

Special light goose permit

(a) *What is the special light goose permit and what is its purpose?*

The special light goose permit is a permit issued by us to a State or Federal wildlife agency authorizing certain light goose management and control activities that are normally prohibited. We will only issue such a permit when it will contribute to the reduction of a particular light goose population that has been shown to be injurious to habitats on breeding, migration, and/or wintering areas. The management and control activities conducted under the permit are intended to relieve or prevent injurious situations only. No person should construe the permit as opening, reopening, or extending any hunting season contrary to any regulations established under Section 3 of the Migratory Bird Treaty Act.

(b) *Who may receive a permit?*

Only State and Federal wildlife agencies (Agencies) are eligible to receive a permit to undertake light goose control activities. Additionally, only employees or designated agents of a permitted Agency may undertake activities for light geese in accordance with the conditions specified in the permit, conditions contained in 50 CFR part 13, and conditions specified in (d) of this section.

(c) *How does an Agency apply for a permit?*

Any wildlife agency wishing to obtain a permit must submit an application to the appropriate Service Regional Director containing the general information and certification required by 50 CFR 13.12(a) plus the following information:

- (1) A detailed statement showing that the light goose control activities will contribute to reduction of light goose populations that are targeted for reduction;
- (2) An estimate of the number of light geese migrating through or wintering in the State;
- (3) The requested annual take of light geese;
- (4) A statement indicating that the State will inform and brief all employees and designated agents of the requirements of these regulations and permit conditions.

(d) *What are the conditions of the permit?*

The special light goose permits are subject to the general conditions in 50 CFR part 13, the conditions elsewhere in this section, and, unless otherwise specifically authorized on the permit, the conditions outlined below:

(1) What are the limitations on management and control activities?

(i) Take of light geese as a management tool under this section may not exceed the number authorized by the permit.

(ii) Methods of take for the control of injurious light geese are at the Agency's discretion. Methods include, but are not limited to, firearms, alpha-chloralose, traps, and other damage control techniques consistent with accepted wildlife damage-management programs.

(2) When may an Agency conduct management and control activities?

Agencies and their employees and agents may conduct control activities whenever light geese are present in the geographic area for which they have jurisdiction.

(3) How must the States dispose or utilize geese taken under this permit?

Agencies and their employees and agents may possess, transport, and otherwise dispose of light geese taken under this section. Agencies must utilize such birds by donation to public museums or public institutions for scientific or educational purposes, by processing them for human consumption and distributing them free of charge to charitable organizations, or by burying or incinerating them. States, their employees, and designated agents may not sell, offered for sale, barter, or ship for the purpose of sale or barter any light geese taken under this section, nor their plumage.

(4) How does the permit relate to existing State law?

No person conducting management and control activities under this section should construe the permit to authorize the killing of light geese contrary to any State law or regulation, nor on any Federal land without specific

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authorization by the responsible management agency. No person may exercise the privileges granted under this section unless they possess any permits required for such activities by any State or Federal land manager.

(5) When conducting management and control activities, are there any special inspection requirements?

Any Agency employee or designated agent authorized to carry out management and control activities must have a copy of the permit and designation in their possession when carrying out any activities. The Agency must also require the property owner or occupant on whose premises the Agency is conducting activities to allow, at all reasonable times, including during actual operations, free and unrestricted access to any Service special agent or refuge officer, State wildlife or deputy wildlife agent, warden, protector, or other wildlife law enforcement officer (wildlife officer) on the premises where they are, or were, conducting activities. Furthermore, any Agency employee or designated agent conducting such activities must promptly furnish whatever information is required concerning such activities to any such wildlife officer.

(6) What are the reporting requirements of the permit?

Any Agency employee or designated agent exercising the privileges granted by this section must keep records of all activities carried out under the authority of this permit, including the number of light geese killed and their disposition. The Agency must submit an annual report detailing activities, including the time, numbers and location of birds, eggs, and nests taken and non-lethal techniques utilized, before December 31 of each year. The Agency should submit the annual report to the appropriate Assistant Regional Director – Migratory Birds and State Programs.

(7) What are the limitations of the special permit?

The following limitations apply:

- (i) Nothing in this section applies to any Federal land within a State's boundaries without written permission of the Federal Agency with jurisdiction.

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(ii) Agencies may not undertake any actions under any permit issued under this section if the activities adversely affect other migratory birds or species designated as endangered or threatened under the authority of the Endangered Species Act.

(iii) We will only issue permits to State and Federal wildlife agencies in the conterminous United States.

(iv) Agencies may designate agents who must operate under the conditions of the permit.

(v) *How long is the special permit valid?*

A special light goose permit issued or renewed under this section expires on the date designated on the face of the permit unless it is amended or revoked or such time that we determine that the light goose population in question no longer poses a threat to breeding, migration, and wintering habitats. In all cases, the term of the permit may not exceed five (5) years from the date of issuance or renewal.

(vi) *Can we revoke the special permit?*

We reserve the right to suspend or revoke any permit, as specified in 50 CFR 13.27 and 50 CFR 13.28.

(e) What are the OMB information collection requirements of the permit program?

Federal agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. We will apply for an information collection permit and use the information to administer this program. We will require the information from State and Federal wildlife agencies responsible for migratory bird management in order to obtain a special light goose permit, and to determine if the applicant meets all the permit issuance criteria, and to protect migratory birds. We estimate the public reporting burden for this collection of information to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data needed, and completing and reviewing the collection of information.