

# WS Directive

2.330 10/10/03

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DOUBLE-CRESTED CORMORANT DAMAGE MANAGEMENT

1. PURPOSE

To provide guidance for responding to requests for assistance with conflicts caused by double-crested cormorants as directed by the U.S. Fish and Wildlife Service (USFWS) Double-crested Cormorant Depredation Order.

2. BACKGROUND

The primary responsibility for double-crested cormorant management rests with the USFWS. The FWS published the Double-crested Cormorant Depredation Order on March 4, 1998 and amended on October 8, 2003. The amended depredation order is designed to provide aquaculturists the opportunity to take depredating cormorants from aquaculture facilities without obtaining a migratory bird take permit. It also includes a provision that allows WS personnel to take cormorants at roost sites in the vicinity of aquaculture facilities. As defined by 50 CFR 21.47, the geographical scope of this depredation order is limited, therefore only the following States are included in the depredation order; Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Minnesota, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

The October 8, 2003 publication added a second depredation order under 50 CFR 21.48 directed at non-aquaculture resources. This is a public resource depredation order that authorizes WS to control cormorants to protect fish, wildlife, plants, and their habitats on public and private lands and freshwaters. This order applies only in the states of Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, West Virginia, Wisconsin and Vermont.

This policy is developed to assist WS employees in implementing the recently published Depredation Orders.

3. POLICY

Wildlife Services will assist aquaculture producers in resolving double-crested cormorant depredation problems. Assistance may be in the form of technical assistance, direct control, or both.

Wildlife Services will assist stakeholders in the applicable state to resolve the impacts of double-crested cormorants on public resources.

a. In regards to the double-crested cormorant depredation order, WS responsibilities are defined as follows:

1. Aquaculture producers who, prior to March 4, 1998, (1) held cormorant depredation permits from the FWS and (2) had ADC Form 37s completed by Wildlife Services will be considered certified to take cormorants.

2. Aquaculture producers reporting depredation by cormorants and contacting WS after March 4, 1998, will be certified to take cormorants in the following way:

(i). WS will investigate the damage situation. On-site damage assessments may be conducted, as appropriate, to obtain information on which to base control recommendations.

(ii). WS will advise producers that an established non-lethal harassment program must be in place before lethal actions are implemented.

(iii). WS will complete an ADC Form 37, listing cormorants as a depredating species in Block 7. If appropriate, a statement will be added to Block 9 stating that WS recommends the take of cormorants under authority of the cormorant depredation order to supplement nonlethal harassment measures.

(iv). WS will provide a copy of ADC Form 37 to the producer as documentation of the certification. A copy will be retained in the WS office. A copy may be provided to the FWS upon request.

3. WS is authorized to take double-crested cormorants on roost sites in the vicinity of aquaculture facilities at any time day or night, during the months of October, November, December, January, February, March, and April.

(i). Cormorants can only be taken by shooting with firearms. Persons using shotguns are required to use nontoxic shot as listed in 50 CFR 20.21(j).

(ii). Decoys, taped calls, and other devices can be used to lure birds committing or about to commit depredations within gun range.

4. For take at roosts, WS is required to report take to FWS annually.

5. Any cormorants directly taken by WS as a result of this depredation order will be reported as a part of the information included in the MIS annual report.

6. WS employees will continue to adhere to all applicable Federal, State, and local laws and regulations.

b. In regards to the Public Resource Depredation Order, WS responsibilities are defined as follows:

1. WS is authorized to prevent depredations on public resources of fish (including hatchery stock), wildlife, plants, and their habitats by taking cormorants without a permit.

2. WS must notify FWS annually prior to implementing the Public Resource Depredation Order.

3. Cormorants may be taken by egg oiling, egg and nest destruction, cervical dislocation, firearms, and asphyxiation.

(i). Use of shotguns requires the use of nontoxic shot as listed in 50 CFR 20.21(j).

(ii). Oil being used must be 100% corn oil.

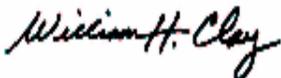
(iii). Decoys, taped calls, and other devices can be used to lure birds committing or about to commit depredations within gun range.

4. WS is required to report take to FWS annually.

4. REFERENCE

50 CFR Part 20.21(j) - Subpart C - Taking, Use of Non toxic Shot.  
50 CFR Part 21.47 - Subpart D - Control of Depredating Birds, Depredation Order for Double Crested Cormorants at Aquaculture Facilities.

50 CFR Part 21.48 - Subpart D - Control of Depredating Birds, Depredation Order for Double Crested Cormorants to Protect Public Resources.



Deputy Administrator