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April 1991

The Probe, Issue 109 - April 1991

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"The Probe, Issue 109 - April 1991" (1991). *The Probe: Newsletter of the National Animal Damage Control Association*. 174.
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Migratory Bird Damage Management: Changes in the Permitting Process

One of the sticky points which came up during the transfer of the federal Animal Damage Control (ADC) program from USDI to USDA involved the process of issuing permits to resolve migratory bird damage problems. Negotiations began almost immediately to revamp the permitting process. A committee was appointed in 1988 to develop a new permitting process, but the U.S. Fish and Wildlife Service did not act on the initial recommendations.

In 1990, a second committee was appointed (consisting of seven wildlife biologists and one person with a law enforcement background). After considerable negotiations, a final agreement was reached. In a meeting held in Arlington, Virginia, on August 22, 1990, the Joint Migratory Bird Working Group concluded their charge to address problems associated with migratory bird depredations with the following recommendations:

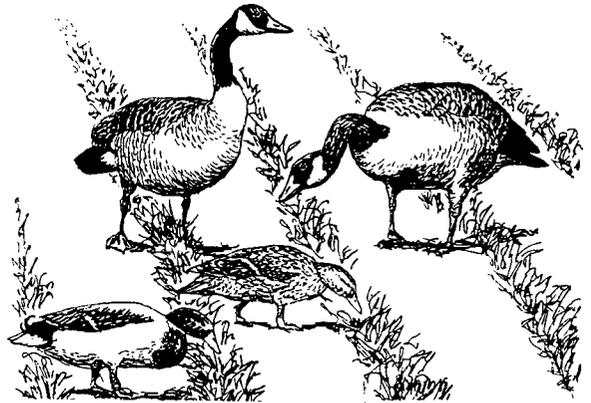
1. Issue: Permit Processing Time In recent years, especially since the transfer of the Animal Damage (ADC) program from FWS to APHIS in 1986, there have been delays of up to 10 weeks in issuing permits to producers who need to take migratory birds to protect resources. Both agencies received criticism for a lack of responsiveness to bird damage problems.

Information and support of applications for bird kill permits have been inadequate, requiring extensive investigation by FWS prior to action on permits. Demands from producers have exceeded ADC capabilities to work effectively with all farmers, retarding permit processing. Finally, inconsistent administration of permits among FWS regions has created uncertainty and delayed issuance of permits.

Resolution: FWS Director Turner has committed the regional permit offices to a 7-day priority turnaround time for depredation permits on applications investigated by FWS, or accompanied by ADC documentation of the bird species present and indicating that nonlethal methods have been attempted. ADC will assign high priority to providing adequate staff and professional involvement in addressing problem bird depredations. ADC field staff will focus on providing professional services to producers with damage and providing professional judgments to FWS as a basis for permit action.

2. Issue: Certification FWS Director's Order No. 27, dated April 5, 1990, generated concern in APHIS over wording that required ADC personnel to sign depredation permit applications "certifying the information contained therein is correct." APHIS believed that they could not co-sign permit applications, and there were other wording problems.

Resolution: On September 17, 1990, the FWS Director sent a letter to the APHIS Administrator clarifying the certification requirements of Director's Order No. 27. The letter explained that the intent of Order No. 27 is simply to obtain documentation that, in the judgment of the ADC professional, certain migratory bird species are present and assumed to be causing damage, and that nonlethal methods have been inadequate to resolve the specific bird damage problem. The letter will serve as guidance and clarification for FWS personnel screening permit applications. The Director's Order or other policy will be revised as needed.



Geese, ducks, and other waterfowl may damage crops by feeding in fields.

3. Issue: Standard Application Format There has been a lack of consistency between regions in the information required by FWS in order to issue depredation permits to individuals. ADC personnel investigating migratory bird damage complaints in different states were providing different types of information to support permit applications.

Resolution: This working group endorsed the use of a standard Migratory Bird Damage Project Report to be completed and signed by the ADC investigator. This report form will supplement applications for depredation permits. It provides for standard information on resources, damage, bird species, assistance provided, results, and makes permit recommendations from APHIS to FWS.

Migratory Bird Damage Management

4. Issue: Population and Information Both APHIS and FWS are vulnerable to criticism for issuance of depredation permits and the taking of migratory birds without strong biological information on the populations of affected species.

Resolution: APHIS will provide FWS with a comprehensive description of depredation problems at aquaculture facilities and other damage situations, by species, location, and nature of the problems. FWS will determine what is known about these species in the specific geographic areas and what studies are needed to supplement those data. The goal of this effort is to provide baseline information on population status and trends, for use in biological assessments of the impact of known or anticipated take of migratory bird species. This will determine the portion of the population that could safely be taken if necessary to reduce damage.

5. Issue: Urban Geese There is a growing problem nationwide with urban, resident Canada geese which cause damage and nuisance in parks, golf courses, ponds, and other property. Hunting is usually not possible to reduce populations, since the geese do not leave these urban areas. As problems such as this continue to grow, there is more reluctance by state wildlife agencies to relocate the geese to other areas. FWS has been reluctant to issue depredation permits to kill game species outside normal hunting seasons for reasons other than human safety. With no way of effectively reducing populations, urban goose problems are not being satisfactorily resolved.

Resolutions: ADC will identify one or more specific test cases of urban goose problems where the state wildlife agency supports population reduction but relocation is not an option. ADC will work with FWS, the state and local governments as necessary to clearly identify the nature of the problems and seek resolutions. A plan including nonlethal and lethal methods will be presented for a decision by local officials. Through such test examples ADC and FWS will develop a suitable approach to urban goose control.

6. Issue: Chemical Control Depredation permits issued by FWS to ADC State Directors include a provision (G) which states

that before migratory birds are taken using registered chemicals, ADC must get the permission of FWS. APHIS believes this step to be unnecessarily restrictive, since the permit already authorized taking and the chemical methods to be used are registered by EPA.

Resolution: The public is quite sensitive to the use of chemical control. To continue appropriate contact to the benefit of both APHIS and FWS, the following language will replace the existing language on depredation permits: "If lethal chemical substances are to be used under this permit, the issuing officer or designee will be notified 48 hours prior to the treatment."

7. Issue: Coordination The Joint Migratory Bird Working Group addressed only the issues of current highest priority to APHIS and FWS. Satisfactory resolution of these and other issues requires ongoing coordination, for which no mechanism exists.

Resolution: FWS and APHIS should establish a standing committee to ensure that activities of the two agencies are coordinated, that information is exchanged, and that problems are resolved as they arise.

Letter to the Editors

Dear Editor:

RE: In response to *Trapping is a Profession, Not a Sport* by Patrick Rose, *Probe* Issue 107.

I certainly agree with Patrick Rose, of the Michigan Trappers Association, Inc., that "trapping is a profession and also a trade not easily mastered by everyone."

I must, however, strongly disagree with Mr. Rose's statement that "The U.S. Dept. of Agriculture (should) get out of the animal damage control business."

The federal ADC program does not compete with private enterprise (trappers). The problem is, you usually can not get trappers to do this work at the time it is needed. There are a number of reasons for this: 1. trappers don't like to trap in the summer (when most coyotes kill sheep); 2. coyote pelts are currently worth very little; 3. pelts trapped in the summer are worthless; 4. coyotes are difficult to trap during summer months; and 5. trappers usually can't drop everything (quit their job) and go trap coyotes when they are killing sheep!

Both trappers and federal ADC people use and need traps. Trappers and federal ADC specialists both provide a service to society. It's time we all put aside our differences, find our common ground, and all of us (trappers and ADC people) start working for the common good.

Jim Forbes, NADCA Director
Region 7

The Probe is the newsletter of the National Animal Damage Control Association, published 10 times per year.

Editors: Robert H. Schmidt and Robert M. Timm
Editorial Assistant: Pamela J. Tinnin

Your contributions to *The Probe* are welcome. Please send news clippings, new techniques, publications, and meeting notices to *The Probe*, c/o Hopland Field Station, 4070 University Road, Hopland, CA 95449. If you prefer to FAX material, our FAX number is (707) 744-1040. The deadline for submitting material is the 15th of each month.

— *Animal Damage Control in the News* —

ACTION IN ADC LEGISLATION IN SOUTH DAKOTA

According to a Feb. 21 letter from Al Miller of the South Dakota Department of Game, Fish and Parks, "Things seem to be on track for the moment in South Dakota. The 1991 legislative session is about to draw to a close for another year. We blocked an attempt at putting a bounty on all coyote in South Dakota. House Bill 1324 would have provided for a \$20 bounty to be paid out of our Animal Damage Control fund. It failed in its first hearing by a 13-4 margin." Miller, supervisor of Animal Damage Control for the Department, also stated that an important piece of legislation passed both houses is awaiting the governor's signature. "HB 1112, commonly referred to as the Animal Welfare Bill, removes enforcement powers from the Humane Society," said Miller. The letter said that the bill removes the Humane Society from any jurisdictional authority over livestock and wild animals, but the Society would retain authority over dogs, cats and other household pets. The renewed interest in amending laws that were originally adopted in 1903 arose when one of the ADC trappers was arrested for tormenting two fox. According to Miller's report, the Humane Society brought charges against the trapper for allowing his dog to bark at two fox held in snares prior to dispatching. Based on the 1903 law, the trapper pled "no contest" and paid a \$30 fine. Miller said, "I'm glad these folks brought to our attention a law I did not know existed before things got too far out of hand."

STEEL JAW TRAPS BATTLE HEATS UP IN CALIFORNIA

In a letter dated January 31, 1991, Peter Arnold, President of the Nevada County (California) Farm Bureau, requested assistance from the California Farm Bureau Federation in preventing a state-wide ban on steel leg-hold traps. The Grass Valley, California, resident said that since the 1988 Nevada County ban on steel jaw traps, "our predator problems increased...especially coyote damage. Use of alternative capture methods such as snares has been largely ineffectual on these animals and depredation on sheep has increased significantly." Arnold stated that Tanja Keogh, initiator of the Nevada County referendum, is initiating a "signature-gathering campaign to put the steel jaw trap issue on the state ballot." Despite a promise that the Attorney General's Office would file a suit against the constitutionality of the Nevada County ban, the case has not been brought to trial. Arnold's request said, "We urgently request that the Board direct Legal Affairs Division to give highest priority to getting this suit into the courts. Without such help, we are going to face a formidable fight at the state level before long."

The editors of The Probe thank contributors to this issue: Wes Jones and Ron Thompson. Send your contributions to The Probe, 4070 University Road, Hopland, CA 95449.

MOUNTAIN LION ATTACKS RAISE FEAR IN SEVERAL STATES

In a February 24 report in the *Sacramento Bee*, a Colorado Springs, Colorado wildlife officer said, "We can't guarantee anyone's safety out there. There's a certain risk to living, and if you live in this part of the country, this has become a part of it," said Bob Davies. Davies' comments came after a rise in reported mountain lion attacks in California, Arizona, Montana, Texas and British Columbia. After a fatal attack on January 14 on jogger Scott Dale Lancaster near Idaho Springs, Colorado, wildlife officials have spent long hours meeting with people who live in the Colorado foothills. "Even some who have lived here a long time now believe the lions have gone mad," said Mike Sanders of Boulder County Parks. But Colorado Division of Wildlife officials are warning that people had better get used to the situation because humans aren't moving out and neither are mountain lions. According to Davies, as more people build homes in the foothills, which is choice mountain lion habitat, matters will only get worse, especially because many newer residents feed deer and racoons and even provide salt licks in their yards. Colorado Wildlife Division spokesman Todd Malmsbury stated that the increased mountain lion population is a result of conservation efforts since the turn of the century. He estimates that there are between 1,500 and 3,000 mountain lions along Colorado's Front Range and foothills.

TEXAS SENATE SUBCOMMITTEE APPROVES INTERFERENCE BILL

A report in the January/February 1991 issue of *The Trapline*, a Texas senate subcommittee approved a measure that would bring greater penalties for interfering with animal facilities used in agriculture or research. Published by Texas Animal Damage Control, *The Trapline* reported that Senator Bill Sims, D-San Angelo, stated that the purpose of the measure is to stop the wrecking of laboratories by animal rights activists. The measure protects animals used in agriculture, research, testing, education, food or fiber production.

ANTI-TRAP BILLS ABOUND

At least eight states have bills pending to eliminate or curtail trapping. According to the *WLFA-gram* (published by The Wildlife Legislative Fund of America), anti-trap bills have been introduced in Arizona (H.B. 2074-requires warning flags near traps), Illinois (H.B. 192-ban on steel jawed traps), Massachusetts (H.B. 413 and H.B. 1215-further restrict trapping), New Hampshire (S.B. 169-ban on steel-jaw and padded traps), Vermont (S.B. 45-ban on steel-jaw and padded traps), Washington (S.B. 5459 and H.B. 1691-ban on steel-jaw and padded traps), and West Virginia (S.B. 176-ban on steel-jaw and padded traps). In Arizona, a petition is being circulated that would place a statewide ban on trapping on public land on the ballot. Since public land covers 85 percent of Arizona, this effort, if successful, would effectively ban trapping in Arizona.

PREVENTION AND CONTROL TIPS

This month's information is revised from *Prevention and Control of Wildlife Damage (1983)*, published by Nebraska Cooperative Extension Service, Lincoln, Nebraska.

HOUSE SPARROWS

EXCLUSION

Block all entrances larger than 3/4 inch (2 cm.)
Design new buildings or alter old ones to eliminate resting places.
Plastic bird netting to protect high value crops.

HABITAT MODIFICATION

Remove roosting sites. Plant bird resistant varieties.

REPELLENTS

Acoustical

Fireworks, alarm calls, exploders, etc.

Olfactory

Naphthalene

Tactile

Bird glues; porcupine wires (Nixalite®)

Visual

Scarecrows, motorized hawks, etc.

TOXICANTS

4-Aminopyridine (Avitrol®)

TRAPS

Funnel

Automatic

Triggered

Mist Nets

SHOOTING

Air guns and small arms

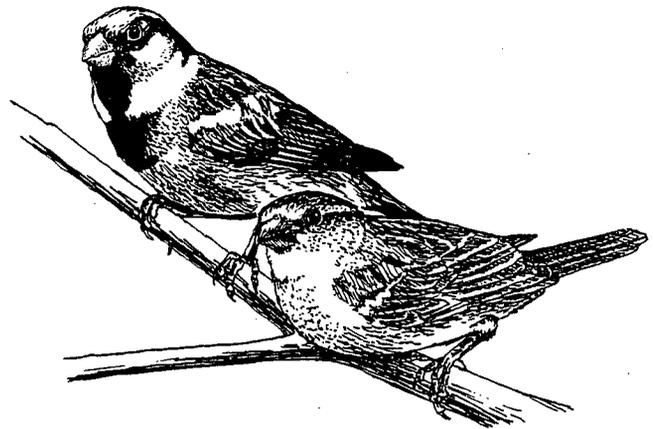
Dust shot and BB caps

OTHER METHODS

Nest destruction.

IDENTIFICATION

The house or English Sparrow is a brown, chunky bird about 5 and 3/4 inches (15 cm) long, and very common in human-modified habitats. The male has a distinctive black bib, white cheeks, a chestnut mantle around the gray crown, and chestnut upper wing coverts. The female and young are difficult to distinguish from native sparrows. They have a plain, dingy-gray breast, distinct buffy eye stripe and a streaked back. The black bib and chestnut wing coverts are the first signs of male plumage to appear on the young birds within weeks after they leave the nest.



House sparrow, *Passer domesticus*. Male (left) and female (right).

LEGAL STATUS

The house sparrow, because it is an introduced species, is afforded no legal protection by federal statutes. However, a few misguided states may offer them some protection by requiring permits or otherwise restricting control activities. Methods of control are apt to be regulated by state or local governments, so it is necessary to check these before poisoning or shooting.

RANGE

Introduced from Europe, the bird has spread over the continental United States except for unsuitable habitats.

HABITAT

The house sparrow is found in nearly every habitat except heavy forest, alpine, and desert environments. It prefers man-altered habitats, particularly farm areas, mingling with chickens and horses. While still the commonest birds in urban center, numbers have fallen drastically since a peak in the 1920s when food and wastes from horses furnished unlimited supplies of food.

Author: William D. Fitzwater

Readers are reminded that the status of registrations for pesticides differ among states and are constantly changing.

CALENDAR OF UPCOMING EVENTS

April 23-25, 1991: International Canada Goose Symposium, Milwaukee, Wisconsin. Includes sessions on Urban Goose Problems and on Foraging, Habitat Use, and Crop Depredations. For more information contact the International Canada Goose Symposium, U.S. Fish and Wildlife Service, Wisconsin Cooperative Wildlife Research Unit, 226 Russell Labs, UW Campus, Madison, WI 537006.

April 24-26, 1991: Mountain Lion-Human Interaction Symposium and Workshop, Denver, Colorado. Topics include: Case Histories of Mountain Lion/Human Interactions—A Search for Patterns; Clues to Aggressive Lion Behavior; Relationships Between Human Density, Prey Density, and Mountain Lion Density; Responsibilities of Agencies, Communities, and Individuals; and Needs for Research and Management Studies. For more information contact Robert Tully, Colorado Division of Wildlife, 6060 Broadway, Denver, CO 80216.

May 16-June 20, 1991: International Course on Vertebrate Pest Management, Bowling Green, Ohio. Course topics include Major Vertebrate Pests; History of Disease and Population Outbreaks, Famine, Drought, Human Ecology; Crop Losses, Damage, and Contamination; Control/Management Methods; and Sustainable Agriculture. Registration deadline is March 15, 1991. Contact Dr. Reginald D. Noble, Chair, Department of Biological Sciences, Bowling Green State University, Bowling Green, OH 43403-0212. Telephone (419) 372-2332.

July 29-31, 1991: "Wildlife 2001: Populations", Oakland, California. For researchers and agency personnel interested in the science, conservation, and management of vertebrate animal populations. For further information or to submit an abstract to give a paper, contact: Dale McCullough or Reg Barrett, Dept. of Forestry and Resource Mgmt., 145 Mulford Hall, UC Berkeley, Berkeley, CA 94720.

August 4-22, 1991: 3rd International Short Course on Vertebrate Pest Problems and Solutions in Developing Countries, Colorado State University, Fort Collins, Colorado. Topics include Wildlife Diseases Symposium; Problem Identification; and Management Concerns and Panel Discussion. For more information, contact Vertebrate Pest Management Short Course, Office of Conference Services, Colorado State University, Fort Collins, CO 80523.

October 6-9, 1991: 5th Eastern Wildlife Damage Control Conference, Ithaca, New York. Contact: Carol Rundle, Cornell Coop. Extension, Dept. of Nat. Resources, Rm. 108 Fernow Hall, Cornell Univ., Ithaca, NY 14853-3001.

March 2-5, 1992: 15th Vertebrate Pest Conference, Newport Beach, California. Contact: John Borrecco, USDA/Forest Service, 630 Sansome Street, San Francisco, CA 94111.

March 27-April 1, 1992: 57th North American Wildlife and Natural Resources Conference, Radisson Plaza Hotel Charlotte and Charlotte Convention Center, Charlotte, North Carolina. Contact: L.L. Williamson, Wildlife Management Institute, 1101 14th Street NW, Suite 725, Washington, D.C. 20005.

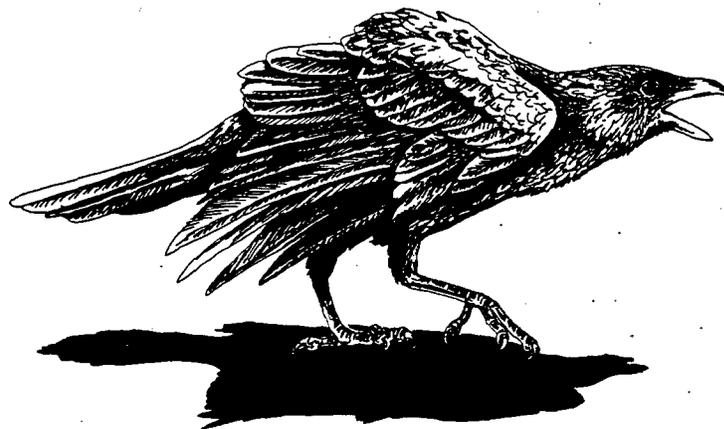
Denver Wildlife Research Center Master Plan

Many of the DWRC's current facilities at the Denver Federal Center (DFC) in Lakewood, Colorado, are antiquated and inadequate to meet the mission of the Center. Animal holding and testing areas are in particularly poor shape. Also, the DFC location has become centered in an urban area due to growth of the Lakewood area in the past 30 years, it appears to no longer be feasible to house wild animals in outdoor pens at this location. Thus, an alternate site to carry on the DWRC's animal work was needed.

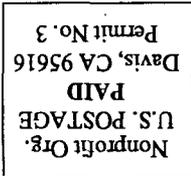
A master plan for future DWRC facilities therefore was developed by APHIS. This plan calls for a relocation of the DWRC research facilities.

The Foothills Campus at Colorado State University (CSU) is within commuting distance of the current DFC location and offers an excellent setting for animal-related research. The DWRC has negotiated a long-term lease with CSU for approximately 45 acres of land on this campus on which to place all of its animal research. Congress appropriated \$6M in the FY-90 budget to begin construction of the most complex structure which will be built on the site—the indoor Animal Research Building (A.R.B.).

Final design work has begun on the A.R.B. Other structures that will be constructed include an A.R.B. support building, outdoor pens (predator, mammal, raptor, waterfowl, rodent, and small bird), indoor and outdoor aviaries, a large flight pen, an outdoor pen support building, and a research building.



The American crow, *Corvus brachyrhynchos*



Terrell P. Salmon
DANR-North Region
University of California
Davis, CA 95616

Membership Application

NATIONAL ANIMAL DAMAGE CONTROL ASSOCIATION

Mail to: Wes Jones, Treasurer, Route 1 Box 37, Shell Lake, WI 54871

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ ZIP _____

Dues \$ _____ Donation \$: _____ Total \$: _____ Date: _____

(Underline: Student \$7.50, Active \$15, Sponsor \$30, Patron \$100)

Check or Money Order payable to NADCA

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| <input type="checkbox"/> Foreign | <input type="checkbox"/> Trapper |
| <input type="checkbox"/> ADC Equipment/Supplies | <input type="checkbox"/> University |
| <input type="checkbox"/> Other (describe) _____ | |