

## Bird Conservation Alliance Launched

ABC is facilitating the launch of a new Bird Conservation Alliance to champion bird conservation issues in the Americas. The Alliance will initially focus on conservation in the United States, but will ultimately expand to promote stronger collaboration among bird groups throughout the Americas. The Alliance is open to groups with a major focus on bird conservation, education, advocacy, observation, or study, including local, state, national, and international organizations.

The Alliance will enhance communication and collaboration among its partners with the central goal of conserving healthy populations of native wild birds in the Americas. The Alliance will serve as a forum for organizations to exchange information and ideas and will also offer resources to assist its partners in their bird conservation work.

The need for such an Alliance has



The Bird Conservation Alliance is open to organizations with a major focus on bird conservation, science, observation, education, or advocacy. Photo: ABC.

never been more pressing. More U.S. bird species are of conservation concern today than at any time in history, and there has been a significant increase in the number listed as Endangered over the last 20 years. Outside the United States more than 300 bird species in the Americas are listed as threatened with extinction, and breeding and non-breeding habitat for many migratory birds is in severe decline. Yet birdwatching is one of the

*Continued on page 7.*

## ProAves Colombia and ABC Rally to Protect Important Habitat for Suite of Rare Birds

The lowland humid forests of Colombia's Magdalena Valley contain a unique assemblage of flora and fauna, including the Critically Endangered Blue-billed Curassow and Variegated Spider-Monkey, and the Endangered White-mantled Barbet and Magdalena River Turtle. It may also be the last stronghold of the enigmatic Magdalena Tinamou, a species not seen since 1943, prompting it to be designated as a "trigger site" by the Alliance for Zero Extinction (*Bird Calls* Vol. 7, No. 2).

However, historical and modern-day colonization and the lack of any protected area in the entire Magdalena Valley ecosystem have resulted in one of the most alarming environmental situations in South America. The sole surviving lowland forest block, approximately 30,000 acres, is located 80 miles northwest of the capital, Bogotá, in Serranía de las Quinchas. Surveys in the 1990s highlighted the area's critical importance for biodiversity, but no efforts have been mounted to protect it until now.

*Continued on page 6.*

## Top Stories in This Issue

### Mountain Top Mining Threatens Cerulean Warbler.

Coal mining project will destroy 380,000 acres of mountain habitat. See story page 2.

### Proposed Cuts To Endangered Species Act Benefit Chemical Industry.

Administration plans to cut endangered species biologists out of the regulatory process for hazardous pesticides. See story page 3.

### President's Budget: Bird Funding Facts and Figures.

A full run down on what the administration's proposed budget means for bird conservation. See story page 9.



California Condor. Photo: FWS.

### Wild California Condor Chick Fledges.

Condor program celebrates milestone for species reintroduction. See brief page 15.

For complete list of contents see page 2.

## CONTENTS

Bird Conservation Alliance Launched	1&7
Critical Bird Habitat Purchased	1&6
Mining Threatens Warblers	2
Proposed ESA Changes Bad for Birds	3
Video Helps Reduce Longline Bycatch	3
International Albatross Treaty	4
New Wren Species Discovered	4
Missouri River Operations and Birds	5
Polylepis Conservation Boosted	5
“Eastern” Sage-Grouse Listing Decision	6
Exxon Valdez Still Controversial	7
BLM to Conduct EIS on Wind Power	7
Wild Birds and Avian Flu Epidemic	8
Xantus’s Murrelet Gets State Listing	8
President’s Budget Breakdown	9
PIF Releases Conservation Plan	10
Boreal Framework to Save Forest	10
International Migratory Bird Day	11
Grassland Buyback Scheme	11
ABC Partners with Fundación Jocotoco	12
Navy Airfield Controversy	12
Neotropical Bird Funding	13
New Longlining Regs Protect Seabirds	13
ABC Helps Prevent Vulture Slaughter	14
Towers Kill Prevention Advances	14
Birds in Brief	15
Trap Neuter Release Bad For Birds	16

## Abbreviations

ABC: American Bird Conservancy  
 BLM: Bureau of Land Management  
 COE: Army Corps of Engineers  
 EPA: Environmental Protection Agency  
 EIS: Environmental Impact Statement  
 ESA: Endangered Species Act  
 FWS: U.S. Fish and Wildlife Service  
 NMFS: National Marine Fisheries Service  
 PIF: Partners in Flight  
 USDA: U.S. Department of Agriculture

**Bird Calls is the Newsletter of  
 American Bird Conservancy (ABC)  
 and the Bird Conservation Alliance.**

**American Bird Conservancy**  
 4249 Loudoun Avenue  
 P.O. Box 249  
 The Plains, VA 20198  
 1-888-BIRDMAG  
 E-mail: [abc@abcbirds.org](mailto:abc@abcbirds.org)  
 Web: [www.abcbirds.org](http://www.abcbirds.org)

**Editorial Committee: George Fenwick,  
 Merrie Morrison, Mike Parr, Gavin  
 Shire, George Wallace, Gerald Winegrad.**  
 Layout: Hana Young.

**ABC Policy Council/BCA Officers:**  
 Chair: Jim Kushlan  
 <[jkushlan@earthlink.net](mailto:jkushlan@earthlink.net)>  
 Vice Chair: Perry Plumart  
 <[pplumart@audubon.org](mailto:pplumart@audubon.org)>

Bird Calls is funded in part by a grant  
 from the International Affairs Division  
 of the U.S. Fish and Wildlife Service.

## Mountain Top Mining Threatens Cerulean Warbler Habitat

The Bush Administration continues to promote the development of mountain top removal/valley fill coal mining in the Appalachian region that will destroy 380,000 acres of high quality, mature deciduous forest over the next ten years. A similar acreage has already been lost to such mining techniques during the last decade.

The draft Environmental Impact Statement (EIS) on this type of mining (led by EPA, but involving several other government agencies, including FWS and the Army Corps of Engineers), suggests a massive and permanent impact on several forest-dependant bird species of conservation concern, including the Cerulean Warbler, Louisiana Waterthrush, Worm-eating Warbler, Kentucky Warbler, Wood Thrush, Yellow-throated Vireo, and Acadian Flycatcher.

The Cerulean Warbler has suffered serious population declines over recent decades, and has been petitioned for listing under the Endangered Species Act. The core of its breeding range coincides very closely with the area proposed for coal mining, and studies show that more than 137,000 breeding Cerulean Warblers will be lost in the next decade due to the mountain top removal process.

ABC and the Tennessee Ornithological Society have led efforts to document the devastating impacts to priority bird species in a formal comment letter on the draft EIS (available for viewing at [www.abcbirds.org/policy/mtm\\_letter.htm](http://www.abcbirds.org/policy/mtm_letter.htm)). The letter, signed by 50 conservation and bird groups, was sent to the President, Secretary of Interior, EPA Administrator, and the Commander of the Army Corps of Engineers. The groups demanded that such coal mining practices cease until



Habitat devastation typical of mountain top mining projects. Photo: Vivian Stockman, Ohio Valley Environmental Coalition.

environmental concerns have been addressed and a revised EIS has been re-issued for public comment, a request that was denied by the Corps. The Ohio Valley Environmental Coalition and the West Virginia highlands Conservancy are pursuing legal action to force the Corps to comply with this request.

Steven Griles, Deputy Secretary of Interior and a former coal lobbyist, ordered that all environmental alternatives be removed from the draft EIS and that wording be added to expedite the permitting process for mountain top mining. Over the last year, in Tennessee alone, permits have been issued for 5,129 acres of mountain top removal coal mining.

So flawed is the permitting process that FWS wrote an inter-agency memo in September 2002 warning that publication of the draft EIS, “will further damage the credibility of the agencies involved.” The memo cites the document’s proposed actions as offering “only meager environmental benefits,” and criticizes the draft EIS because it does not consider any options that would actually limit the mountain top area mined and the streams buried by the valley fills. Meanwhile, the destruction of precious bird habitat continues unabated. Visit, [www.ohvec.org/action\\_alerts/2004/01\\_02.html](http://www.ohvec.org/action_alerts/2004/01_02.html) for more information. *Contact:* Gerald Winegrad, ABC, <[gww@abcbirds.org](mailto:gww@abcbirds.org)>.

## Proposed Cuts To Endangered Species Act Benefit Industry

Ignoring comments by numerous conservation organizations and thousands of individuals, the Federal Government proposed changes to the Endangered Species Act in January 2004, that could have a dramatic, negative effect on how America's rarest birds and other wildlife are protected from the effects of toxic chemicals.

Following such ecological catastrophes as DDT in the 1950s and 60s, the country's most imperiled species are now protected by the Endangered Species Act. It is credited with restoring populations of such bird species as the Bald Eagle and Peregrine Falcon, and arresting the decline of the Red-cockaded Woodpecker.

Until now, all government agencies have been mandated by the Act to consult with experts at FWS or NMFS in cases where their actions may affect endangered species. Now the administration wants to change that by exempting the EPA from this vital procedure. Instead, the EPA would be able to decide at its own discretion whether or not to consult with FWS about the potential hazards of a chemical or specific pesticide application. If the EPA decided to re-

instate DDT, wildlife experts would have no legal right to intercede.

By their own admission, the EPA has an extremely poor track record of



The Endangered Species Act has been central to the recovery of the Bald Eagle and other bird species following DDT use in the 1950s and 60s. Photo: FWS.

consulting with FWS biologists over the past ten years. They have frequently only fulfilled their mandate to consult when forced to do so by the courts, based on suits brought by environmental groups. If no longer legally required to consult with endangered species experts for the hundreds of pesticides that come up for review annually, EPA will have a free hand in sanctioning pesticides that can kill endangered species.

Conservation groups were dismayed by the government's action and fear that further evisceration of the Endangered Species Act by the current administration could follow. This is a view shared by House Democratic

Leader, Nancy Pelosi, who released a statement saying, "These proposed regulations . . . are yet another example of the Bush Administration's stealthy but steady attack on our Nation's environmental laws."

Earlier in the year, several members of the National Pesticide Coalition, including Earthjustice, Natural Resources Defense Council, the Center for Biological Diversity, Defenders of Wildlife, Washington Toxics Coalition, and Northwest Coalition for Alternatives to Pesticides, filed a law suit alleging that high-ranking EPA officials have regularly held closed-door meetings with industry representatives on the Endangered Species Act, in violation of a federal law that requires all such meetings to be open to the public. The groups contend that the new proposal is a direct result of these meetings.

"There can be no reason for the Administration's actions other than to excuse the EPA from upholding its task of protecting the environment," said Dr. Patti Bright, Director of ABC's Pesticides and Birds Program. "The current system may be broken, but rather than working collaboratively to fix it, EPA is proposing to dispose of it altogether. The winners here will be the pesticide industry and the losers will be wildlife and our future generations, who will lose the opportunity to enjoy it." *Contact:* Dr. Patti Bright, ABC, <pbright@abcbirds.org>.

## New Video Helps Longline Fishermen Avoid Seabird Bycatch

The Washington Sea Grant Program has released "Off the Hook," an educational video to help Alaskan longline fishermen understand and avoid seabird bycatch. This well conceived and produced video clearly demonstrates the use and benefit of streamer lines and is being distributed to fishermen affected by new regulations mandating this effective

deterrent (see article P. 13).

The University of Alaska, Fairbanks Marine Advisory Services helped produce the video with funding from FWS. It is being duplicated and distributed with further funding from the Alaska Department of Fish and Game. The video can be viewed and downloaded over the web at: [www.wsg.washington.edu/outreach/](http://www.wsg.washington.edu/outreach/)

[mas/fisheries/seabirdvideo.html](http://mas/fisheries/seabirdvideo.html), and a limited number of copies are also available for purchase. *Contact:* the Washington Sea Grant Program, (206) 543-0555, <sgpubs@u.washington.edu>.

**SUPPORT ABC**  
Use the enclosed envelope or  
visit: [www.abcbirds.org](http://www.abcbirds.org)

## New International Albatross Treaty Comes Into Force

Argentina has become the most recent country to ratify a new global treaty aimed at protecting some of the world's most imperiled seabird species. The Agreement on the Conservation of Albatrosses and Petrels (ACAP) became effective in February 2004, after South Africa became the fifth country to ratify the treaty, joining Australia, New Zealand, Ecuador, and Spain. Peru, Brazil, Chile, France, and the United Kingdom have signed but not yet ratified the treaty.

Worldwide, 19 out of 21 albatross species are considered threatened with extinction according to IUCN-World Conservation Union criteria, with the remaining two species classified as Near-Threatened. Longline fishing is the primary reason behind recent population declines, with more than 100,000 albatrosses killed each year, along with at least 200,000 other seabirds, mostly petrels.

Signatories to the new accord agree to implement measures to reduce seabird by-catch in their fisheries and

further agree to protect the seabird breeding grounds, reduce habitat loss, and tackle marine pollution in waters under their jurisdiction.

Australia initiated the Agreement in 1997 and is currently serving as the secretariat, once again showing that country's international leadership role in the issue of seabird bycatch from longlines. The Agreement contains guidelines for albatross and petrel conservation to better coordinate actions on land and at sea. It also provides a central point for the collection and analysis of data, allowing for a complete picture to be built of albatross and petrel populations globally. The Agreement further establishes an international advisory committee to report annually on the status, progress, and techniques used to mitigate threats to albatrosses and petrels, and to protect their habitats.

Though non-binding, the Agreement shows a clear commitment on behalf of the participating countries to address the threat of longline fishing to seabirds, and is a step towards the restoration of declining albatross populations. The full Agreement can be viewed at [www.austlii.edu.au/au/other/dfat/treaties/notinforce/2001/8.html](http://www.austlii.edu.au/au/other/dfat/treaties/notinforce/2001/8.html). *Contact:* Barry Baker, Interim ACAP Secretariat, <barry.baker@aad.gov.au>.

## Colombian Wren Mystery Solved

The mystery surrounding an unusual birdsong, first noted by ornithologist Stephen Hilty on the fog-bound Munchique massif in the western Andes of Colombia in the late 1970s, has finally been solved. In November 2003, the first issue of a new, online-only Colombian ornithological journal, *Ornitología Colombiana*, was published, describing the Munchique Wood-Wren, *Henicorhina negreti*, based on field observations conducted during 2000. The new journal can be found at: [www.ornitologiacolombiana.org](http://www.ornitologiacolombiana.org).

The newly-described wren is similar to the widespread Gray-breasted Wood-Wren *H. leucophrys*, but has a different song, shorter tail, longer legs, and its underparts show distinct barring, which is absent in Gray-breasted. It also has an unusual, and distinctive dark juvenile plumage. The species is known only from wet, stunted cloud-forest above 6,500 feet.

Dr. Paul Salaman, Chairman of ProAves Colombia, suggests that the new species should be regarded as Critically Endangered because of its limited distribution, the continuation of illegal logging in Munchique National Park, and because global climate change could eventually cause its limited high altitude habitat to vanish. The Wren is the first bird species to be officially described in a journal that is exclusively available on-line.



The first photograph of the newly-discovered wren species in Colombia. Photo: Paul Salaman, ProAves.

A second significant discovery was made nearby shortly after the Wood Wren was identified. A population of the Critically Endangered Colorful Puffleg was found south of the park boundary by ProAves fieldworkers supported by an ABC grant. This is only the second location to be identified for the species, prompting biologists and local community members to work towards ensuring this new area is adequately protected. Visit [www.proaves.org](http://www.proaves.org). *Contact:* Paul Salaman, Conservation International, <psalman@conservation.org>.

## FWS Opinion Calls For Missouri River Flow Operations to Change

In late 2003, FWS released a Biological Opinion on the U.S. Army Corps of Engineers' (COE) water level control operations in the Missouri River. FWS has concluded that control of the water level for barge traffic has severely impacted the river's natural hydrology, affecting in particular, three endangered species: the "Interior" Least Tern, Piping Plover, and Pallid Sturgeon. This Opinion is an amendment of their 2000 Opinion (*Bird Calls* Vol. 6, No. 2) and resulted from an extensive consultation process between the two agencies mandated by the Endangered Species Act.

Much of the new document focuses on specific recommendations – called Reasonable and Prudent Alternatives – for reservoir management and seasonal flow requirements. These Alternatives are designed to mimic natural ecosystem processes (e.g., high spring flows followed by a draw-down) that should stimulate reproduction in the sturgeon, create more nesting habitat for terns and plovers, and cause less reproductive failure in the birds from nest flooding during the breeding season.



The Least Tern and Piping Plover have been adversely affected by Missouri River flow control. This will likely change following the FWS Biological Opinion. Photo: FWS.

The Corps must now work to incorporate the FWS recommendations into its Master Manual and Annual Operating Plan. One sticking point could be that COE has a congressional mandate to fulfill water delivery targets, which in severe drought years, may conflict with the FWS alternatives, particularly in the southern reaches of the river.

FWS has further recommended the creation of an interagency team to develop a framework for monitoring the effects of management actions on the three endangered species. ABC is participating in this process as a co-sponsor (with the COE and FWS) of a monitoring workshop for the "Interior" Least Tern this April in Nebraska. The goal of this workshop will be to help create a range-wide monitoring program to assess status and trends for "Interior" Least Tern populations.

Although much survey and monitoring work has been done in many different river reaches throughout the tern's range, this work has not been standardized or coordinated with quantitative goals. The workshop will bring together managers, biologists, administrators, and statisticians with interests in "Interior" Least Terns and their habitats to begin the process of coming to consensus on how to best keep track of these populations.

The FWS Opinion is available on line at [www.nwd-mr.usace.army.mil/mmanual/opinion.html](http://www.nwd-mr.usace.army.mil/mmanual/opinion.html). *Contact:* Jeff Fleming, FWS, (631) 421-3581.

## Polylepis Conservation Boosted

The Global Conservation Fund (GCF) at Conservation International is providing a \$100,000 grant to support ongoing efforts to protect *Polylepis* forests in the southern Andes of Peru. The grant will support Proyecto Polylepis, a collaborative effort between Asociación Ecosistemas Andinos and ABC.

The GCF finances the creation, expansion, and long-term management of protected areas in the world's biodiversity hotspots, high biodiversity wilderness areas, and important marine regions. The grant will be matched by a Peruvian debt-for-nature swap fund administered by PROFONANPE.

The project is targeting the remaining high altitude forests in the Vilcanota watershed in the Cusco Department, close to Machu Picchu and the Sacred Valley of the Incas. One of the key sites that will benefit is Abra Málaga, long

known as a birders' Mecca for endangered Andean specialties: the Royal Cinclodes, Ash-breasted Tit-Tyrant, and White-browed Tit-Spintail.

The project is establishing a network of community-managed *Polylepis* forest reserves to protect and restore the region's forests. Immediate goals are to reduce community dependence on *Polylepis* wood for fuel and construction by providing renewable plantations and more fuel-efficient stoves. Tens of thousands of *Polylepis* saplings will also be planted, helping to expand the dwindling forest patches.

The project provides perhaps the last hope for the conservation of three of the world's most endangered and enigmatic birds and a lifeline for local people in one of the world's poorest regions. *Contact:* George Wallace, ABC, <[gwallace@abcbirds.org](mailto:gwallace@abcbirds.org)>.

*ProAves continued from page 1.*

In November 2003, a forest products company that owned the largest portion of the lowland humid forest in Serranía de las Quinchas went into liquidation and initiated a distress sale of 2,100 acres of pristine lowland forest. The sale was initially directed at buyers seeking to clear and exploit the land, but Fundación ProAves learned of the situation, arranged for a suspension of the sale for 30 days, and set about searching for funds to buy the land for conservation.

ProAves contacted ABC and in just two weeks, the two organizations had raised the money needed to make the land purchase. The Global Conservation Fund at Conservation International also contributed funds for the acquisition. The deed was transferred to ProAves on February 23, 2004. In addition, ProAves has obtained further funding to conduct studies of the threatened species. Researchers will map the entire area to help develop a conservation strategy.

This will be the first protected area in this ecosystem and will protect a further 8,000 acres of foothills and



The recent land purchase by ABC and Proaves will help secure populations of the Blue-billed Curassow and White-mantled Barbet. Photo: ProAves Colombia.

subtropical forest, the only access to which is through this lowland forest fragment, thus affording protection for the entire 10,000 acre tract. ProAves will own manage the area as Reserva Natural El Puajil, the local name for the Blue-billed Curassow.

ABC will continue to campaign to raise funds to secure adjacent land to ensure a sufficient buffer zone for wide-ranging and threatened species at the site such as the curassow, Harpy Eagle, jaguar, and the "Magdalena" tapir, a subspecies of the South American tapir. *Contact:* George Wallace, ABC, <gwallace@abcbirds.org>.

## SHOP ABC

You can now buy all your birdwatching and birdfeeding items from ABC's own online store at <http://shop.abcbirds.org>.

From bird books to shade-grown coffee, the ABC store is one of the most comprehensive places for your birding needs.

A percentage of all sales goes directly to support ABC, so now you can help conserve America's wild birds while you shop.

ABC members receive a 15% discount on all store items, so join ABC today. Go to

[www.abcbirds.org](http://www.abcbirds.org) to

join online, or

use the

enclosed membership envelope.



## FWS: "Eastern" Sage-Grouse Petition Unwarranted

On January 5, 2004, FWS announced that a petition to list the "Eastern" Greater Sage-Grouse as Endangered failed to show that Eastern birds constituted either a subspecies, or a distinct population segment. The Service will however continue to evaluate petitions to list the Greater Sage-Grouse as a whole, based on long-term declines in its populations. It anticipates concluding its review by March 29.

Cooperative partnerships to address Greater Sage-Grouse conservation have led to more than \$3 million in



Sage-Grouse populations have been declining due to habitat loss. Photo: FWS.

funding in three states through landowner incentives since 2001, and a further \$1.25 million is programmed by the Bureau of Land Management (BLM) for 2004 to conserve the grouse and its sagebrush habitat. BLM manages approximately half of all sagebrush in the United States. Like other upland gamebirds, sage-grouse

are not protected under the Migratory Bird Treaty Act, but hunting is regulated by the states. The Greater Sage-Grouse is the largest grouse in the United States, being some 25% larger than the smaller Gunnison Sage-Grouse. It has declined between 45% and 80% over the past 20 years due to habitat loss. The Gunnison Sage-Grouse was officially described as a distinct species in 2000 and added as a candidate species for listing under the Endangered Species Act the same year.

Of the 11 non-emergency petitions to list bird species under the Endangered Species Act since 1999, eight have been declined, two have been accepted, and one, the Cerulean Warbler, is still pending. *Contact:* Mike Parr, ABC, <mparr@abcbirds.org>.

## Like Tanker, Valdez Case Steams On

Like the Exxon Valdez, now repaired and re-named the *Sea River Mediterranean*, and hauling oil across the Atlantic, the aftermath of the Exxon Valdez tragedy still steams forward through the U.S. legal system. On January 28, 2004, U.S. District Judge Russel Holland ordered Exxon to pay \$4.5 billion in punitive damages and \$2.25 billion in interest to 34,000 fishermen and other Alaskans who say they were harmed by the March 24, 1989 oil spill.

The spill dumped 11 million gallons of crude oil into Prince William Sound, killing an estimated 250,000 seabirds, and devastating the area's ecology. Exxon plans to appeal the judge's decision, and this is only the most recent salvo in a series of court rulings and appeals resulting from a 1994 Federal Jury award of \$5.2 billion in punitive damages against the company.

Since that original ruling, Exxon has taken the case to the U.S. Supreme Court where they were denied a hearing, and the U.S. Circuit Court of Appeals, which found in their favor that the judgment was excessive. The case has subsequently bounced between the Circuit and District Courts leading



The Exxon Valdez spilled 11 million gallons of crude oil killing hundreds of thousands of seabirds. The tanker

up to the January ruling.

In 1991, Exxon was assessed for a criminal penalty of \$125 million and restitution (estimated at \$2.1 billion for clean-up) after pleading guilty to breaking environmental laws, including the Migratory Bird Treaty Act, in relation to the spill. A civil settlement of \$900 million, to be paid out over ten years (plus \$100 million to cover damage beyond that known at the time), was also agreed at that point.

Surprisingly, though still perhaps the most damaging to the environment, the Valdez spill no longer ranks among the world's 50 largest. The worst tanker disaster was the 1978 *Amoco Cadiz*, which wrecked off the coast of France, spilling 68 million gallons of oil. The worst oil catastrophe of all was the 460 million gallons deliberately poured into the Arabian Gulf under orders from Saddam Hussein during the Gulf War in 1991.

Under the Oil Pollution Act of 1990, all tankers carrying petroleum products in U.S. territorial waters will be required to have double hulls by 2015.

*Alliance continued from page 1.*

fastest growing hobbies in America, with an estimated 60 million devotees. There exists a tremendous opportunity to substantially increase coordination among the many diverse bird groups to help build a broad-based alliance for bird conservation.

The goals of the Alliance are: to employ the best science to help understand and respond to changes in bird populations; to protect and manage the full range of habitats to conserve the diversity of bird species and the abundance of bird populations; to reduce bird mortality due to factors such as environmental contaminants, introduced species, and human-made structures; to maintain and improve the laws, regulations, and treaties that protect birds; to increase funding for bird conservation; and to promote birds as an important biological, aesthetic, and economic resource for the future.

There will be a broad range of benefits to member groups, including communication tools, information on current bird conservation issues, opt-in sign-on resolutions and web campaigns on a broad range of bird conservation issues, and an increased advocacy presence in Washington. For information on the Alliance, including how to join, visit, [www.birdconservationalliance.org](http://www.birdconservationalliance.org). *Contact:* Alicia Craig, ABC, <[acraig@abcbirds.org](mailto:acraig@abcbirds.org)>.

## BLM To Conduct Environmental Impact Statement on Wind Energy

The U.S. Department of the Interior, Bureau of Land Management (BLM), has announced it will prepare a Programmatic Environmental Impact Statement (EIS) to evaluate issues associated with wind energy development on Western public lands (excluding Alaska) administered by the BLM. The EIS is required to maintain compliance with the National Environmental Policy Act of 1969, which mandates that such a procedure be carried out for major federal actions with potential for significant impact on the quality of the human environment.

As currently envisioned, the EIS will address a number of issues relevant to the establishment of a wind energy program at the Bureau, but will pay special attention to impacts on wildlife and wildlife habitat, including avian impacts, as well as proximity to wilderness or other special management areas.

A Public Scoping Comment Period on the EIS ended in December 2003, and a Draft EIS is expected to be published in August 2004. Following the publication there will be a three-month public comment period before the Final Programmatic EIS is published in June 2005. For more information visit, [www.windeis.anl.gov](http://www.windeis.anl.gov)

## Wild Birds' Role in Avian Flu Outbreaks Remains Speculative

The recent outbreak and rapid spread of the H5N1 strain of Type A avian influenza virus in Asia that has claimed 20 human lives, has caused rampant speculation that wild birds are to blame. On February 10, China's Ministry of Agriculture issued an emergency notice that aims to arrest the spread of the disease by attempting to segregate poultry from wild birds. Proof of the sources and vectors for this virulent strain are not yet available however, and there are several potential means for the virus to spread.

In total, there are 24 strains of the Type A influenza virus that are commonly found among wild birds, though only a few of these are known to have circulated widely in humans. New mutations can occur when two strains of the virus infect one animal. Waterfowl and shorebirds are common carriers of these viruses, yet few birds typically become sick as a result. Poultry, especially domesticated chickens and ducks have proven more susceptible to the viruses however, and large die-offs have been noted, normally followed by the culling of additional birds to prevent further



H5N1 avian influenza has affected poultry throughout Asia and killed 20 people.

Photo: Microsoft.

spread of the virus. For example, so far in 2004, more than 85,000 chickens have been killed in Delaware to control the spread of an H7 form of the disease, though the strain involved is not considered harmful to people.

In 1997, an outbreak of the H5N1 strain in Hong Kong provided the first direct evidence of transmission of an avian influenza virus from chickens to humans when six people died after contracting the disease. Since that time, two additional strains of avian influenza have been confirmed in people, one incident involving poultry farm workers in the Netherlands. The cause of transmission in the other cases remains unproven. Since December 12, 2003, a series of outbreaks of H5N1 among chickens, domestic ducks, and some birds in zoos, has been detected across Asia, starting in South Korea. In total 29 people have

been confirmed with the disease in Thailand and Vietnam, and of these, 20 have died.

The only wild bird known to have contracted H5N1 during the recent outbreak is a single Peregrine Falcon which was among 6,000 wild birds tested in Hong Kong in January (the rest tested negative). H5N1, unlike most other avian influenza viruses, is thought to make wild birds sick, so it may be less likely that infected individuals would be capable of acting as long-distance carriers. The possibility that wild birds could be asymptomatic carriers cannot be ruled out, but nevertheless, December to February is a time of year when there is little long-distance movement of migratory birds in Asia.

The speed with which the disease has moved from country to country among poultry farms also seems to indicate against transmission by wild birds. There are many other potential vectors that could produce such rapid rates of spread, including the cage bird trade, the poultry and fighting cock trade, and transport between farms on footwear or by other human-related means. We may never be able to conclusively prove the sources and vectors of the H5N1 strain, but speculation that wild birds are to blame will likely continue. *Contact:* Mike Parr, ABC, <mparr@abcbirds.org>.

## California Lists Xantus's Murrelet as Threatened

Following a year-long review prompted by a listing petition from the Pacific Seabird Group, the California Fish and Game Commission has listed the Xantus's Murrelet as a Threatened Species under the California Endangered Species Act. A petition for federal Endangered Species Act listing is still pending.

The small seabird nests on only six of California's Channel Islands (1,730 pairs), and six islands off the coast of Baja California, Mexico (2,425 pairs).

Egg predation by deer mice, and predation of adults and chicks by rats, feral cats, and other animals appear to be the major factors in the species' population decline, but human-caused vegetation changes that alter predator-prey relationships, and artificial lighting and noise from fishing and recreational boats are also believed to contribute.

A recent, successful rat eradication program by the Island Conservation and Ecology Group, with help from

ABC, on Anacapa Island has helped in the species' recovery (*Bird Calls* Vol. 7, No. 2). Regulations to limit boating activity within one nautical mile of Santa Barbara and Anacapa Islands during the breeding season (February 1 - July 15) provide further protection for the murrelets. The California Fish and Game Commission is now working to develop additional protective measures. *Contact:* Esther Burkett, California Dept. Fish and Game, (916) 654-4273.

## President's Budget: Bird Funding Facts and Figures

The President submitted his FY 2005 proposed budget this January for Congressional approval. It is available online at [www.whitehouse.gov/omb/budget/fy2005/budget.html](http://www.whitehouse.gov/omb/budget/fy2005/budget.html). While the complete details of the budget are beyond the scope of this publication, below are the most pertinent sections for bird conservation.

The good news is an overall increase for FWS of \$22.6 million over this year to \$1.3 billion - by comparison, the EPA budget would drop by 7%, the largest decrease for any agency. Troubling, though, is the President's proposal to generate revenue by opening up the Arctic National Wildlife Refuge to drilling, something that conservationists have fought strongly against in recent years (*Bird Calls* Vol. 5, No. 1). However, Congressional approval for this appears unlikely in this election year.

The North American Wetlands Conservation Act Fund, which provides matching grants for wetlands conservation projects throughout North America, gets an increase of \$16.5 million for a total of \$54 million. The Neotropical Migratory Bird Conservation Act is slated for \$4 million, up slightly from last year but not the \$5 million sought by conservationists (see article p. 13). The Migratory Bird Management program would receive more than a \$4.5 million increase for work including surveys and monitoring (\$2.1 million), environmental impact statements/management actions (\$1 million), webless migratory gamebirds (\$250,000), and the Harvest Information Program (\$655,000).

Joint Venture administration gets \$11.6 million (up \$1.2 million) for 15 projects around the country, and money for State Wildlife Grants is increased by \$10.9 million to \$80 million for state and tribal wildlife conservation.

One of the biggest budget losers is FWS Endangered Species Act funding, which would be decreased by

5% to \$58 million, including cuts to the recovery program that helps move species off the Endangered Species List. Listing and critical habitat designation funds, however, increase from \$12 million to \$17 million, possibly due to court orders, though money for work on "candidate" species drops from \$9.8 million to \$8.6 million, and consultation funding drops by \$2 million to \$45 million.

A new FWS "Science Excellence Initiative" is proposed at \$2 million, half for shaping new approaches to the science of natural resource conservation, and half to retain groups of professionals, scientists, and managers to assess the science on issues and devise management applications to help FWS meet the changing needs of science-based conservation.

New funding of \$5 million is proposed for the "High Plains Partnership" to allow the FWS to pursue joint efforts with the USDA, private conservation organizations, private landowners, and state wildlife agencies in the 11 high plains states. Sage-Grouse conservation efforts will receive \$300,000 of this money.

The Migratory Bird Management Office is given a proposed \$767,000 to fill a deficit in its permits program, while the National Wildlife Refuge Systems Law Enforcement budget would increase by more than \$3 million.

Landowner Incentive Grants that provide state fish and wildlife agencies funds needed to establish or expand habitat protection and restoration programs on private land for "at risk" species would receive an increase of \$20.4 million to \$50 million, and Private Stewardship Grants that provide cost-share grants to landowners for wildlife conservation would increase by \$2.6 million to \$10 million.

The President's budget proposes only \$314 million for land purchases under the Land and Water

Conservation Fund (LWCF), well below the FY '04 request of \$348 million and the FY '03 enacted figure of \$414 million. This breaks down to \$24 million for BLM, \$45 million for FWS, \$84 million for the Park Service, \$67 million for the Forest Service, and \$94 million in stateside matching grants. The President had vowed during his last election campaign to provide \$900 million for traditional federal and state LWCF funding.

Despite proposing an 11% increase in Farm Bill conservation programs, the Administration's FY '05 budget falls short of the conservation levels mandated by the 2002 bill. The \$1 billion for the Environmental Quality Incentives Program (EQIP) is a \$25 million increase from FY '04 funding, but still 17 percent below Farm Bill levels. The Wildlife Habitat Incentives Program would go up from \$42 million this year to \$60 million in 2005, yet would be 18 percent below Farm Bill targets. Total funding for the Natural Resources Conservation Service, the arm of USDA that oversees its environmental programs, would go down from the FY '04 estimate of \$2.8 billion to \$2.7 billion in FY '05. WRP remains virtually unchanged and CRP payments go up from \$1.884 billion to \$1.96 billion, though funds for administration of the latter program are in dispute.

The Army Corps of Engineers budget for Everglades restoration work is slashed from \$150 million to \$125 million, and funding is zeroed out for potentially hundreds of beach and shoreline restoration projects that the Corps has funded in the past, but the budget for the Louisiana Coastal Area increases nearly ten-fold to \$8 million. This area is home to nearly 40 percent of the coastal wetlands in the lower 48 states, but is losing 34 square miles of wetlands each year due to saltwater intrusion brought on by erosion of barrier islands in the Gulf of Mexico. *Contact:* Gerald Winegrad, ABC, <[gww@abcbirds.org](mailto:gww@abcbirds.org)>.

## Partners in Flight Releases North American Landbird Conservation Plan

Partners in Flight (PIF) has just completed its *North American Landbird Conservation Plan*, written by scientists from the United States, Canada, and Mexico. The Plan provides, for the first time, a continental synthesis of priorities and objectives that will guide conservation actions for 448 species of landbirds in North America.

Of particular focus are the 100 species included on the PIF Watch List that face a combination of threats to their habitats, declining populations, small population sizes, or limited distributions. Of these, 28 species

require immediate action to protect small remaining populations, and 44 others are in need of direct management to reverse long-term declines. The Plan also highlights 161 "Stewardship Species" (some also included on the Watch List) that are particularly representative of landscape characteristics in each portion of the continent and whose needs should be considered in conservation planning.

Population estimates for all species of landbirds and population objectives for Watch List and Stewardship Species set forth in the Plan are major advances. These innovations allow measurable population objectives to be set for direct conservation action at various geographic scales. The Plan stops short of proposing habitat objectives, as these can best be determined by partners working on the ground.

Another novel contribution is an assessment of the adequacy of long-term population trend monitoring data. Species are placed into four categories: those with adequate data, those having inadequate data, species without data, and species with inadequate geographic coverage.

Important next steps include: 1) devising ways to "step down" the population estimates and objectives to smaller geographic scales for validation with independent data; 2) completing a plan for Coordinated Bird Monitoring to ensure adequate coverage of all landbirds; and 3) expanding the assessment to include another 450 species of landbirds that breed largely in Mexico.

To obtain copies of the Plan, contact Terry Rich, <terry\_rich@fws.gov>, or Ken Rosenberg, <kvr2@cornell.edu>. The Plan is expected to be available on the web by the middle of the year.

## Boreal Framework Provides Vision for Protecting Vital Forest Habitat

In December 2003, the Canadian Boreal Initiative unveiled its landmark vision to protect 1.3 billion acres of forest in Canada and Alaska, vital to America's breeding landbirds and waterfowl. The *Boreal Conservation Framework* proposes a new approach to balancing conservation and economic development in the boreal forest, one of the largest remaining forest habitats on earth. The framework advocates the establishment of a network of large, interconnected protected areas covering approximately half of Canada's boreal region, and the use of sustainable development practices in remaining areas.

The Framework reflects an extraordinary alliance of conservation

groups, timber and oil companies, and indigenous communities.

While vast tracks of the boreal region remain unspoiled, the release of the Framework comes at a time when development is rapidly escalating. Land use decisions throughout much of Canada will determine the fate of much of the boreal region within the next three to five years. With more than 90% of the boreal under public ownership, a critical next step will be to persuade Canadian government agencies to play a central role in making the framework's vision a reality.

Much of the resource development in the boreal is being driven by U.S. demand. Eighty-one percent of wood from the boreal is used to make paper, including catalogs, junk mail, magazines, and newspapers, of which America is the number one consumer. Additionally, the United States consumes the majority of Canadian-produced oil and gas, 60% of which comes from the boreal.

Of the 298 bird species that breed in the boreal forest, at least 40 species of landbirds and several species of ducks are already experiencing population declines, in part due to habitat loss from logging and oil and gas development.

An international campaign, based in the United States, is emerging. The Boreal Songbird Network is a new consortium of conservation groups that includes ABC, the Boreal Songbird Initiative, National Audubon Society, National Wildlife Federation, Ducks Unlimited, and Natural Resources Defense Council. These groups are working to build a broad base of international support for boreal conservation and the adoption of the Boreal Conservation Framework. In November 2003, ABC's Policy Council passed a resolution supporting the Framework concept.

Visit the Boreal Songbird Initiative at: [www.borealbirds.org](http://www.borealbirds.org), and the Canadian Boreal Initiative at: [www.borealcanada.ca](http://www.borealcanada.ca).

## IMBD Picks Colonial Birds for 2004 Theme

International Migratory Bird Day (IMBD) 2004 has chosen colonial birds as its theme. This year's striking poster, painted by Ram Papish, an Oregon-based biologist and artist, depicts two typical scenes of colonial nesting waterbirds: northern seabird "cities", and southern coastal heron colonies with frigatebirds overhead. The artwork is available from the IMBD online store as both an attractive poster and T-shirt.

IMBD's website points out that not all colonial birds should be regarded as waterbirds, though we often think of the word "colonial" in the context of wetland breeding



Artwork by Ram Papish illustrates IMBD's 2004 theme of colonial birds.

bird congregations such as those that occur at Important Bird Areas.

This year's event is the eleventh annual IMBD. At press time, dozens of events have already been organized around the country with many more expected by spring. This year's event is focused around May 8<sup>th</sup>, though some IMBD events are taking place on alternate weekends. IMBD is coordinated by the National Fish and Wildlife Foundation and FWS. Visit [www.birdday.org](http://www.birdday.org) for more information. *Contact:* Susan Bonfield, IMBD, <[sbonfield@aol.com](mailto:sbonfield@aol.com)>.

## Buyback Scheme Benefits Birds Threatened by Livestock Grazing

The Bureau of Land Management (BLM) currently issues livestock grazing permits to ranchers on 160 million acres of public rangelands in 16 western states. Sometimes called "welfare ranching," BLM pays these permittees approximately \$500 million in subsidies annually, an amount vastly in excess of revenues to the Federal Treasury from grazing receipts. But a bigger cost is perhaps overgrazing of native grasses and other plants. While grazing clearly benefits shortgrass bird species such as McCown's Longspur and Sprague's Pipit, soil erosion, degraded water quality, and crippled riparian areas are all too common features of publicly grazed lands. Many bird species such as the Greater and Gunnison Sage-Grouse, Yellow-billed Cuckoo, and Willow Flycatcher have suffered as a result.

As a solution to these problems, the National Public Lands Grazing Campaign (a multi-organizational strategy) has devised a scheme to buy back these permits from willing ranchers. This initiative is now before Congress in the form of the Voluntary Grazing Permit Buyout Act (HR 3324). The amount of money each rancher could receive varies, but could range from two to five times the actual value of the land. The total cost could reach more than \$3 billion if every acre was reclaimed. However, this would pay for itself in six years and save millions of dollars in farm subsidies each year after that.

"The Voluntary Grazing Permit Buyout Act does not

mean the end of western ranching," said Congressman Christopher Shays (R-CT), co-sponsor of the bill with Raul Grijalva (D-AZ). "Rather, it sets in motion a gradual reduction in public lands grazing that could have vast environmental benefits, while allowing participating ranchers to modify their livestock operations."

Once redeemed, the land would be allowed to recover and be turned over for recreational and wildlife habitat uses. This scheme would be a win-win situation for all parties: bird and other wildlife populations would benefit from habitat recovery, ranchers (many of whom are no longer able to compete with large, corporate farms) would be well compensated, and the taxpayer would no longer have to fork out millions a year in subsidies.

However, some fear the initial capital outlay may deter a near-sighted Congress from achieving such long-term gains.

Congressmen Shays and Grijalva also introduced the Arizona Voluntary Grazing Permit Buyout Act, which would allow public land grazing permittees in Arizona alone to voluntarily sell their grazing permits to the Federal Government. This second bill is intended to serve as a pilot program to give Congress valuable information for establishing the broader buyout program.

For more information, visit the National Public Lands Grazing Campaign Website, [www.publiclandsranching.org](http://www.publiclandsranching.org).



The proposal to buyback grazing permits for millions of acres of public lands could benefit several grassland and riparian species. Yellow-billed Cuckoo photo: Carnegie Museum of Natural History - Powdermill Nature Reserve.

## ABC Partners With Fundación Jocotoco

In January 2004, ABC joined in an exciting new partnership with Fundación Jocotoco to conserve priority sites for endangered birds in Ecuador. Jocotoco is a non-governmental organization, founded in 1998 to conserve Ecuador's staggering biodiversity, especially its birds. Jocotoco has, to date, created a network of six reserves to protect some of Ecuador's most imperiled species and to complement Ecuador's national protected areas system.

The Fundación's first project, and its flagship reserve, is Tapichalaca, centered on prime habitat for the spectacular Jocotoco Antpitta, an endangered species only discovered in 1997. The reserve comprises over 10,000 acres of wet, temperate zone forest adjacent to Podocarpus National Park in southern Ecuador, and is home to the Vulnerable Golden-plumed Parakeet and Bearded Guan, mammals such as mountain tapir, and a newly-discovered species of tree frog. Other reserves include Buenaventura, home to the Endangered El Oro Parakeet; Utuana, a small remnant of rare hilltop evergreen forest in the transition zone between humid montane forest and the dry forest of the Tumbesian region in southwest Ecuador; and Yungilla, a small reserve of deciduous and semi-evergreen scrub in the arid Tumbesian intermontane valleys, where the world's only remaining population of the Critically Endangered Pale-

headed Brush-Finch numbers just 30 pairs.

While most Jocotoco reserves are in southern Ecuador where there are few national preserves, two reserves are in the north. One is Yanacocha, a 2,300 acre block of mostly *Polylepis* woodland, where one the world's rarest hummingbird species, the Critically Endangered Black-breasted Puffleg, can be found. Another is Canande in northwestern Ecuador, situated in one of the world's wettest places, the lowland Chocó rainforest. More than 300 species of birds (and rising) have been recorded there, including such Chocó specialties as the Vulnerable Long-wattled Umbrellabird.

In total, the Fundación's reserves contain more than 600 bird species, of which approximately 90 are range-restricted or endemic species, and 30 are globally endangered. The reserves are steadily growing in size, and new reserves are being planned, especially in the arid, and relatively unprotected, southwest. Jocotoco is also working to make its reserves self-sustaining through ecotourism in close cooperation and partnership with local communities. ABC is linking with the tour group Tropical Birding to offer conservation and birding tours to Ecuador and elsewhere. See [www.tropicalbirding.com](http://www.tropicalbirding.com) for details. *Contact:* Robert Ridgely, <[rridgely@abcbirds.org](mailto:rridgely@abcbirds.org)>.

## Navy Jet Field Near NWR Challenged

The Southern Environmental Law Center, representing National Audubon Society, Defenders of Wildlife, and the North Carolina Wildlife Federation, filed suit in federal court in January 2004, challenging the Navy's plan to build a military jet landing field in the heart of the Atlantic migratory bird flyway and close to Pocosin Lakes National Wildlife Refuge in eastern North Carolina. The groups believe that the government's environmental impact studies downplay the substantial risk of collisions between jets and the large flocks of birds that winter in the area and minimize adverse impacts to the wildlife refuge.

Citing extensive evidence from wildlife experts, including the scientist who led part of the Navy's own study, the lawsuit characterizes as "reckless" the plan for the new field within five miles of the refuge. Pocosin Lakes, an ABC-designated globally Important Bird Area, is winter

home to nearly 100,000 swans, geese, and other waterfowl. The pilots would practice repeated touch-and-go landings mostly at dusk and dawn.



Pocosin Lakes National Wildlife Refuge is home to thousands of wintering Tundra Swans and other waterfowl. Photo: FWS.

The \$186.5 million facility would be located on 30,000 acres that the Navy plans to acquire in Washington and Beaufort counties. The counties joined with the other plaintiffs to seek an injunction prohibiting the Navy from engaging in any further activity associated with building the field, including land acquisition, site preparation, design, and construction.

FWS has opposed the landing field proposal, referring to it as "unacceptable" and claiming

significant disruption to the operations of their refuges. For more information visit the Albemarle Community Network web site at: [www.albemarlecommunity.net/SiteIndex.html](http://www.albemarlecommunity.net/SiteIndex.html). *Contact:* Tim Gestwicki, North Carolina Wildlife Federation, <[ncwf\\_charlotte@mindspring.com](mailto:ncwf_charlotte@mindspring.com)>.

## \$4 Million for Neotropical Bird Grants

Congress approved just under \$4 million for this year's grants under the Neotropical Migratory Bird Conservation Act (NMBCA). The Administration has budgeted for the same amount for FY '05 (see article p. 9). ABC and National Audubon Society had joined forces to gain the support of more than 100 organizations to urge funding at the full authorized level of \$5 million in 2004.

When this year's deadline came in January, 139 applications had been received from across the hemisphere requesting a total of \$12 million. Successful applicants must match NMBCA grants in a 3:1 ratio through other funding sources.

In FY 2003, \$2.9 million was awarded for 37 projects in the United States and 18 other countries. These



NMBCA provides matching funds for bird conservation to protect neotropical migrants such as the Cape May Warbler. Photo: FWS.

were matched with another \$12.9 million. Because of a lack of funding, 113 projects requesting \$8.7 million were turned down, leaving over \$20.2 million in matching funds unused. This is an improvement over the previous year when only 32 out of 290 proposals could be funded, which left \$90 million in proposed match money

unused.

The money that Congress has appropriated for the NMBCA has been more than quadrupled by matching funds for projects that protect, restore, and manage habitat for migratory birds and other wildlife in Latin America and the Caribbean. Efforts are underway to assure the full \$5 million for the next year, to lift the authorized cap in future years from \$5 million to \$25 million, and reduce the match requirement from 3:1 to 1:1. The 2003 grants include: a U.S./Mexico grassland bird conservation project; management of Common and Roseate Terns as an international resource; bi-national protection of upland stopover habitat around the Gulf of Mexico; and conservation studies for "Southwest" Willow Flycatcher, Yellow-billed Cuckoo, and Louisiana Waterthrush. For further information and application materials, visit <http://birdhabitat.fws.gov>, and click on Neotropical Birds Grants Program. *Contact:* Gerald Winegrad, ABC, <[gww@abcbirds.org](mailto:gww@abcbirds.org)>.

## New Regulations Benefit Seabirds

New regulations have finally been adopted for the Alaskan longline fishery, effective February 12, 2004. All vessels over 55' long are now required to use paired streamer (bird-scaring) lines that can virtually eliminate seabird mortality. Conservationists had pushed for this regulation to be applied to boats over 35' long, but nevertheless, this presents real progress. Currently, under a FWS program, these paired streamer lines are delivered free to any Alaskan longliner requesting them.

The new regulations also address the proper discharge of offal from fishing boats to minimize the attraction to seabirds, and require each vessel to keep a seabird avoidance plan on board. Research is ongoing on smaller Alaskan longliners to determine the

best avoidance measures to use, including increasing built-in line weights to sink baits more quickly.

New data from NMFS indicate that in 2002, seabird mortality in Alaska was down substantially to 4,094 birds, though 48 Laysan and 33 Black-footed Albatrosses were among them. The decrease is very welcome news if the data are accurate and the drop not merely an aberration. Likewise, Hawaii-based longliners took just 116 albatrosses in 2002, compared with more than 2,000 in some previous years. The dramatic decline came after court action over sea turtle deaths forced the closure of the Hawaii shallow-set swordfish fishery in 2000. Unfortunately, in January NMFS proposed re-opening this fishery, which will certainly re-escalate albatross mortality unless better regulations to protect seabirds are adopted. ABC is opposing this proposal and urging the adoption of

better seabird avoidance measures that can eliminate albatross mortality in this fishery.

Equally distressing is news that a legal loophole has resulted in the killing of 450 Black-footed Albatrosses and 17 Laysan Albatrosses from October 2001 to February 2003. This mortality stems from vessels formerly based in Hawaii and the Gulf of Mexico that fish beyond the 200 mile Economic Exclusion Zone and land their catches in California, circumventing the prohibition on shallow-set swordfish longlining around Hawaii. *Contact:* Gerald Winegrad, ABC, <[gww@abcbirds.org](mailto:gww@abcbirds.org)>.

**SUPPORT ABC TODAY**  
Use the enclosed envelope  
or join on-line at:  
[www.abcbirds.org](http://www.abcbirds.org)

## Vulture Killing in Virginia Down; Research Proceeds

Responding to concerns from ABC and its partners at National Audubon Society, the Humane Society of the United States, Virginia Society of Ornithology, Fairfax Audubon Society, and the Raptor Research Foundation, the USDA Wildlife Services Virginia office reduced the killing of vultures in 2003 to 144 (93 Black and 51 Turkey Vultures) from 562 in 2002. A FWS issued permit allows the take of 1,250 vultures.

Wildlife Services contends that lethal take is necessary to minimize vulture damage to property and livestock. It had steadily escalated its vulture take from zero in 1995-1997 to 562 in 2002, and had applied for a permit to kill 2,500 Black and 1,500 Turkey Vultures in 2003. By comparison, the nationwide total take of vultures between 1989 and 1991 was



Thanks to pressure from ABC and other conservation groups, vulture killing in Virginia by USDA Wildlife Services has been dramatically cut. Photo: Clipart.com.

only 157 birds.

Conservationists and raptor specialists met last June with representatives from Wildlife Services' national, regional and Virginia offices to discuss concerns

over this increased lethal take and reached agreement on several key points (*Bird Calls* Vol. 7, No. 3). To better understand the relationship between Black Vultures and livestock operations, the USDA Wildlife Services National Wildlife Research Center has teamed up with Wildlife Services Virginia to conduct a research project in the Radford-Blacksburg area. Up to 200 Black Vultures will be trapped and tagged at their roost for identification in and around the area, and 20 birds will be fitted with radio transmitters to track their movements.

In February, Wildlife Services Virginia and conservationists met to address vulture research and the lack of vulture population data in Virginia, an issue raised by scientists and conservationists as reason for concern over the escalated take of vultures in Virginia. ABC and its partners continue to support effective non-lethal management measures, such as the use of vulture effigies as a roost dispersal technique. *Contact:* Gerald Winegrad, ABC, <gww@abcbirds.org>.

## Tower Kill Work Advances

Continued pressure from ABC and its partners has begun to yield tangible results in the effort to prevent the deaths of possibly tens of millions of migratory birds annually at more than 80,000 lit communication towers across the United States. After ABC arranged a meeting last year with Federal Aviation Administration (FAA) officials, the agency announced in February 2004 that it was preparing to release a guidance memo to all its regions that continuous or slow pulsing red lights no longer be recommended for new towers (unless absolutely required for aviation safety in limited areas). White or red strobe lights would be the preferred lighting system.

Research to date points to continuous or slow pulsing red lights as one of the

main causes of the deaths of night migrating neotropical songbirds at towers, so this switch by the FAA may substantially reduce avian mortality at new structures. Retrofitting existing towers with the more bird-friendly strobe lighting will require further effort from conservationists.

After receiving 250 comments to its Notice of Inquiry (NOI) on birds and towers, over 90% of which urged action to prevent avian mortality, the Federal Communications Commission (FCC) is, for the first time, hiring a biologist. The new staffer will aid in data analysis, help make recommendations on the research and comments submitted under the NOI, review individual tower cases for migratory bird impacts, and assist with environmental reviews under the National Environmental Policy Act, the Endangered Species Act, and the Commission's own rules.

ABC and co-plaintiffs prepared detailed comments in ongoing litigation against the FCC (*Bird Calls* Vol. 6, No. 3). Thirty-three national and regional conservation and scientific organizations signed a letter urging the FCC to require preventative measures on all new and existing communications towers to prevent avian mortality. These measures follow FWS guidelines and are supported by the best available scientific data.

Meanwhile, ABC and the Forest Conservation Council have appealed and stopped the construction of seven new towers in North Carolina, Louisiana, Arkansas, and Ohio. Regional appeals for Hawaii and the Mississippi Flyway are being prepared, and research on tower kills is underway in Michigan, Arizona, and Pennsylvania. *Contact:* Gerald Winegrad, ABC, <gww@abcbirds.org>.

## Birds in Brief

### The Big Bird Race Gets Underway

The U.K.-based Conservation Foundation has come up with a novel way to raise both money and public awareness for the plight of the world's albatrosses. They have teamed up with betting agent Ladbrokes to run the "Big Bird Race." Eighteen Shy Albatrosses are being tagged with satellite transmitters and tracked on their migration from the Australian island of Tasmania to the finish line 6,000 miles away, off the coast of southern Africa. Bets can be placed on the first bird to reach its destination, with all profits donated by Ladbrokes to the Foundation. The birds will be battling not only the weather, but longline fishing boats, which kill some 100,000 albatrosses each year. The organizers hope the race will encourage more countries to sign the international Agreement on the Conservation of Albatrosses and Petrels (see article P. 4). Visit [www.ladbrokes.com/bigbirdrace/](http://www.ladbrokes.com/bigbirdrace/) for the latest information on the birds' progress.

### \$17 Million for Coastal Conservation

On December 10, Interior Secretary Gale Norton announced \$17 million in new grants to ten states to conserve, restore, and protect coastal wetlands. The funds are part of the FWS Coastal Wetlands Conservation Grant Program which has provided \$139 million in conservation funding since 1990. States benefitting from the recent allocation include Alaska, Washington, Texas, and several East Coast states. Matching funds totaling \$42 million will be provided by state and private partners. Funds will protect more than 19,000 acres at 20 sites, several of which are adjacent to Important Bird Areas. Visit [www.fws.gov](http://www.fws.gov) for more information.

### Cranes Arrive in Florida

On December 8, 2003, 16 young Whooping Cranes completed their 1,191 mile migration from Necedah National Wildlife Refuge in central Wisconsin to the Chassahowitzka National Wildlife Refuge on the west coast of Florida, led by ultra-light aircraft. The return journey will likely begin in early April. The project is being implemented by a range of public and private partners. Visit [www.bringbackthecranes.org](http://www.bringbackthecranes.org) and [www.operationmigration.org](http://www.operationmigration.org) for more information.



An ultralight pilot's-eye view of migrating Whooping Cranes. Photo: Joe Duff, Operation Migration.

### Korean Wetland to be Reclaimed

Despite protests from the worldwide conservation community, on January 29, a South Korean court upheld an appeal from the Korean Ministry of Agriculture and Forestry to complete the world's largest tidal wetland reclamation project and destroy 100,000 acres of salt flats at Saemangeum on the Yellow Sea coast (*Bird Calls* Vol. 7, No. 3). The site is critical for a number of globally threatened species such as the Spoon-billed Sandpiper, Spotted Greenshank, and Great Knot, as well as U.S. migrants, including Dunlin and Bar-tailed Godwit. Environmentalists plan to appeal the decision. Visit [www.wbkenglish.com](http://www.wbkenglish.com) for more information.

### White-Eye Listed

On January 22, FWS issued an announcement that the Rota Bridled White-Eye is being designated as an Endangered Species under the U.S. Endangered Species Act. The white-eye is endemic to Rota in the Northern Mariana Islands, a U.S. dependent territory. The species is one of sixteen members of the genus *Zosterops* that are considered Threatened under IUCN-World Conservation Union criteria. White-eyes have diversified throughout the Pacific islands and twelve of the threatened species, including the Rota Bridled White-Eye, are single-island endemics.

### Texas Hunting Violations Uncovered

More than \$52,000 in fines have been levied for 157 federal and state wildlife violations detected in three of the most heavily hunted Texas counties during the 2003-2004 waterfowl season.

FWS agents and state wardens cooperated to investigate the cases, which included the use of illegal lead shot, baiting infractions, and bag limit violations. Texas hosts approximately 500,000 waterfowl hunters annually. Visit [www.fws.gov](http://www.fws.gov) for more information.

### Condor Success

On November 5, 2003, the first California Condor to be hatched in the wild in more than 20 years left the nest on its first tentative flight. The bird immediately began to explore its surroundings and shortly after was located and fed by one of its captive-raised parents. The chick was still doing well at press time.

In addition to the wild-fledged bird, ten captive-raised condors were released at the Arizona release site in December 2003, bringing the total wild population to 215 birds. The reintroduction project is being implemented by a broad range of public and private partners. Visit [www.peregrinefund.org](http://www.peregrinefund.org).

## Trap Neuter Release: Dollars But No Sense

The practice of Trap/Neuter/Release (TNR) to allegedly “manage” unowned cats is on the rise in the United States. TNR programs now exist in at least 40 states, the District of Columbia, and Puerto Rico. Some counties, such as Santa Cruz in California and Palm Beach in Florida, even have ordinances that legalize the practice, while the Animal Control Department of the City of Cape May, New Jersey actively traps and then sterilizes cats for release. Scientists estimate that free-roaming cats kill hundreds of millions of birds in the U.S. each year.

One of the largest TNR efforts has been in California. From 1999 to 2002, Maddie’s Fund gave \$9.5 million to the California Veterinary Medical Association to reimburse 1,116 veterinarians who spayed or neutered 170,334 unowned cats for release. The California Department of Fish and Game was not consulted, nor were the cat feeders instructed to avoid releasing cats in or near sensitive wildlife areas. The majority of California’s rare birds, including the “Western” Snowy Plover, “California” Clapper Rail, and “California” Least Tern, are vulnerable to cat predation. Historically, California Quail were abundant in Golden Gate Park, San Francisco when



TNR contributes to the hundreds of millions of birds killed by cats each year. Photo: Lou Cohen.

cats were controlled, but since the early 1990s, when TNR was allowed, the Park’s quail population has been decimated.

In Florida, free-roaming cats threaten rare species such as the Florida Scrub Jay and Least Tern, yet Brevard County legalized TNR in 1999, and has given more than \$100,000 in government funds to the Space Coast Feline Network to pay for the spay/neuter of more than 2,000 cats for release. After three years of legalized TNR, the stray cat population in Brevard County grew to an estimated 200,000 cats, and a Feral Cat Advisory Committee was formed. However, the committee disbanded without making any recommendations to the county commissioners because the pro-TNR members would not compromise or be

held more accountable for their actions. Incredibly, their intransigence was recently rewarded when the commissioners granted yet another \$25,000 to continue the TNR efforts.

More than just being misguided, TNR may not even be legal. Former University of Florida law student Pamela Jo Hatley, commissioned by FWS, conducted a thorough review of wildlife protection and animal cruelty laws. Hatley concluded that TNR violates the Migratory Bird Treaty Act, the Endangered Species Act, and Florida state laws prohibiting abandonment and release of non-native animals (see [www.law.ufl.edu/conservation/projects/projects\\_uferalcats.shtml](http://www.law.ufl.edu/conservation/projects/projects_uferalcats.shtml)).

ABC believes that a more cost-effective and legal alternative that protects native wildlife and the cats exists in the form of fully enclosed sanctuaries on private property, such as those at Best Friends, Utah ([www.bestfriends.org/sanctuary/wildcatsfrm.htm](http://www.bestfriends.org/sanctuary/wildcatsfrm.htm)), Rikki’s Refuge, Virginia ([www.rikkisrefuge.org](http://www.rikkisrefuge.org)), and the Humane Society of Ocean City, New Jersey ([www.petfinder.org/shelters/hsoc.html](http://www.petfinder.org/shelters/hsoc.html)). These sanctuaries keep the cats safe, well-fed, and sheltered, with access to routine veterinary care, and prevent the cats from harming birds and other wildlife. *Contact:* Linda Winter, ABC, <[lwinter@abcbirds.org](mailto:lwinter@abcbirds.org)>.

NON-PROFIT ORG.  
U.S. POSTAGE  
**PAID**  
PERMIT NO. 2392  
MERRIFIELD, VA