



DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS-HQ-MB-2026-0827; FXFR13350700001-223-FF07CAFB00; OMB Control Number 1018-0146]

Agency Information Collection Activities; Depredation and Control Orders

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection without change.

DATES: Comments will be accepted on or before [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. eastern time on the closing date.

To ensure your comment is received and considered, you must submit it using one of the methods identified in the **ADDRESSES** section of this document. Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered.

ADDRESSES: *Comment submission:* All submissions must include the docket number [FWS-HQ-MB-2026-0827] of this document. You must submit comments using one of the following methods:

- *Electronic submission:* Federal eRulemaking Portal at: <https://www.regulations.gov>. In the Search box, enter FWS-HQ-MB-2026-0827, which is the docket number for this action. Then click the Search button. On the resulting page, you may submit a comment by clicking on “Comment.” Please

ensure that you have found the correct document before submitting your comments.

- *U.S. mail:* Service Information Collection Clearance Officer, Attn: Docket No. FWS-HQ-MB-2026-0827, U.S. Fish and Wildlife Service, MS: PRB (JAO/3W), 5275 Leesburg Pike, Falls Church, VA 22041-3803.

Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered. We will not accept comments via email, fax, or hand delivery. We are not required to consider comments that are submitted after the comment period ends or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered. We will post all comments at <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Madonna L. Baucum, Service Information Collection Clearance Officer, by email at Info_Coll@fws.gov, or by telephone at (703) 358-2503. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the information collection request at <https://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act (PRA; 44 U.S.C. 3501 et seq.) and its implementing regulations at 5 CFR part 1320, all information collections require approval under the PRA. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we

are again inviting the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comments addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.) implements four treaties concerning migratory birds signed by the United States with Canada, Mexico, Japan, and Russia. These treaties require that we conserve most U.S.

species of birds, and prohibit activities involving migratory birds, except as authorized by regulation. 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. We collect information concerning depredation actions to determine the number of birds of each species taken each year and whether the control actions are likely to affect the populations of those species.

We are not revising any information collections with this submission. However, on January 7, 2022, we issued a final rule (87 FR 876) to renumber, rename, and rearrange certain subparts and sections in our regulations at 50 CFR parts 21 and 22. We updated the citations for the information collections contained in 50 CFR part 21, subpart D, in this submission, to include those in FWS Form 3-2436, Annual Report.

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

Regulations at 50 CFR part 21 establish depredation and control orders and impose reporting and recordkeeping requirements. All persons or entities acting under these orders must provide an annual report by the date listed in the corresponding regulation. The capture and disposition of all nontarget migratory birds, including endangered, threatened, or candidate species, must be reported on 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 nontarget species taken:

- Species taken,
- Number of birds taken,
- Method of take,
- Months and years in which the birds were taken,

- State(s) and county(ies) in which the birds were taken,
- General purpose for which the birds were taken (such as for protection of agriculture, human health and safety, property, or natural resources), and
- Disposition of nontarget species (released, sent to rehabilitation facilities, etc.).

We use the information to:

- Identify the person or entity acting under depredation orders;
- Assess the impact to nontarget 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 following orders in mitigating order-specific related damages:

§21.150 - Depredation order for blackbirds, cowbirds, crows, grackles, and magpies;

§21.153 - Depredation order for horned larks, house finches, and white-crowned sparrows in California;

§21.156 - Depredation order for depredating California scrub jays and Steller's jays in Washington and Oregon;

§21.159 - Control order for resident Canada geese at airports and military airfields;

§21.162 - Depredation order for resident Canada geese nests and eggs;

§21.165 - Depredation order for resident Canada geese at agricultural facilities;

§21.168 - Public health control order for resident Canada geese;

§21.171 - Control order for purple swamphens;

§21.174 - Control order for Muscovy ducks in the United States;

§21.177 - Control order for invasive migratory birds in Hawaii;

§21.180 - Conservation order for light geese; and

§21.183 - Population control of resident Canada geese.

Recordkeeping Requirements (50 CFR 13.46)

Persons and entities operating under these orders must keep accurate records to complete Form 3-2436. The records of any taking must be legibly written or reproducible in English and maintained for five years after the persons or entities 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.

Endangered, Threatened, and Candidate Species Take Report (50 CFR part 21)

If activities conducted under a depredation or control order take a bird of a nontarget species that is federally listed as endangered or threatened, or that is a candidate for listing, under the Endangered Species Act (ESA; 16 U.S.C. 1531 et seq.), the bird must be delivered to a rehabilitator and must be reported by phone or email to the nearest Service Field Office or Special Agent. Capture and disposition of all nontarget migratory birds must also be reported on the annual report.

Required Notifications (50 CFR part 21)

- §21.150 - Report take of nontarget federally protected migratory birds to the nearest Service Field Office or Special Agent.
- §21.159 - 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.

- §21.159 - Airports and military airfields or their agents operating under this order must immediately report the take of any species protected under the ESA to the Service.
- §21.159 - To protect certain species from being adversely affected by management actions, airports and military airfields or their agents 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.
- §21.159 - 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) (U.S. Geological Survey OMB Control Number 1028-0082).
- §21.162 - 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 comply with all State and local laws and regulations.
- §21.162 - Registrants operating under this order must immediately report the take of any species protected under the ESA to the Service.
- §21.162 - 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.
- §21.165 - Authorized individuals operating under this section must immediately report the take of any species protected under the ESA to the Service.

- §21.165 - 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) (U.S. Geological Survey OMB Control Number 1028-0082).
- §21.168 - 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) (U.S. Geological Survey OMB Control Number 1028-0082).
- §21.168 - States and Tribes operating under this order must immediately report the take of any species protected under the ESA to the Service.
- §21.168 - To protect certain species from being adversely affected by management actions, States and Tribes 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.
- §21.171 - Authorized individuals operating under this order must immediately report the take of any other species protected under the ESA, the MBTA, or the Bald and Golden Eagle Protection Act to the nearest Ecological Services office.
- §21.174 - Authorized individuals operating under this order must immediately report the take of any species protected under the ESA, or any other bird species protected under the MBTA, to the Service Ecological Services office for the State or location in which the take occurred.
- §21.177 - Authorized personnel must obtain authorization from landowners prior to conducting management activities authorized by this order.
- §21.177 - Authorized individuals operating under this order must immediately report the take of any nontarget species protected under the ESA or MBTA within 72 hours of take to the Pacific Region Migratory Bird Permit office in Portland, Oregon.

- §21.183 - Authorized individuals operating under this section must immediately report the take of any species protected under the ESA to the Service.

Access to Depredation and Control Efforts (50 CFR 21.150, 21.156, 21.168, 21.180, 21.183)

Persons acting under the authority of these orders 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.

Canada Geese Nest and Egg Depredation Order (50 CFR 21.162)

In addition to the requirements listed above, landowners operating under this order must:

- Register with the Service using our web-based registration system (<https://epermits.fws.gov/eRCGR>) (§21.162(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 needs to enter only 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 available at <https://www.reginfo.gov/public/do/PRAMain>.

- Complete an annual report summarizing the date (month), numbers, and locations of nests and eggs taken by October 31 (§21.162(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.

Agricultural Depredation Order (50 CFR 21.165)

In addition to the requirements listed above:

- 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 three years (and records for three 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 (§21.165(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 (§21.165(d)(10)). We use this information to monitor the resident Canada goose populations in different areas of the country.

Conservation Order for Light Geese (50 CFR 21.180)

These regulations require States and Tribes to 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.

Population Control of Resident Canada Geese (50 CFR 21.183)

In addition to the requirements listed above, 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 (§21.183(d)). This information is necessary for us to assess whether or not the program should be authorized.
- Must keep annual records of activities carried out under the authority of the program. Specifically, information must be collection on:
 - The number of individuals participating in the program;
 - The number of days each individual participated in the program;

- The total number of resident Canada geese shot and retrieved during the program; and
- The number of resident Canada geese shot but not retrieved (§21.183(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 (§21.183(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 (§21.183(g)). 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.

The public may request copies of Form 3-2346 contained in this information collection by sending a request to the Service Information Collection Clearance Officer in **ADDRESSES**, above.

Title of Collection: Depredation and Control Orders Under 50 CFR part 21, Subpart D.

OMB Control Number: 1018-0146.

Form Number: Form 3-2436.

Type of Review: Renewal without change of a currently approved collection.

Respondents/Affected Public: State and Federal wildlife damage management personnel, farmers, and individuals.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion for take reports and annually for annual reports.

Total Estimated Annual Nonhour Burden Cost: \$78,000 (each participating State/Tribe will incur for overhead costs (materials, printing, postage, etc.) associated with mailing surveys to conservation order participants).

Respondent	Activity	Annual No. of Respondents	Number of Submissions Each	Total Annual Responses	Avg. Time per Response (hours)	Total Annual Burden Hours*
Annual Report - Depredation Order (Form 3-2436)						
Individuals	Reporting	8	1	8	3	24
	Recordkeeping				1	8
Private Sector	Reporting	8	1	8	3	24
	Recordkeeping				1	8
Government	Reporting	11	1	11	3	33
	Recordkeeping				1	11
ePermits Annual Report - Depredation Order (Form 3-2436)						
Individuals	Reporting	8	1	8	2.5	20
	Recordkeeping				1	8
Private Sector	Reporting	8	1	8	2.5	20
	Recordkeeping				1	8
Government	Reporting	11	1	11	2.5	28
	Recordkeeping				1	11
Report Take - Endangered, Threatened, and Candidate Species (§21.150, §21.159-21.177, and §21.183)						
Individuals	Reporting	1	1	1	.75	1
	Recordkeeping				.25	0
Private Sector	Reporting	3	1	3	.75	2
	Recordkeeping				.25	1
Government	Reporting	3	1	3	.75	2
	Recordkeeping				.25	1
Conservation Order for Control of Light Geese (§21.180)						
Government	Reporting	39	1	39	106	4,134
	Recordkeeping				8	312
Conservation Order Participants - Provide Information to States (§21.180)						
Individuals	Reporting	21,538	1	21,538	.13333	2,872
Annual Report - Airport Control Order §21.159						
Private Sector	Reporting	25	1	25	1	25
	Recordkeeping				.5	13
Government	Reporting	25	1	25	1	25
	Recordkeeping				.5	13
Initial Registration - Nest & Egg Depredation Order (§21.162)						
Individuals	Reporting	126	1	126	.5	63
Private Sector	Reporting	674	1	674	.5	337
Government	Reporting	200	1	200	.5	100
Renew Registration - Nest & Egg Depredation Order (§21.162)						
Individuals	Reporting	374	1	374	0.25	94
Private Sector	Reporting	2,026	1	2,026	0.25	507
Government	Reporting	600	1	600	0.25	150
Annual Report - Nest & Egg Depredation Order (§21.162)						
Individuals	Reporting	500	1	500	.17	85
	Recordkeeping				.08	40
Private Sector	Reporting	2,700	1	2,700	.17	459
	Recordkeeping				.08	216
Government	Reporting	800	1	800	.17	136
	Recordkeeping				.08	64
Recordkeeping - Agricultural Depredation Order (§21.165)						

Private Sector	Recordkeeping	600	1	600	0.5	300
Annual Report - Agricultural Depredation Order (§21.165)						
Government	Reporting	20	1	20	7	140
	Recordkeeping				1	20
Annual Report - Public Health Order (§21.168)						
Government	Reporting	20	1	20	.75	15
	Recordkeeping				.25	5
Annual Report and Recordkeeping - Population Control Approval Request (§21.183)						
Government	Reporting	3	1	3	12	36
	Recordkeeping				12	36
Population Control Approval Request - Population and Distribution Estimates (§21.183)						
Government	Reporting	3	1	3	160	480
Totals:		30,334		30,334		10,887

*Rounded to match ROCIS

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Madonna Baucum,

Information Collection Clearance Officer, U.S. Fish and Wildlife Service.

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