



Legislative Fiscal Bureau

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October 19, 2005

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 486: Control of Double-Crested Cormorants

Assembly Bill 486 would require the Department of Natural Resources (DNR) to administer a program for the control of double-crested cormorants. The bill was introduced on June 14, 2005, and referred to the Assembly Committee on Natural Resources. On August 31, 2005, the bill was recommended for passage by the Committee on a vote of Ayes, 13; Noes, 2. On September 9, 2005, the bill was referred to the Joint Committee on Finance.

CURRENT LAW

The double-crested cormorant, a large fish-eating bird found throughout the Great Lakes, received federal protection in 1972 as a result of a precipitous decline in population. Populations in the Great Lakes region have since recovered, and the birds have colonized several small islands on Green Bay. The cormorant is protected by the Migratory Bird Treaty Act, making it illegal to capture or kill the birds or disturb their eggs or nests without a permit.

SUMMARY OF BILL

The bill would require DNR, in cooperation with federal agencies, to administer a program to control and manage double-crested cormorants in order to reduce the damage caused by the birds. The program would be required to comply with the depredation order issued by the United States Department of the Interior. Under the federal depredation order, DNR would be authorized to take actions to control or reduce the cormorant population in order to protect public resources (such as fish, plants, and habitat). Non-lethal methods (such as harassment) must be attempted before lethal methods may be employed. Lethal control methods permitted under the order include egg oiling,

egg and nest destruction, cervical dislocation, firearms, and carbon dioxide asphyxiation. The Department must have landowner permission if entering private property to act under the authority of the order, and may not take actions that would adversely affect other migratory bird species or threatened or endangered species. The Department must also meet federal reporting requirements relating to their activities under the order.

FISCAL EFFECT

Based on the costs being incurred by the Leech Lake Band of Chippewa in their efforts to control cormorant populations in Minnesota, DNR estimates that the cost of administering a control and management program in compliance with the federal depredation order would cost up to \$250,000 per year for the first four years of the control program, and \$50,000 per year thereafter. During the first four years, DNR anticipates significant costs (up to \$50,000 per island) to reduce the size of nesting cormorant colonies on each of five islands in Green Bay. After the adult populations are reduced, which is estimated to take up to four years, maintenance costs of \$10,000 per year are expected.

The Department anticipates contracting with federal Animal and Plant Health Inspection Service (APHIS) staff to meet the terms of the depredation order. APHIS staff would provide sharpshooters to decrease the adult population, and would oil the eggs to prevent chicks from hatching. Current efforts to control a population of approximately 5,000 adult cormorants (with as many as 3,000 juveniles) on a small island in Leech Lake, Minnesota, may cost as much as \$50,000 before the end of the year. If this same level of effort is required to control nesting populations on multiple sites in Green Bay, costs could approach \$250,000 in the first year. However, if fewer sites are treated, the cost would be expected to decrease accordingly. The success of the first year's treatment may also affect control costs in subsequent years. If adult populations decline significantly (either due to mortality or because control efforts drive the cormorants to seek out other nesting sites), costs could decrease in future years. As the bill does not increase DNR expenditure authority, any increase in costs would be required to be reallocated from existing DNR appropriations, or incorporated in a future budget request.

In its fiscal note, DNR indicated that federal funding may be provided through the U.S. Department of the Interior's wildlife services program for a cormorant management program. However, more recent information indicates that this is unlikely at the present time.

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