

March 11, 2026

The Honorable Harriet Hageman

Chair, House Committee on Natural Resources' Subcommittee on Water, Wildlife, and Fisheries

U.S. House of Representatives

1227 Longworth House Office Building

Washington, DC 20515

The Honorable Val Hoyle

Ranking Member, House Committee on Natural Resources' Subcommittee on Water, Wildlife, and Fisheries

U.S. House of Representatives

1620 Longworth House Office Building

Washington, DC 20515

Dear Chair Hageman, Ranking Member Hoyle, and Members of the Subcommittee,

On behalf of the Pennsylvania Farm Bureau (PFB), the state's largest general agriculture organization representing over 26,000 members, with primarily small to mid-sized farms producing and growing a diverse range of commodities. I am writing to submit this statement for the record regarding the Subcommittee's recent oversight hearing on the Migratory Bird Treaty Act (MBTA).

While our members appreciate the historical intent of the MBTA in protecting avian populations, the current implementation of the Act has created bureaucratic red tape that is impeding the business of Pennsylvania's farms and aquaculture facilities. Specifically, our members are facing escalating financial losses and animal health concerns due to the significant delays and administrative hurdles required to obtain depredation permits.

As this subcommittee is aware, Pennsylvania currently leads the nation in Highly Pathogenic Avian Influenza (HPAI) cases. The onset of the spring migration season has triggered a significant uptick in cases, with over 7.5 million birds impacted across the Commonwealth to date. This situation represents a dual threat to both animal health and the stability of our nation's food supply. We remain grateful to the Pennsylvania Department of Agriculture and the State Veterinarian as their teams are working around the clock to enforce biosecurity protocols and manage the disposal and containment of positive flocks. However, state-level biosecurity alone cannot address the vectors carrying this disease.

There are grave concerns regarding the populations of geese and black vultures in our state, both of which serve as primary vectors for HPAI. While the disease risk is a top concern, the black vulture also poses a predatory threat to our cattle industry. Unlike many other scavengers, black vultures are known to prey on live, newborn calves and vulnerable cows during birth. In the Northeast region of Pennsylvania, the situation has reached a breaking point. One of our members has been forced to spend his days patrolling his pastures on an ATV, acting as a manual "watchdog" to shield newborn calves from vulture attacks. As everyone knows, it is physically and economically impossible for a farmer to sit in a field 24 hours a day to ward off predators.

While Pennsylvania currently offers depredation permits for the black vultures, the process remains bogged down by bureaucracy. Farmers need an immediate, streamlined solution to protect their livelihoods. We strongly urge the passage of H.R. 2462, the *Black Vulture Relief Act* by Representative John Rose (R-TN) and Representative Darren Soto (D-FL). This legislation would cut through the existing red tape and provide livestock producers with the opportunity to take necessary action against black vultures that are actively harming their animals. By reducing these populations, we can simultaneously protect our livestock from predation and reduce a major vector of HPAI during this critical migration window.

Regarding the resident Canada goose population, we urge this Subcommittee to evaluate the severe biosecurity risks these birds pose to animal health. As a known vector for HPAI, overabundant goose populations represent a persistent threat to commercial poultry operations. Current daily bag limits for hunters have proven insufficient to manage these numbers effectively, resulting in population density that significantly increases the risk of disease transmission to our domestic flocks.

Moreover, our members who operate game bird farms face relentless pressure from red-tailed hawks. These raptors view farm-raised birds as an easy food source. Under the current MBTA framework, farmers feel they have no timely recourse to protect their flocks, as the "non-lethal" mitigation requirements often prove ineffective and the federal permitting process for lethal removal is too slow to address immediate predation. Under the current MBTA framework, farmers lack timely recourse; non-lethal requirements are often ineffective, and the federal permitting process for lethal removal is too slow to address active predation. For instance, a member in western Pennsylvania has spent over 18 months seeking a depredation permit while losing pheasants daily, yet relief remains out of reach.

Finally, Pennsylvania continues to be a leader in the nation in raising and growing trout, but the industry is facing severe losses due to species protected under the MBTA. Facilities are struggling with predation from herons, kingfishers, and cormorants. While the U.S. Fish and Wildlife Service (USFWS) once offered a streamlined depredation process for cormorants tailored to the specific needs of fish hatcheries, a 2016 court ruling revoked that system, forcing producers to navigate a far more cumbersome individual permit process. This transition has imposed significant financial and administrative strain on aquaculture operations. The

resulting regulatory bottleneck hampers operational efficiency, prevents effective predator control, and limits the industry's economic potential.

In sum, our members' frustration is not with the existence of the MBTA itself, but with the functional breakdown of its enforcement and the burdensome requirements of obtaining a depredation permit. Our members' frustration on the MBTA stems from two main issues: a complex depredation permit system and a 'set-it-and-forget-it' approach to the protected species list. Unlike the Endangered Species Act (ESA), the MBTA has no statutory requirement for regular population reviews. Because the list is primarily updated for scientific naming rather than population management, species that are no longer at risk remain protected, leaving farmers with no recourse other than a broken permitting system. Under the current system, federal response times consistently lag behind the realities of the field. Permits are often issued only after a farmer has already sustained maximum losses, rendering the relief too little, too late. This burden is compounded by exhaustive record-keeping requirements that many family farms simply do not have the resources to manage.

We urge the subcommittee to direct USFWS to streamline the depredation permit process, particularly for overpopulated species that threaten agricultural production. Farmers need a system responsive to field realities—one that doesn't force a choice between legal compliance and protecting their livelihood. Thank you for the opportunity to provide these comments and for your work in overseeing these critical programs. If you have any follow-up questions, please do not hesitate to contact our Director of Government Affairs, Bailey Fisher, at 717.731.3585.

Sincerely,

A handwritten signature in black ink, appearing to read "C.R. Hoffman". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Chris Hoffman

President, Pennsylvania Farm Bureau

Cc: Chairman of the House Natural Resources Committee, Bruce Westerman
Ranking Member of the House Natural Resources Committee, Jared Huffman