

**Economic Impact Statement**

LSA Document #12-670

**IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses**

**Estimated Number of Small Businesses Subject to this Rule:**

Approximately 150 businesses will have to get a permit from the DNR to take a live Canada goose as specified in [312 IAC 9-4-2\(u\)](#), and an additional 30 businesses will have to get the migratory bird depredation permit for other species as specified in [312 IAC 9-4-2\(v\)](#).

**Estimated Average Annual Reporting, Record Keeping, and Other Administrative Costs Small Businesses Will Incur for Compliance:**

Thirty dollars per year for an estimated time of three hours per year (\$10 per hour) to complete the application form and annual report form and keep a record of birds taken.

**Estimated Total Annual Economic Impact on Small Businesses to Comply:**

Thirty dollars per year to complete the records required for businesses to obtain a migratory bird depredation permit, including the permits to take Canada geese.

**Justification Statement of Requirement or Cost:**

Regarding the changes to [312 IAC 9-4-2](#), some businesses are negatively affected by nuisance Canada geese and other birds, and although the permit is free of charge, an application form must be submitted to the DNR, along with an annual report. These businesses have already been required to obtain these permits to comply with [IC 14-22-6-2](#). By obtaining a permit from the DNR to take nuisance Canada geese, the individual will not have to obtain a separate federal permit (which has a fee). Businesses that need to obtain a migratory bird depredation permit for other species of migratory birds must also obtain a federal permit. The state permit is free of charge and requires the same information as that for the federal permit. [IC 14-22-6-2](#) was changed recently to remove the exemption for federal permit holders, and administrative rules are now needed to clarify requirements. The Division of Fish and Wildlife already issues free permits to trap and relocate or euthanize Canada geese; therefore, the language in subsection (u) is not a new requirement. The provisions for taking nuisance migratory birds in subsections (v) and (w) are already legal under the provisions listed.

**Regulatory Flexibility Analysis of Alternative Methods:**

Businesses and individuals that get a permit from the DNR to trap and relocate or kill nuisance Canada geese do not have to get a federal permit. Entities that get a migratory bird depredation permit will need to also obtain a federal permit, with the exception of species that are not federally protected like mute swans. The DNR already has exemptions for taking some nuisance species like crows, brown-headed cowbirds, common grackles, red-winged blackbirds, and Brewer's blackbirds in [312 IAC 9-4-7.2](#). The DNR believes that not more than 30 of the migratory bird depredation permits will be issued each year. The DNR could exempt entities from needing a DNR permit to take nuisance Canada geese and other migratory birds, but the DNR would have no knowledge of who has been authorized to do the work and would not be able to respond to complaints or control who is doing the control and the methods used. Furthermore, if the DNR did not issue a permit to take nuisance Canada geese, those same entities would need a federal permit to take them, and it requires additional paperwork and has a fee. State permits to take nuisance Canada geese and other migratory birds are free of charge.

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