

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 03 WILDLIFE

.05 Upland Game Birds and Mammals

Authority: Natural Resources Article, §§10-205 and 10-408, Annotated Code of Maryland

.05 Crow and Blackbird Depredation

A. In this regulation, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Blackbirds" means Brewer's, red-winged, [rusty,] and yellow-headed blackbirds, cowbirds, and all grackles.

(2)–(3) (text unchanged)

C. Crow and Blackbird Depredation.

(1) The Code of Federal Regulations, 50 CFR §21.43:

(a) (text unchanged)

(b) Specifies the following terms and conditions under which this action may be taken:

(i) *A person shall attempt to control depredation by blackbirds using non-lethal methods before the person may use lethal control;*

(ii) *The killed birds and their plumage may not be sold or offered for sale but may be possessed, transported, and otherwise disposed [of or utilized]; [and]*

[(ii)] (iii) *Any person controlling crows and blackbirds shall permit at all reasonable times including during actual operations, any federal or State game or deputy game agent, warden, protector, or other game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted and shall furnish promptly to the officer whatever information the officer may require, concerning the operations[.];*

(iv) *A person using a firearm to kill crows or blackbirds under the provisions of this section, shall use nontoxic shot or nontoxic bullets unless the person uses an air gun or a 22-caliber rimfire firearm to control depredating crows or blackbirds; and*

(v) *Any person or agency taking depredating crows or blackbirds shall provide to the U.S. Fish and Wildlife Service, Migratory Bird Permit Office, P.O. Box 779, Hadley, MA 01035, an annual report for each species taken, to be submitted by January 31st of the following year.*

(2)–(4) (text unchanged)