

TESTIMONY OF REPRESENTATIVE JOHN KLINE
BEFORE THE
HOUSE SUBCOMMITTEE ON FISHERIES, WILDLIFE, OCEANS AND INSULAR
AFFAIRS

HEARING ON
H.R. 3074, CORMORANT MANAGEMENT AND NATURAL RESOURCES
PROTECTION ACT

MARCH 29, 2012

Thank you Chairman Fleming and Ranking Member Sablan for holding today's hearing, and I thank the members of the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs for allowing me to testify on behalf of the Cormorant Management and Natural Resources Protection Act, H.R. 3074.

As you know, there has been a dramatic increase in the cormorant population in recent years. Excessive cormorant populations damage ecosystems, displace native species, disrupt local economies, and produce odors and sounds that rise to the level of nuisance.

In the Minnesota district I represent, constituents are concerned about the increase in cormorants on Lake Waconia and surrounding lakes - referencing the noise and odor caused by the cormorants, as well as health risks these birds pose to the community. In fact more than 3,000 constituents signed a petition asking that something be done to address this persistent problem. I and my staff have visited the affected area, and it is impossible to miss the damage to vegetation on islands in our lakes. Residents, marina owners, and local officials believe the cormorants have consumed an entire generation of fish – leaving behind only fry and trophy fish. This degradation of natural resources has a direct effect on the local economy and jobs, and it is especially concerning to me as an avid fisherman and outdoorsman.

The problems caused by increased cormorant populations are not limited to Minnesota. The New York Department of Environmental Conservation notes that vegetation on nesting islands in Lake Champlain has been destroyed by the bird. In addition, predation by cormorants resulted in decreases in recruitment to Oneida Lake fisheries, and in the eastern basin of Lake Ontario, cormorants have been found to be a significant predator of smallmouth bass. In the Pacific Northwest, portions of East Sand Island near the mouth of the Columbia River have been decimated, with little to no vegetation remaining, and according to the United States Geological Survey, last year cormorants ate 22 million migrating salmon and steelhead smolts. Finally, aquaculture activities in Alabama – especially catfish farms – experience losses of both fish and profit. These examples are only a sample of the damage caused by excessive cormorant populations nationwide.

Managing cormorants has never been an easy task. Controlling a migratory bird population requires some level of coordination across agencies, states, and the international community. I

want to be clear that I am not here to advocate for wholesale elimination of these protections, but we need to acknowledge the need for a new approach.

Cormorants are protected under the Migratory Bird Treaty Act. This law implemented the 1916 convention between the United States and England (on the behalf of Canada) for the protection of birds that migrate between the two countries. Over the next 60 years, the United States signed similar treaties with Mexico, Japan, and what is now Russia – which were then incorporated as amendments to the original treaty. These amendments expanded the scope of international protection of migratory birds, establishing federal responsibilities for the protection of birds, their eggs, and nests. In total, more than 800 species of birds, including cormorants, are protected by the treaty.

The United States Fish and Wildlife Service has primary responsibility for cormorant management at the federal level. When cormorants nest on private land, permits must be obtained from the Fish and Wildlife Service, in consultation with the United States Department of Agriculture Wildlife Services, and often the respective state Department of Natural Resources agencies. The USDA then completes the taking of the birds pursuant to the number of permits granted by USFWS.

My concern with the current system of cormorant management is that it is neither flexible or responsive enough to deal with changing management needs. The many steps necessary to obtain permits to control growing cormorant populations creates unnecessary delays and complications. For example, this past summer on Lake Waconia, cormorants flocked to a nearby island, for which federal depredation permits had not been requested. By the time the residents realized what was happening, the cormorants had nested and it was too late to request new permits.

My bill aims to remedy this problem, while maintaining the protections important for the bird population and required by our statutory and international treaty obligations. This bipartisan legislation will allow all states to manage menacing overpopulations by delegating to the governor the ability to manage cormorant populations in their state. For a state to be granted the ability to manage cormorants, the governor must submit a management plan to the Secretary of the Interior that is in accordance with obligations under United States treaties and federal law. A failure to comply with these obligations is the only factor for which the Secretary may reject a management plan. The legislation also deems approved any plan, providing it is in accordance with the aforementioned obligations, if the Secretary does not reply within 60 days, and requires the plan to be reviewed every five years. The final portion of the bill clarifies that although states will have management authority, nothing precludes the federal government from assisting states per their request.

The Cormorant Management and Natural Resources Protection Act was developed with a great deal of stakeholder and expert input. It is my hope this legislation will become law and ease the permitting process for communities across the country plagued by cormorants.

Again, thank you Chairman Fleming and Ranking Member Sablan for the opportunity to speak. I yield back the balance of my time.