COMMITTEE REPORT

May 2, 2013

**S. 639**

Introduced by Senators McElveen, Campsen and Gregory

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Read the first time April 23, 2013.

**THE COMMITTEE ON FISH, GAME AND FORESTRY**

To whom was referred a Concurrent Resolution (S. 639) to memorialize the United States Congress to enact legislation and the United States Fish and Wildlife Service to promulgate regulations authorizing, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

GEORGE E. CAMPSEN III for Committee.

**A** **CONCURRENT RESOLUTION**

TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION AND THE UNITED STATES FISH AND WILDLIFE SERVICE TO PROMULGATE REGULATIONS AUTHORIZING THE STATE OF SOUTH CAROLINA TO MANAGE DOUBLE‑CRESTED CORMORANTS IN THE STATE.

Whereas, the Migratory Bird Treaty with Canada of 1916, and the Migratory Bird Treaty Act of 1918 enacted pursuant to the Treaty, were intended to protect “migratory birds” to help restore their population where they have become scarce or endangered; and

Whereas, pursuant to the Act, the United States Fish and Wildlife Service protects double‑crested cormorants (phalacrocorax auritus) by defining migratory birds to include this species and has issued government and aquaculture permits for depredation of the species in specific circumstances; and

Whereas, the national population of the double‑crested cormorant became dangerously low in the mid‑twentieth century because of reproductive failures related to toxic chemicals, such as insecticides and coolant, used by humans for non‑management related purposes; and

Whereas, the double‑crested cormorant population rapidly recovered in the late 1970’s due to a reduction of the presence of these toxic chemicals, and an adult cormorant primarily eats fish less than six inches in total length at an average of one pound of fish per day; and

Whereas, the population of double‑crested cormorants is no longer at risk and their behavior can contribute to substantial problems in at least two areas: (1) double‑crested cormorants can have adverse biological impacts on the populations of commercial and recreational fish, the nesting of other bird species, and the growth of vegetation in nesting areas; and (2) double‑crested cormorants can have adverse economic impacts on aquaculture, stocking, tourism, sport fishing, commercial fisheries, and water quality; and

Whereas, the amendment to Article I of the Constitution of South Carolina, 1895, prepared under the terms of Act 83 of 2009, having been submitted to the qualified electors at the General Election of 2010 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, added Section 25 which reads, “the traditions of hunting and fishing are valuable parts of the state’s heritage, important for conservation, and a protected means of managing non‑threatened wildlife. The citizens of this State have the right to hunt, fish, and harvest wildlife traditionally pursued, subject to laws and regulations promoting sound wildlife conservation and management as prescribed by the General Assembly. Nothing in this section shall be construed to abrogate any private property rights, existing state laws or regulations, or the state’s sovereignty over its natural resources”; and

Whereas, with regard to the management of the double‑crested cormorant population in South Carolina, the State’s Department of Natural Resources along with the State’s hunters are prime examples of responsible resource stewards, as they place an extremely high value on the quality and existence of our Nation’s birds. They respect this species’ habitats because they know that in order for the species’ ecosystems to sustain healthy populations, the species must be protected and carefully managed; and

Whereas, allowing South Carolina to manage the double‑crested cormorant population within the State would provide sufficient protection to both the species and the resources the species affects for current and future generations. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly memorialize Congress to enact legislation and the Fish and Wildlife Service to promulgate regulations authorizing South Carolina to manage the double‑crested cormorant population in the State.

Be it further resolved that a copy of this resolution be forwarded to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the South Carolina Congressional Delegation, the Secretary of the Interior of the United States, and the Director of the United States Fish and Wildlife Service.

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