

Committee on Resources

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**Testimony of
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Before the
Committee on Resources
United States House of Representatives

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Mr. Chairman, members of the committee I appreciate the opportunity to speak to you today from the perspective of an Arkansas fish farmer. Also, I serve on the Secretary of Agriculture's National Wildlife Services Advisory Committee, so I have the benefit of that broader perspective with regards to the issue of migratory bird management.

Habitat is the foundation upon which wildlife management is based. Aldo Leopold, who is considered the father of scientific wildlife management, began the understanding of this principle. Several generations of professional wildlife biologists have added to the "wealth of knowledge" that he began. Because the majority of the wildlife habitat in the United States is in private ownership, farmers are key to the management and enhancement of wildlife populations. The migratory bird segment of this Nation's wildlife resources is the most mobile and thus most dependent upon farmers. Because of the aesthetic, recreational, and economic benefits that wildlife can provide, wildlife management is an integral part of most farming operations.

Most of the wildlife habitat in the United States is privately owned. The willingness of private landowners to enhance migratory bird numbers for aesthetic and recreational reasons is well known and understood throughout this country. Support for enhancement and protection of migratory birds in the agricultural community is determined to a greater degree by the way these birds are perceived by farmers and ranchers. When depredation levels reach a certain point, suddenly support for migratory bird enhancements drops dramatically. These attitudes spill over even to non-depredating species.

Fish farmers and sport fishermen own, control, and have political influence over a major segment of critical wetlands. The 1998 census revealed that the United States aquaculture industry operates on more than 4,000 farms with total sales of \$978 million. In Arkansas, sales totaled \$162.8 million.

The aquaculture industry in the southeastern United States is an important agricultural component to the economy of several southeastern states. Mississippi is the number one catfish producing state followed by Arkansas, Alabama and Louisiana. Arkansas is the number one baitfish producing state with various other components of the aquaculture industry spread across most of the United States.

Sport fishery resources are important to most Americans for recreation and for food. The economies associated with the sport fishing and commercial fishing industry touch almost all Americans in some way or another.

These resources are being adversely affected by fish eating birds. The principal culprits are double-crested cormorants, American white pelicans and most of the herons and egrets. Populations of these birds have increased dramatically because of greater reproductive success brought on by restrictions on persistent chemicals and the protection afforded by the Migratory Bird Treaty Act.

The fish-eating bird segment of our migratory bird resource is an enigma. While highly valued by most people, farmers, as the principle benefactors to the birds, must also deal with the depredations they cause in order to stay in business. The aquaculture industry has small profit margins. Even a small loss to depredating birds in farm gate value is critical to the farmer's bottom line.

In 1989-91, using bioenergetics modeling, researchers estimated losses to double-crested cormorants in the

Mississippi Delta catfish industry at 19 million catfish fingerlings, or about 4 percent of the fingerlings, at a value of \$2 million. Based on a doubling of wintering cormorant numbers, current depredation amounts to 49 million fingerlings valued at \$5 million. Based on food habits studies which demonstrate that up to 75 percent of the diet of cormorants in some roosts are farm raised catfish, total predation could be as much as 940 metric tons of catfish each winter.

By comparing catfish harvested with and without cormorant predation, using weights of fish inventoried from captive cormorant studies, 19.6 percent biomass production loss was measured. In commercial operations, this 20 percent loss in production amounts to 5 times the value of fingerling loss, thus catfish production losses to Mississippi Delta catfish farmers amounts to \$25 million or 8.6 percent of catfish sales per year. In addition, other species of birds are serious predators on catfish and other segments of the aquaculture industry.

Without control of bird depredation, most aquaculturists cannot show a profit. As piscivorous bird numbers have increased since the banning of persistent reproductive inhibiting pesticides which were dramatically reducing reproductive success by egg shell thinning, management changes by the U. S. Fish and Wildlife Service (USFWS) have not kept up. That agency's migratory bird management philosophy has been driven by declining waterfowl numbers and is largely guided by the "preserve, protect, and enhance" goals which were appropriate for fish-eating birds when populations were dangerously low in the 1970's. Now, things have changed, but management goals of USFWS have not kept pace. Also, USFWS relies heavily on the non-consumptive segment of our country for political support and continues to move away from a "management" toward a "protectionist" mentality.

The USFWS has the exclusive authority to manage migratory birds under the Migratory Bird Treaty Act. Unfortunately, that agency, while doing a good job in cooperation with state fish and wildlife management agencies on protection and enhancement, has done a terrible job on managing overabundant species. Most of those failures are because of philosophical problems that dictate management. The increasing protectionist mentality within the USFWS is continuing to hamper needed population reduction efforts for overabundant species.

Conversely, USDA Wildlife Services, which was a part of the USFWS until Congress transferred this division to USDA in 1986, is exclusively focused on assisting American citizens in resolving wildlife problems. In order to adequately meet this Congressional mandate, Wildlife Services must have duplicate authority to issue depredation permits and take depredating birds identical to the authority now held by USFWS. The passage of H.R. 3320 will provide this authority and greatly simplify the process.

Migratory birds by definition move over large areas and cannot be managed except through regional, national, and international efforts. Localized management addressing migratory fish eating bird problems is no more practical than localized management of ducks and geese.

Because USDA's Wildlife Services has a Congressional mandate to help farmers reduce depredations by migratory birds, Wildlife Services' biologists are on-the-ground visiting fish farms regularly and providing guidance, equipment and supplies for scaring away depredating birds.

Wildlife Services personnel make all the biological judgments on the farm, to determine depredation permit parameters. It is highly inefficient for these recommendations to be sent to a distant USFWS permit clerk for the final decision as to what authorities will be granted. This process takes weeks or months. The on-site Wildlife Services' biologist could issue the needed permit immediately. Incidentally, the birds start eating fish immediately when they arrive at the farm.

The depredation permits issued at present by USFWS are overly restrictive. The rules in the Code of Federal Regulations written by the USFWS have evolved into extremely complex, bureaucratic hurdles for applicants and permittees. There are much simpler ways to do business. Wildlife Services, because of their relationship with farmers and ranchers at the field level, can greatly simplify the permitting process.

The contention that the authorities proposed by H.R. 3320 would somehow erode the USFWS migratory bird management effort is simply not true. This is only bureaucrats protecting their "turf." H.R. 3320 will not take any authority away from USFWS. It simply grants duplicate authority to Wildlife Services.

For many years, USFWS has used delaying tactics to prevent having to take the necessary population reduction steps that will correct this wildlife crisis. Fearful that adequate population control will reduce

political support by the non-kill segment of our society, USFWS has tried to outlast the fish farmers and sport fishermen who are crying out for help.

Studies in Lake Ontario have shown critical losses to the smallmouth bass fishery. These studies in 1992-1997 documented 37-128 million fish consumed by cormorants. Severe economic damage in Michigan has resulted from the bird induced collapse of the yellow perch recreational fishing industry. Recently, understanding of fish eating birds' deleterious effects on forage fish are being revealed. Ecologists are beginning to understand the complexities of this "web of life" that fishermen have observed for several years.

Through recent years the debate surrounding the management of fish eating birds has become highly polarized. Those who oppose population reduction of overabundant birds also oppose sport hunting, sport fishing and other biologically proven fish and wildlife management efforts. We, as Americans, must not knuckle under to these irrational extremists. The time has come in this debate for our elected leaders to stand up and show some backbone.

It goes without saying that this action is long overdue and should be pursued aggressively so that wise national management plans can be set in place as soon as possible. Through H.R. 3320, Congress has a wonderful opportunity to do something for farmers and fishermen that will have positive economic effects and engender good will that will greatly enhance support for migratory bird management programs. I hope that you will be wise enough to do the right thing "for the people."

Mr. Chairman, I appreciate this opportunity to testify before the committee and would be happy to answer any questions you or the other members might have.