

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 21**

RIN 1018-AE46

Migratory Bird Special Canada Goose Permit**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule; re-opening of comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces the re-opening of the comment period for the Service's proposed rule on the establishment of a Canada goose damage management program. The program is designed to provide a biologically sound and more cost-effective and efficient method for the control of locally-breeding (resident) Canada geese that pose a threat to health and human safety and are responsible for damage to personal and public property.

DATES: The original comment period for the proposed rule closed June 1, 1998. The re-opened comment period will end on September 21, 1998.

ADDRESSES: Interested parties should submit written comments on the proposal to the Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, ms 634-ARLSQ, 1849 C Street, NW., Washington, DC 20240. The public may inspect comments during normal business hours in room 634, ARLSQ Building, 4401 N. Fairfax Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Paul R. Schmidt, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, (703) 358-1714.

SUPPLEMENTARY INFORMATION: On March 31, 1998, the Service published in the **Federal Register** (63 FR 15698) a proposal to amend 50 CFR part 21. The

proposal dealt with the establishment of a Canada goose damage management program. This program is designed to provide a biologically sound and more cost-effective and efficient method for the control of locally-breeding (resident) Canada geese that pose a threat to health and human safety and are responsible for damage to personal and public property. More specifically, the Service proposed to add a new permit option available to State conservation agencies specifically for resident Canada goose control and damage management. The special permit would only be available to a State conservation or wildlife management agency responsible for migratory bird management. Under this permit, States and their designated agents could initiate resident goose damage management and control injury problems within the conditions/restrictions of the program. Those States not wishing to obtain this new permit would continue to operate under the current permitting process.

The comment period is being re-opened to incorporate views from all parties that have expressed an interest in reviewing the proposed rule and environmental assessment. All previously submitted comments received after the original June 1, 1998, closing date will be considered.

In addition, the Service notifies the public of an administrative error associated with this proposal. In compliance with the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)), and the Council on Environmental Quality's regulation for implementing NEPA (40 CFR 1500-1508), the Service prepared an Environmental Assessment (EA) on the proposed establishment of the program and options considered in the "Environmental Assessment: Permits for the Control and Management of Injurious Resident Canada Geese." In conjunction with that EA, the Service

had prepared a draft finding that the new permit option would not be a major Federal action that would significantly affect the quality of the human environment as an administrative convenience. In error, the draft finding was included in the materials accompanying the final EA and was mistakenly finalized. The Service is now rescinding that inadvertent finding and will be considering the NEPA requirements if and when it makes a final decision on the proposed action. The EA is available to the public at the location indicated under the **ADDRESSES** caption.

Paperwork Reduction Act and Information Collection

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the Service submitted the necessary paperwork to the Office of Management and Budget (OMB) for approval to collect the information required by the applicant and permittee. Under the Act, information collections must be approved by OMB. After review, the information collection requirements of the Special Canada Goose Permit were approved by OMB and assigned clearance number 1018-0099. The information collection requirement will be used to administer this program and, particularly in the issuance and monitoring of these special Canada goose permits. The information requested will be required to obtain a special Canada goose permit, and to determine if the applicant meets all the permit issuance criteria, and to protect migratory birds.

Authority: Pub. L. 95-616, 92 Stat. 3112 (16 U.S.C. 712(2)).

Dated: July 17, 1998.

Stephen C. Saunders,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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