

Comment from Louisiana Department of Wildlife and Fisheries

The is a Comment on the **Fish and Wildlife Service (FWS)** Proposed Rule: **Migratory Bird Permits: Management of Conflicts Associated with Double-Crested Cormorants (Phalacrocorax auritus) Throughout the United States**

For related information, [Open Docket Folder](#)

Comment

See attached file(s)

Attachments (1)

[FWS-HQ-MB-2019-0103-LDWF comment](#)

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Public Comments Processing
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The Louisiana Department of Wildlife and Fisheries (LDWF) appreciates the opportunity to comment on the proposed Fish and Wildlife Service rule (85 FR 34578, Pages 34578-34588; 50 CFR 21) and draft Environmental Impact Statement regarding the management of conflicts associated with Double-crested Cormorants.

We have determined that we do not have enough information to fully support any single alternative presented in the current *Draft Double-crested Cormorant Environmental Impact Statement*. We have developed a number of questions (below) that would help LDWF to better understand the proposed alternatives.

- If the Service is considering offering a higher take, or the maximum allowable take in Alternatives A-D, is it possible to consider a higher level take (150 permits) under Alternative E for Louisiana state hatcheries?
- Prior to selecting Alternative A-D, it would be important to know how much potential new monitoring or reporting a state would have to agree to, and the amount of time and resources would need to be invested. If this is stepped down to the Flyways, as it appears suggested, there will be concern of how Flyways will fund and provide resources for additional monitoring and reporting of DCCO populations and lethal take. Much of Flyway activity and funding comes from state budgets.
- Under Alternative A, does the definition of “state or tribal lands” and “respective jurisdiction” include all public and private land within a state boundary or only those specific categories listed? Also what authority is given to “conduct lethal” practices? Is this limited to only state agency personnel, or other private and public entities or persons as authorized by states?
- Under Alternative A, how is take and the number of permits offered to commercial aquaculture facilities and personal property owners, which continue to apply for individual depredation permits under (50 CFR 21.41), integrated or managed relative to the new permit offered to the state or tribes? How are the permits divided or allocated?
- Under Alternative D, how would depredation permit requests from commercial aquaculture facilities and personal property owners be administered?
- How is the Service accounting for illegal take of double-crested cormorants?

LDWF operates four state owned hatcheries, where fingerlings are raised for stocking public water bodies for the enjoyment and recreational use of fisheries resources by the public. The current number of depredation permits allocated to LDWF for lethal control of DCCO is helpful in reducing fingerling depredation and pond liner damage, but not adequate to prevent still significant losses to production and facilities. LDWF requests 150 DCCO depredation permits, regardless of the management alternative selected, to better manage DCCO populations at its state hatchery facilities.

Finally, we encourage the Service to align their regulatory cycle with the Flyway Council's Summer Meeting so that there is sufficient time among states for the proper and careful consideration of the Service's regulatory proposals. Given the limited 45-day window, the global pandemic and various challenges associated with it, and the concurrent need to comment on the proposed rule regarding the changes to the Migratory Bird Treaty Act, we do not feel we have had adequate time to assess whether a reasonable range of alternative management options have been presented.

Sincerely,

/s/ *Randell S. Myers*

Randell S. Myers
Assistant Secretary, Wildlife Division

RSMljm