

Legislative Analysis



CORMORANT CONTROL

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House Bill 4471

Sponsor: Rep. Darwin Booher

House Bill 4614

Sponsor: Rep. Joel Sheltrown

Committee: Tourism, Outdoor Recreation and Natural Resources

Complete to 5-11-07

A SUMMARY OF HOUSE BILL 4471 AS INTRODUCED 3-15-07 AND HOUSE BILL 4614 AS INTRODUCED 4-19-07

The bills would amend Part 401 (Wildlife Conservation) of the Natural Resources and Environmental Protection Act (NREPA) to define the terms "cormorant damage" and "cormorant depredation order" (House Bill 4471) and to create a new "Cormorant Control Fund" (House Bill 4614).

[The bills are both tie-barred to Senate Bill 354 which would (1) require the Department of Natural Resources (DNR) to administer a program to control double-crested cormorants, (2) require the DNR to seek an agreement with other Great Lakes States concerning cormorant control, and (3) create a "Cormorant Control Fund."]

More detail is provided below.

House Bill 4471 would amend Section 40102 of NREPA (MCL 324.40102) to define the following terms:

- "Cormorant damage" would mean "adverse impacts of double-crested cormorants on fish, including fish hatchery stock, wildlife, plants, and their habitats."
- "Cormorant depredation order" would mean "the depredation order for double crested cormorants to protect public resources, 50 CFR 21.48, issued by the United States Department of the Interior, Fish and Wildlife Service."

House Bill 4614 would amend NREPA (MCL 40107d) to create a new "Cormorant Control Fund" within the State Treasury that could receive money or assets from any source. The State Treasurer would direct the Fund's investment and credit the Fund with interest and earnings from its investments. Money in the Fund at the close of the fiscal year would remain in the Fund and not lapse to the General Fund. The DNR could expend money from the Fund, upon appropriation, only to implement the Great Lakes Cormorant Control Collaboration that would be required by Senate Bill 324.

FISCAL IMPACT:

House Bill 4471. There would be no fiscal impact on the state or on local governmental units.

House Bill 4614. This bill would create a new fund in the state treasury. However, since no existing revenue source would be deposited into this fund, and no new revenue sources are established, there would be no fiscal impact on the state. There would be no fiscal impact on local governmental units.

BACKGROUND INFORMATION:

The double-crested cormorant (*Phalacrocorax auritus*) is a large, dark, long-billed water bird. An adult bird is typically a little over two feet long with a wingspan of about four feet. Double-crested cormorants dive for fish and marine invertebrates. Once virtually eliminated from Michigan due to pesticide contamination, cormorants have rebounded to record numbers and are accused of devastating the populations of game, farm, and hatchery fish.

The U.S. Fish and Wildlife Service has authorized the local control of populations in areas where cormorants are causing problems. Under these rules, control activities began in 2004 at the Les Cheneaux Islands and Drummond Island and have since been expanded. The DNR says that the birds are most likely to cause problems during migration and where they have established breeding colonies.

The federal depredation order for double-crested cormorants is contained in 50 CFR 21.48. The purpose of the order is to reduce the adverse impacts or the risk of adverse impacts on public resources (fish, wildlife, plants, and their habitats) caused by double-crested cormorants. The order applies to all land and freshwaters in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina Ohio, Oklahoma, South Carolina, Tennessee, Texas, Vermont, West Virginia, and Wisconsin.

This depredation order (which will expire on April 30, 2009) authorizes state fish and wildlife agencies, federally recognized tribes, and state directors of the Wildlife Services program of the U.S. Department of Agriculture Animal and Plant Health Inspection Service to prevent depredations on the public resources of fish (including hatchery stock at federal, state, and tribal facilities), wildlife, plants, and their habitats by taking without a permit certain double-crested cormorants. Among other things, the order specifies the methods of cormorant control and disposal that must be used.

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