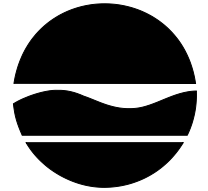


**New York State Department of Environmental Conservation  
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Alexander B. Grannis  
Commissioner

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

(Effective March 1, 2010)

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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 Canada geese (including 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, Canada geese includes *Branta canadensis* and *Branta hutchinsii* and 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, including nests and eggs, anywhere in New York State, without an individual State permit, subject to the following conditions:

- A. Federal authorization: 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 at any time, 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 a federal depredation or control order (50 CFR 21.49-21.52). To obtain authorization under the federal Depredation Order for Canada Geese Nests and Eggs (50 CFR 20.50), you must register on-line at: <https://epermits.fws.gov/eRCGR/>.
- D. Control order for Canada geese at airports and military airfields (50 CFR 21.49): Any airport manager, or their employees or agents, may take **any number of Canada geese between April 1 and September 15, and any number of nests or eggs of Canada geese between March 1 and June 30**, from property they own, manage, or control, or where the property owner or management authority has granted permission, within 3 miles of the airport property boundary.

Airports and military airfields wishing to take geese under authority of this control order **must obtain authorization in advance** from their local DEC Wildlife office, and they **must submit an annual report** summarizing activities, including the dates, numbers and location of birds, nests, and eggs taken, by December 31 of each year to the U.S. Fish and Wildlife Service, Regional Migratory Bird Permit Office, P.O. Box 779, Hadley, MA 01035-0779.

- E. Depredation order for Canada geese at agricultural facilities (50 CFR 21.51): Any agricultural producer, or their employees or agents, may take **up to 25 Canada geese, but no more than 8 geese per day, between May 1 and August 31, and any number of nests or eggs of Canada geese between March 1 and June 30**, from property they own, manage, or control, and where geese are committing depredations to agricultural crops. The 25-bird limit applies 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.

Agricultural producers wishing to take geese under authority of this depredation order **must obtain authorization in advance** from their local DEC Wildlife office, and they must submit an annual report summarizing activities, including the dates, numbers and location of birds, nests, and eggs taken. Reports must be submitted by September 15 of each year to: NYSDEC Wildlife Services Section, 625 Broadway, Albany, NY 12233-4754. **Failure to submit a report may result in denial of authorization the following year.**

- F. Public health control order for Canada geese (50 CFR 21.52): Any manager, or an employee or agent of the manager, of a drinking water supply or swimming area that is subject to regular testing for bacteria by a federal, state or local health agency, may take **any number of Canada geese between April 1 and August 31, and any number of nests or eggs of Canada geese between March 1 and June 30**, from property they own, manage, or control, and where geese pose a specific, immediate human health risk by creating conditions conducive to the transmission of human or zoonotic pathogens.

Managers of drinking water supplies or swimming areas wishing to take geese under authority of this control order **must obtain authorization in advance** from their local DEC Wildlife office, and they must submit an annual report summarizing activities, including the dates, numbers and location of birds, nests, and eggs taken. Reports must be submitted by September 15 of each year to: NYSDEC Wildlife Services Section, 625 Broadway, Albany, NY 12233-4754. **Failure to submit a report may result in denial of authorization the following year.**

- G. Take of geese authorized by an individual federal permit: Any person that has a valid federal depredation permit to take Canada geese (including nests) may take **any number of Canada geese at any time, and any number of nests or eggs of Canada geese at any time**, subject to times, locations, daily and annual limits, and all other conditions specified in the federal permit. This GDP eliminates the need for any person to obtain an individual state permit if they have been authorized by an individual depredation permit issued by the U.S. Fish and Wildlife Service.
- H. Methods allowed for taking Canada geese: Any person acting under authority of a federal depredation or control order may take adult or juvenile geese by shooting, live-trapping with nets or pens, or hand capture. Geese may not be taken with leg-hold, cable-restraint or body-gripping traps. **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). Decoys, calls, or other devices may not be used to lure geese within gun range.
- I. Possession and disposal: Geese caught live shall be euthanized by carbon dioxide asphyxiation or cervical dislocation, 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.

- J. Reporting requirements: Persons operating under the federal Depredation Order for Canada Geese Nests and Eggs (50 CFR 20.50), must report the month, location and number of nests taken. To submit a report, go to: <https://epermits.fws.gov/eRCGR/>. You must report even if you conducted no activity. You will not be able to register for future seasons if you have an outstanding report.

Persons operating under authority of the federal Airport Control Order (50 CFR 21.49) **must submit an annual report** summarizing activities, including the dates, numbers and location of birds, nests, and eggs taken, by December 31 of each year to the U.S. Fish and Wildlife Service, Regional Migratory Bird Permit Office, P.O. Box 779, Hadley, MA 01035-0779.

Persons acting under authority of the federal Agriculture Depredation Order (50 CFR 21.51) or Public Health Control Order (50 CFR 21.52) must submit a report to DEC by September 15 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.

Persons operating under authority of an individual federal depredation permit **must submit an annual report** summarizing activities, including the dates, numbers and location of birds, nests, and eggs taken, to the U.S. Fish and Wildlife Service, Regional Migratory Bird Permit Office, P.O. Box 779, Hadley, MA 01035-0779. Due dates for these reports are specified on each permit.

Information on take of any geese 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/>.

- K. 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.
- L. 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 (GDP), 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: U.S. Fish and Wildlife Service, Regional Migratory Bird Permit Office, P.O. Box 779, Hadley, MA 01035-0779, phone (413) 253-8642.