

**SALEM COUNTY IMPROVEMENT AUTHORITY**

**RESOLUTION 2023-57**

**May 11, 2023**

**RESOLUTION OF THE SALEM COUNTY IMPROVEMENT AUTHORITY  
ADOPTING AN AMENDED BIRD DEPREDATION POLICY**

**WHEREAS**, to maintain the landfill facility in compliance with the New Jersey Department of Environmental Protection ("NJDEP") standards sought and obtained a permit from the NJDEP (Permit Number MBPER0021626 hereinafter referred to as the "Permit") to allow for Bird Depredation activities on Salem County Improvement Authority's property; and

**WHEREAS**, in furtherance of insuring compliance with the aforesaid Permit and to insure the safe conduct of the Bird Depredation activities on SCIA's property, SCIA adopted a Bird Depredation Policy and a Release, Indemnification and Hold Harmless Agreement on December 9, 2021, pursuant to Resolution 2021-111; and

**WHEREAS**, SCIA has determined that it is in the best interest of SCIA and the public to implement certain additions and amendments to the Bird Depredation Policy, as contained in the revised Bird Depredation Policy attached hereto and made a part of this resolution as Exhibit A; and


**WHEREAS**, the implementation of the amended Bird Depredation Policy will assist SCIA in maintaining compliance with the requirements of the Permit and will assist in the orderly and safe conduct of Bird Depredation activities on SCIA property.

**NOW, THEREFORE, BE IT RESOLVED** that the Salem County Improvement Authority hereby approves and adopts the form and substance of the amended Bird Depredation Policy, attached hereto as Exhibit A. The existing Release, Indemnification and Hold Harmless Agreement shall remain as originally adopted.

**BE IT FURTHER RESOLVED**, that the attached amended Bird Depredation Policy be and the same is hereby made a part of the Salem County Improvement Authority Policy and Procedures Manual.

ATTEST:

  
Michael Bercute, Alt. Secretary/Treasurer

  
Susan Bestwick, Chairperson

**CERTIFICATION**

I hereby certify the above to be a true copy of a resolution adopted by the Salem County Improvement Authority Board at their regular meeting held May 11, 2023.

  
Michael Bercute, Alt. Secretary/Treasurer

## **Salem County Improvement Authority**

### **Bird Depredation Policy**

Salem County Improvement Authority "SCIA" recognizes that the depredation of certain birds "Bird Depredation" is necessary to maintain a facility that is in compliance with the New Jersey Department of Environmental Protection "NJDEP" and the US Fish and Wildlife Service standards. The following rules and regulations will be strictly applied and enforced at all times regarding Bird Depredation activities taking place on SCIA property:

1. All individuals participating in the Bird Depredation activities shall read and familiarize themselves with Federal Permit Number MBPER0021626 ("Federal Permit"), NJDEP Permit Number DC2021066 ("NJDEP Permit") and any subsequent permits issued by the Federal Government and/or NJDEP regarding Bird Depredation activities on SCIA property. The provisions of the Federal Permit and the NJDEP Permit are incorporated into this Bird Depredation Policy by way of reference.
2. All Bird Depredation activities shall be in full compliance with the terms and conditions of the Federal Permit and NJDEP Permit and any subsequent permits issued by the Federal Government and/or NJDEP. A true and legible copy of the Federal Permit and the NJDEP Permit shall be in the possession of all individuals participating in the Bird Depredation activities.
3. Bird Depredation is only authorized when valid permits have been obtained by SCIA from the NJDEP Division of Fish and Wildlife and the US Fish and Wildlife Service and in accordance with the terms and conditions of said permits.
4. Only individuals, authorized and approved, in advance and in writing, by SCIA ("Subpermittees"), will be granted permission to engage in Bird Depredation activities.
5. Subpermittees are required to review the Federal Permit and the NJDEP Permit for the purpose of determining the number and type of birds that may be harvested during Bird Depredation activities. Subpermittees are required to study, investigate and familiarize themselves with the types of birds listed in the Federal Permit and NJDEP Permit.
6. Subpermittees must be validly licensed in the State of NJ to possess a firearm and provide (and maintain) a copy of their current firearm license

- to SCIA to be kept on file. If at any time, a Subpermittee no longer possesses a valid firearms license, they must notify SCIA immediately and they will be removed from the permit as a Subpermittee.
7. Subpermittees must sign SCIA's Hold Harmless Agreement before being permitted to engage in Bird Depredation activities.
  8. Personal Protection Equipment, as approved by SCIA, "PPE" must be worn during all Bird Depredation activities. PPE includes eye protection, hearing protection, and high visibility apparel.
  9. All state, county, municipal and federal rules, regulations, statutes, ordinances, permits and/or laws must be followed at all times during Bird Depredation activities.
  10. All New Jersey state firearm laws must be followed at all times during Bird Depredation activities.
  11. Bird Depredation shall only take place Monday through Friday (not including holidays) during the hours of 7:30am to 4:00pm.
  12. Bird Depredation activities shall only take place on clear, dry days when visibility is best.
  13. Bird Depredation activities shall be scheduled in advance with the Landfill Manager. The Landfill Manager, Executive Director or Safety Coordinator must be present during all Bird Depredation activities.
  14. Bird Depredation activities shall only take place at areas designated or approved by the Landfill Manager.
  15. No more than two (2) Subpermittees may participate in Bird Depredation activities at any one time.
  16. Only one Subpermittee shall be permitted to discharge a firearm at a time.
  17. Discharge of firearms shall only take place in the direction where an earthen berm will absorb any projectiles.
  18. No firearm discharges shall take place in the direction of the EGC.
  19. All metal objects, such as, but not limited to, heavy equipment, dumpsters, and litter containment netting are to be removed from the area prior to any firearm discharges.
  20. No hunting for sport or hobby is permitted.
  21. Only firearms and ammunition approved and provided by SCIA may be used in Bird Depredation activities. Firearms and ammunition shall comply with the requirements of the Federal Permit and the NJDEP Permit.

22. A written record shall be provided to SCIA by all Subpermittees of the number and type of birds that are taken within 24 hours of all Bird Depredation activities.
23. At any time, permission of a Subpermittee to participate in Bird Depredation activities may be revoked, with or without cause and/or reason, by the Executive Director, Landfill Manager or the Safety Coordinator, in their sole discretion.
24. All Subpermittees must demonstrate sufficient knowledge and experience in the handling and use of the weapons being utilized in the Bird Depredation activities. Subpermittees may be required by SCIA, from time to time, to participate in firearm training programs or refresher courses, paid for by SCIA, in order to maintain their position as a Subpermittee authorized to engage in Bird Depredation activities.
25. All weapons shall be transported to and from the landfill unloaded, with the weapon and ammo being stored in separate areas of the vehicle, one of which shall be a locked and secured area of the vehicle. Weapons shall be transported in an approved gun case. Weapons and ammo shall be transported directly from SCIA premises to the landfill for use, without going to or stopping at any other locations.
26. All weapons and ammo shall at all times be stored in a locked and secure gun safe located on the SCIA premises. Access to the gun safe shall be limited to the Executive Director and Landfill Manager.