.

We are estimating 4,835 responses totaling 8,261 burden hours for this collection, which is a decrease of 1,254 responses and 880 burden hours from our original request. This adjustment decrease is based on our experience over the past 3 years. The decreased estimate for the nest and egg depredation order may be due to a revision in the regulation that allowed homeowner associations and municipalities to register on behalf of their members and residents. As a result, only one entity needs to register in lieu of several. We believe the decrease in respondents for the airport control order may be because airports have continued to operate under a permit rather than the airport control order. Most airport depredation permits allow take of resident Canada geese in addition to a variety of other species that pose risks to public safety. Although the airport control order provides greater latitude for goose management than permits, most airports have chosen to continue to control geese under their multi-species airport depredation permits for simplicity. (Note: We plan to develop a broader airport depredation order that covers additional species over the next couple of years.)

16. For collections of information whose results will be published, outline plans for tabulation and publication.

We will not publish the results of this information collection. However, on the nest and egg registration website, we will post annual summaries of registration information, including the number of registrants by State and the number of nests destroyed by State and county. We will post the summaries the year following the report year, after we examine the data for anomalies.

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 the nest and egg registration website as well as on other appropriate materials..

18. Certification.

There are no exceptions to the certification statement.