

current operations, and the appropriate control method to be used.

(B) Base control methods on sound biological, environmental, social, and cultural factors.

(C) Formulate appropriate methods into a control strategy that utilizes the approach or concept that encourages the use of several control techniques rather than relying on a single method.

(D) Always first consider nonlethal harassment methods in any control strategy.

(ii) Methods of take for the control of resident Canada geese are at the State's discretion from among the following: Firearms, alpha-chloralose, traps, egg and nest manipulation and destruction, euthanization, and other damage control techniques consistent with accepted wildlife damage-management programs as may be approved by the Director.

(iii) Authorized airports may conduct management and control activities, including the take of resident Canada geese, under this section between April 1 and August 31. The manipulation and destruction of resident Canada goose nests and eggs may take place between March 1 and June 30.

(iv) Authorized airports and their employees and agents may possess, transport, and otherwise dispose of resident Canada geese taken under this section. They must dispose of birds taken under this order by donation to public museums or public institutions for scientific or educational purposes, by processing them for human consumption and distributing them free of charge to charitable organizations, or by burying or incinerating them. Airports, their employees, and designated agents may not sell, offer for sale, barter, or ship for the purpose of sale or barter any resident Canada geese taken under this section, nor their plumage or eggs. Persons authorized to operate under the program may not possess or transport resident Canada goose nests and eggs taken under this section. Any specimens needed for scientific purposes as determined by the Director must not be destroyed, and information on birds carrying metal leg bands must be submitted to the Bird Banding Laboratory by means of a toll-free telephone number at 1-800-327-BAND (or 2263).

(v) Resident Canada geese may be taken only within a 3-mile radius of the Airport.

(vi) Persons using shotguns are required to use nontoxic shot as identified in § 20.22(j).

(vii) Authorized airports, and their employees and agents operating a program authorized under the provisions of this section may not use

decoys, calls, or other devices to lure birds within gun range.

(viii) Any Airport exercising the privileges of a program authorized under this section must keep and maintain a log recording the date and number of birds killed, and the number of nests and eggs taken under this authorization. The log must be maintained for a period of 3 years (and records of 3 previous years of takings must be maintained at all times thereafter). The log and any related records must be made available to Federal or State wildlife enforcement officers upon request during normal business hours.

(ix) Nothing in this section authorizes the killing of resident Canada geese or destruction of their nests and eggs contrary to the laws or regulations of any State, and none of the privileges of this section may be exercised unless the Airport possesses the appropriate State authorization or other permits required by the State, when required; nor does it authorize the killing of any migratory bird species or destruction of their nest or eggs other than resident Canada geese.

(3) *Nest and eggs.* States may authorize the manipulation and destruction of resident Canada goose nests and the take of resident Canada goose eggs when necessary to allow resolution or prevention of injury to people, property, agricultural crops, or other interests from resident Canada geese, and to reduce resident Canada goose populations within Flyway management objectives. An authorized program is subject to the following restrictions:

(i) Persons authorized to operate under the program should utilize nonlethal goose management tools to the extent they deem appropriate in an effort to minimize lethal take.

(ii) Methods of take are at the State's discretion from among the following: egg and nest manipulation and destruction, and other damage control techniques consistent with accepted wildlife damage-management programs as may be approved by the Director.

(iii) Persons authorized to operate under the program may conduct resident Canada goose nest and egg manipulation and destruction activities between March 1 and June 30.

(iv) Persons authorized to operate under the program may not possess or transport resident Canada goose nest and eggs taken under this section. Persons authorized to operate under the program may not sell, offer for sale, barter, or ship for the purpose of sale or barter any resident Canada goose nest or egg taken under this section.

(v) Any person exercising the privileges of this section under a State authorization must keep and maintain a log recording the date and number of resident Canada goose nests and eggs taken under this authorization. The log must be maintained for a period of 3 years (and records of 3 previous years of takings must be maintained at all times thereafter). The log and any related records must be made available to Federal or State wildlife enforcement officers upon request during normal business hours.

(vi) Nothing in this section authorizes the destruction of resident Canada goose nests or the take of resident Canada goose eggs contrary to the laws or regulations of any State, and none of the privileges of this section may be exercised unless the persons authorized to operate under the program possess the appropriate State permits, when required; nor does it authorize the killing of any migratory bird species or destruction of their nest or eggs other than resident Canada geese.

(4) *Agricultural depredation.* States may authorize landowners, operators, and tenants actively engaged in the production of commercial agriculture (agricultural producers) (or their employees or agents) to conduct indirect and/or direct population control strategies such as aggressive harassment, nest and egg manipulation and destruction, gosling and adult trapping and culling programs, or other general population reduction strategies on resident Canada goose populations when the geese are committing or about to commit depredations to agricultural crops and when necessary to allow resolution or prevention of injury to agricultural crops or other agricultural interests from resident Canada geese. The program is subject to the following restrictions:

(i) Authorized agricultural producers should utilize nonlethal goose management tools to the extent they deem appropriate. To minimize lethal take, agricultural producers should follow the following procedure:

(A) Assess the problem to determine its extent or magnitude, its impact to current operations, and the appropriate control method to be used.

(B) Base control methods on sound biological, environmental, social, and cultural factors.

(C) Formulate appropriate methods into a control strategy that utilizes the approach/concept that encourages the use of several control techniques rather than relying on a single method.

(D) Always first consider nonlethal harassment methods in any control strategy.