

**TESTIMONY OF THE WILDLIFE SOCIETY FOR THE RECORD OF THE MARCH 2012
HEARING OF THE HOUSE NATURAL RESOURCES SUBCOMMITTEE ON INSULAR
AFFAIRS, OCEANS, AND WILDLIFE REGARDING H.R. 3074, THE CORMORANT
MANAGEMENT AND NATURAL RESOURCES PROTECTION ACT**

The Wildlife Society is pleased to submit this statement in opposition of H.R. 3074, the “Cormorant Management and Natural Resources Protection Act,” for the record of the 29 March 2012 hearing of the Insular Affairs, Oceans, and Wildlife Subcommittee on the bill.

Founded in 1937, The Wildlife Society is a non-profit scientific and educational association of over 11,000 professional wildlife biologists and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to represent and serve the professional community of scientists, managers, educators, technicians, planners, and others who work actively to study, manage, and conserve wildlife and its habitats worldwide.

We respectfully request the Subcommittee to oppose the Cormorant Management and Natural Resources Protection Act (HR 3074) because it is duplicative of the Environmental Assessment recently developed regarding revised regulations governing the management of double-crested cormorants (cormorants, *Phalacrocorax auritus*) open for public comment by the US Fish and Wildlife Service (FWS) and is ineffective in addressing the concerns by stakeholders in relation to cormorant damage management – an objective of the current FWS revised guidelines.

Population numbers for cormorants in both the northern Great Lakes region and the southeastern United States have substantially increased since the 1970s due to a number of contributing factors, including increased federal protections under the Migratory Bird Treaty Act (MBTA), expansion of the aquaculture industry, and elimination of DDT. Once viewed as a conservation success, cormorant numbers have exceeded carrying capacity in some areas of the country resulting in increased human-wildlife conflict and impacts to fisheries, particularly in the Great Lakes region. In response to these rapidly increasing populations, FWS adopted two depredation orders, The Aquaculture Depredation Order (1998) and the Public Resource Depredation Order (2003), to assist with control at aquaculture facilities and to protect additional resources such as wildlife, fish, and their habitats. Further, FWS issues permits to individuals and agencies to resolve conflicts with related to human health and safety and to prevent private property damage.

The FWS has a responsibility to oversee and regulate activities taken under the depredation orders and individual depredation permits to ensure the long-term sustainability of cormorants throughout their range. Additionally, FWS regularly communicates with states and agencies to minimize management conflicts and to reduce impacts of depredation activities on other migratory birds or non-target species. The FWS recognizes that the current regulations governing management of cormorants are not perfect and with both depredation orders expiring in 2014 the FWS has a desire to revisit the current regulations to improve management.

On 8 November 2011 FWS released a *Request for Comments of Migratory Bird Permits; Double-Crested Cormorant Management in the United States* [Docket No. FWS-R9-MB-2011-0033; 91200-1231-9BPP]. The request for public comment aims to “guide the preparation of a Supplemental Environmental Impact Statement or Environmental Assessment on the development of revised regulations governing the management of double-crested cormorants.” Within this notice the following preliminary objectives have been identified:

- (1) To meet FWS’ legal obligations under the MBTA, Bald and Golden Eagle Protection Act, Endangered Species Act, and other Federal laws;
- (2) To minimize conflicts related to cormorant impacts and resultant management actions;
- (3) To minimize costs of implementing regulations.

Each management alternative will be measured against the following criteria to determine if the preliminary objectives can be met:

- (1) Maintain sustainable cormorant populations;
- (2) Minimize negative impacts to other migratory birds and threatened and endangered species;
- (3) Maximize the ability to manage cormorant conflicts;
- (4) Maximize the social acceptance of cormorant management actions;
- (5) Minimize the cost of implementation by action agencies; and
- (6) Minimize the cost of FWS oversight.

The request for public comment is extremely thorough and aims to achieve objectives above and beyond what has been outlined in HR 3074. Through this request the FWS recognizes increasing impacts from cormorants and a desire to minimize negative impacts to non-target species while maximizing the ability to manage conflicts. The revised regulations also strive to reduce implementation costs to agencies and states and oversight costs to FWS – a critical element for consideration during times of fiscal constraint.

The Wildlife Society feels that not only is HR 3074 duplicative of FWS’ current revision process, but that it also falls short of achieving the desired management objectives, addressing stakeholder concerns, and risks undermining a process designed to maximize public input into the regulatory process. We urge you to reject this legislation and support the current revision process being pursued by FWS.

Thank you for considering the views of wildlife professionals. If you need any additional information or have any questions, please contact The Wildlife Society’s Assistant Director of Government Affairs Terra Rentz (terra@wildlife.org, 301-987-9770 x309).

Sincerely,



Paul R. Krausman, CWB
President