

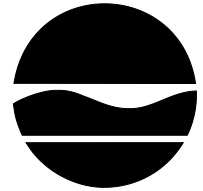
# New York State Department of Environmental Conservation

## Division of Fish, Wildlife & Marine Resources, 5<sup>th</sup> Floor

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Alexander B. Grannis  
Commissioner

## **NEW YORK STATE GENERAL DEPREDATION PERMIT (GDP) FOR TAKE OF CANADA GEESE**

(Effective May 23, 2007)

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**Authorized Persons:** This General Depredation Permit (GDP) authorizes any person who has a valid federal depredation permit, or is authorized by a specific federal depredation or control order (“order”), to take up to 25 Canada geese (and any number of nests or eggs) without an individual depredation permit from the New York State Department of Environmental Conservation (DEC), subject to the conditions specified below. In this document, the term “take” refers to any disturbance or removal of adult or juvenile Canada geese or their nests or eggs. **A copy of this General Depredation Permit must be carried by anyone conducting activities authorized herein, except for scaring/herding of Canada geese.**

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**Statutory Authority:** Federal regulations authorizing take of Canada geese appear in Title 50, Code of Federal Regulations, Part 21, Subpart D (50 CFR 21D: Control of Depredating Birds). The U.S. Fish and Wildlife Service (USFWS) is the federal agency authorized to implement these regulations.

Section 11-0521 of the New York State Environmental Conservation Law (ECL) authorizes DEC to “... issue a permit to any person, to take any wildlife at anytime whenever it becomes a nuisance, destructive to public or private property or a threat to public health or welfare...”. Section 11-0505 states that “...no person shall rob or willfully destroy a nest of any protected birds unless a permit shall first be obtained from the department.” This general permit satisfies the requirements of both statutes.

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**Conditions:** Any person may take Canada geese (*Branta canadensis*), including nests and eggs, anywhere in New York State, without an individual State permit, subject to the following conditions:

- A. **Federal compliance:** Any person acting under authority of this GDP shall possess an applicable federal depredation permit issued pursuant to 50 CFR 21.41 or be acting under authority of a specific federal depredation or control order (50 CFR 21.49-21.52), and they shall comply with all applicable federal regulations and permit conditions.
- B. **Scaring/herding:** Any person may scare or herd Canada geese by any means, including use of pyrotechnics, lasers, or dogs, as long as no birds are physically harmed.
- C. **Nests and eggs:** Any person may take any number of nests or eggs of Canada geese from property they own, manage, or control, or where the property owner or management authority has granted permission. Nests or eggs of Canada geese may be disturbed, destroyed, or treated by puncturing, shaking, freezing, or coating with 100% corn oil to prevent hatching. Any person wishing to take nests or eggs under authority of this GDP shall first obtain a federal depredation permit or be acting under authority of an applicable federal depredation or control order (50 CFR 21.49-21.52).
- D. **Annual limits on take of adult and juvenile geese:** No more than 25 Canada geese per calendar year may be taken by any means approved by USFWS from any single property or location without an individual permit from DEC. These limits apply to the total take of Canada geese by all persons from any single property or location, excluding legal take of geese by licensed hunters during open hunting seasons. Any person wishing to take adult or juvenile geese under authority of this GDP shall first obtain a federal depredation permit or be acting under authority of an applicable federal depredation or control order (50 CFR 21.49-21.52).

- E. Special restrictions on take of geese by shooting: **No more than 5 Canada geese per day may be taken by shooting from any property or location**, subject to the annual limits in Condition D above. These daily limits apply to the total take of Canada geese by all persons from any single property or location, excluding legal take of geese by licensed hunters during open hunting seasons.

Shooting is allowed by shotgun only, and use of **non-toxic shot** is required (see 50 CFR 20.21[j] for a list of shot types approved as non-toxic by USFWS). Any person wishing to take adult or juvenile geese under authority of this GDP shall first obtain a federal depredation permit or be acting under authority of an applicable federal depredation or control order (50 CFR 21.49-21.52).

- F. Possession and disposal: Geese caught live shall be euthanized and shall not be transported and released to the wild at any other location. Persons acting under authority of this GDP may possess, transport and dispose of birds, nests or eggs by: 1) donation to public museums or public institutions for scientific or educational purposes; 2) processing by a licensed meat processor for human consumption and subsequent distribution free of charge to charitable organizations (subject to approval by DEC on a case by case basis); or 3) burial, composting, or incineration. Barter, sale, or personal use by the permittee of any birds, nests or eggs taken is prohibited.

- G. Notification requirements: Persons acting under authority of the federal Airport Control Order (50 CFR 21.49), Agriculture Depredation Order (50 CFR 21.51), or Public Health Control Order (50 CFR 21.52) **shall notify and receive authorization from DEC by contacting their local DEC Wildlife office or calling DEC's Law Enforcement dispatch at 1-877-457-5680 at least 24 hours before initiating any take** of Canada geese, nests or eggs. Those persons shall provide their name, address, and anticipated actions (method of take and approximate dates and numbers of birds or nests expected to be taken). Notification is required only one time per calendar year.

Persons acting under authority of the federal Nest and Egg Depredation Order (50 CFR 21.50) or a specific federal depredation permit do not need to notify DEC in advance of their activities.

- H. Reporting requirements: Persons acting under authority of the federal Agriculture Depredation Order (50 CFR 21.51) or Public Health Control Order (50 CFR 21.52) shall submit a report to DEC by October 31 annually, with the dates, numbers, town and county of birds, nests and eggs taken that year. Reports shall be submitted to: NYSDEC Wildlife Services Section, 625 Broadway, Albany, NY 12233-4754. No report to DEC is required from persons acting under authority of the federal Nest and Egg Depredation Order or Airport Control Order.

Information on birds carrying metal leg bands shall be submitted to the federal Bird Banding Laboratory by calling 1-800-327-2263 (toll free) or on-line at: <http://www.reportband.gov/>.

- I. Other Laws and Regulations: All persons acting under authority of this GDP shall comply with all State and local laws and regulations. The GDP does not authorize any take of geese without landowner permission.

- J. Proof of Authorization: **A copy of this General Depredation Permit shall be carried by any person conducting activities authorized herein, except for scaring/herding of geese.**

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**Additional Information:** For more information about the NYS General Depredation Permit, reporting requirements, or individual State permits, contact NYSDEC Wildlife Services Section, 625 Broadway, Albany, NY 12233-4754, phone (518) 402-8883.

For more information about federal depredation and control orders, permits, or reporting requirements, see their regulations at <http://www.fws.gov/permits/> or contact: Permit Office, U.S. Fish and Wildlife Service, P.O. Box 779, Hadley, MA 01035-0779, phone (413) 253-8642.