# EXECUTIVE COUNCIL

# CONFIDENTIAL

**Title of Report:** Delegation of powers to the Environmental Planning Officer for the issuing of shooting licences for Crested Caracara

**Paper No:** 167/10

**Date:** 19 August 2010

**Report of:** Environmental Planning Officer/ Head of Policy

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## 1.0 Purpose

1.1 To consider the delegation of powers to the Environmental Planning Officer for the licencing of the shooting of Crested Caracaras (also known as Southern Caracara or Caranchos).

## 2.0 Recommendations

It is recommended that Honourable Members agree that:

(a) The licencing of the shooting of Crested Caracara under the Conservation of Wildlife and Nature Ordinance 1999 be delegated to the Environmental Planning Officer,

(b) The remit of the raptor shooting licence review group be extended to consider Crested Caracara shooting licence applications,

(c) Licence applications for shooting Crested Caracara be assessed using the criteria set out in 6.2 of this report,

(d) The licencing of shooting permits for Crested Caracaras and other raptors be reviewed upon completion of the Hawk Mountain Sanctuary project investigating raptors and preliminary work done by Falkland Conservation's raptor project which is investigating interactions between raptor species and sheep; and,

(e) A report is made to Executive Council every six months on the number and whereabouts of Crested Caracaras that have been licensed to be shot by the Environmental Planning Officer.

## 3.0 Summary of Financial Implications

None.

## 4.0 Background

**4.1** This report follows an application to Executive Council from an individual applying for a licence to shoot six Crested Caracara (also known as Caranchos) at Teal Inlet in April 2010 (paper 115/10). The application was approved by Executive Council with an instruction for a further report to be submitted on the delegation of powers to the EPO for the issuing of shooting licences for Crested Caracara.

**4.2** Like all wild birds, Crested Caracara are protected by the Conservation of Wildlife and Nature Ordinance 1999. The most common justification for granting a shooting licence to control wild birds under the Ordinance (section 9(2)(f)) is to prevent "serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or for any other form of property or to fisheries". Shooting licences are regularly issued for Turkey Vultures, occasionally for Crested Caracara and very rarely for Striated Caracara.

## 5.0 Current policy on shooting Turkey Vultures

5.1 Delegation of powers to the Environmental Planning Officer for issuing licences to shoot Turkey Vultures was granted by ExCo in 2005. The EPO discharges this power following consultation with a raptor shooting licence review group (comprising representatives from the Agricultural Department, Rural Business Association, Falklands Conservation, the Falkland Islands Tourist Board and the Environmental Officer).

5.2 Requests for licences to shoot Turkey Vultures are considered on a case by case basis, taking into account the following considerations:

1. An act of last resort - farmers are expected to attempt using other methods of management such as deliberate scaring and firing warning shots in an effort to remove raptors without destroying them. The movement of stock from holding paddocks and between different camps should also be considered in an attempt to resolve any conflict before shooting is considered.

2. Economic loss – farmers should attempt to demonstrate that livestock lost are economically viable. Loss of poultry is not considered sufficient justification for issuance of a vulture shooting permit and conflicts should be resolved through the use of fencing, meshes, cages and sheds to protect the chickens. Damage or desecration of property will rarely be sufficient justification to issue a shooting permit.

3. Proportionate response – licences are usually granted to shoot between 5 and 20 birds at a time, depending on the scale of the problem. Farmers can apply for a further licence if the conflict remains unresolved.

4. The views of the raptor shooting licence review group.

5.3 Requests to shoot Turkey Vultures are usually determined within 3 working days following consultation with the raptor shooting licence review group. A quick and clear response from the group can enable a faster decision to be made.

## 6.0 Proposed policy on shooting Crested Caracara (also known as Southern Caracara or Caranchos)

6.1 Higher conservation value is attached to this species than Turkey Vultures due to their relative rarity in the Falkland Islands. The most recent census (1997) estimated the population of Crested Caracara at between 400 to 800 breeding pairs compared to 1,900 to 3,600 pairs of Turkey Vultures. They may currently be shot under a licence approved by Executive Council. Licence applications can take up to six weeks to be considered by ExCo, which could be considerably reduced if responsibility was delegated to the EPO.

6.2 It is proposed that licences for the shooting of Crested Caracara be determined by the EPO in a consultative process similar to that applied to Turkey Vulture applications, but with greater recognition of the higher conservation value of the Crested Caracara. Factors to consider are:

1. An act of last resort - farmers are expected to attempt using other methods of management such as deliberate scaring and firing warning shots in an effort to remove Crested Caracara without destroying them. The movement of stock from holding paddocks and between different camps should also be considered in an attempt to remediate any conflict before the necessity to shoot is contemplated. The Environmental Planning Department will provide a guide and provide advice as required on the different forms of mitigation to be attempted prior to the issuing of a shooting licence.

2. Economic loss – farmers should be able to prove that they are suffering the loss of economically viable sheep as a result of predation and severe scavenging. Loss of poultry is not considered sufficient justification and conflicts should be resolved through the use of fencing, meshes, cages and sheds to protect the chickens. Damage to property will rarely be sufficient justification to approve a request to shoot.

3. A higher threshold of evidence - the applicant must demonstrate that they have a significant problem, with written and photographic evidence of the loss of sheep from predation from Crested Caracara. They must also demonstrate they have tried, unsuccessfully, to use non-lethal methods to scare birds away from their animals.

4. A maximum of 10 Crested Caracara may be authorised by the EPO in a single shooting licence. This number will be reviewed regularly and adjusted according to the most accurate population data available for the affected area.

5. The views of the raptor shooting licence review group.

6.3 Licences to shoot Crested Caracara should be determined by delegated powers within one week of receiving a complete application. This is a longer period than that for Turkey Vultures but is considered necessary to allow sufficient time to reach an informed decision due to their higher conservation value.

6.4 It is proposed that in exceptional cases the EPO should be able to refer the decision back to Executive Council. Case examples might include controversial applications (requests to shoot large numbers of birds or to shoot birds of this species on sensitive sites), or where there is a significant divergence of views within the raptor shooting licence review group. It is also proposed that aggrieved applicants should be allowed to appeal to ExCo in cases where the EPO has refused an application. Any appeal should be accompanied by a background paper including a recommendation from the EPO.

## 7. Striated Caracara (also known as Johnny Rooks)

7.1 At present it is proposed that all requests to shoot Striated Caracara (Johnny Rooks) should continue to be determined by ExCo. The conservation status attached to this species is very high - in recognition that the majority of the global population live in the Falkland Islands - and this justifies the decision being made by ExCo. Fortunately, such applications are also very rare.

## 8.0 Raptor species projects

8.1 The Hawk Mountain Sanctuary, led by Brandon Breen and Keith Bildstein, conducted research on Turkey Vultures in the Falkland Islands in 2007 and 2008. The findings of this research are now available and they make recommendations and provide supporting evidence for a review of shooting policy for this bird.

8.2 Falklands Conservation has recently begun a project investigating interactions between raptor species and livestock and mitigation of these interactions. The species to be studied are Turkey Vultures, Crested Caracara and Striated Caracara. Southern Giant Petrels are also included in the study.

8.3 A six month pilot project will assess broad raptor distribution and test capture and monitoring techniques. If the project is successfully extended it will be broadened to include a full census of raptor species, detailed assessment of raptor territories and movements between seasons and a further assessment of interactions with livestock. The findings should provide a stronger evidence base upon which to consider applications to shoot raptors.

8.4 The implementation of Falkland Islands Meat Company's plans to increase throughput at the abattoir to 66,000 lambs per year (from the current 14,800) over the next ten years will place a higher unit value on lambs, with potentially higher financial losses as a consequence of predation. It is hoped that the Falklands Conservation raptor project will make recommendations

which will promote non lethal management measures to reduce conflicts for the benefit of both raptors and farmers.

## 9. Reporting to Executive Council

**9.1** It is suggested that a report be made by the Environmental Planning Officer to Executive Council every six months on the number of licenses issued to shoot Crested Caracara and where these birds have been destroyed.

## 10 Conclusion

10.1 Groups of Crested Caracara are known to interact with sheep. Over the past three winters the Environmental Planning Department has received regular applications from one settlement, Teal Inlet, where there have been large groups of Crested Caracaras and consequential conflicts.

10.2 The delegation of powers to the Environmental Planning Officer should improve the efficiency of the assessment of licensing decisions, based on the considerations set out in paragraph 6.2 above, for the benefit of affected farmers.

10.3 The Hawk Mountain Sanctuary Turkey Vulture Study and Falkland Conservation's raptor/livestock conflict project may result in further policy recommendations that benefit both farming interests and the well-being of the birds themselves.

## 11.0 Financial Implications

There are no financial implications.

## 12.0 Legal Implications

12.1 It is an offence under section 3 of the Conservation of Wildlife and Nature Ordinance to kill a wild bird. Section 9 of the Ordinance provides that an offence is not committed where the wild bird is shot under authority of a licence granted under that section. One of the purposes for which a wild bird can be shot is to prevent serious damage to livestock.

12.2 The Governor acting on the advice of Executive Council is empowered by section 9(3) of the Conservation of Wildlife and Nature Ordinance to delegate the power to grant a licence, subject to such conditions or limitations as may be imposed in the instrument of delegation.

## 13.0 Human Resources Implications

There are no human resources implications.