

BIRD CALLS

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A Brighter Future for One of World's Most Threatened Birds

ABC and its Colombian partner, Fundación ProAves, have taken a significant step forward in their efforts to protect the Niceforo's Wren, a critically endangered bird restricted to the last remnants of dry forest in the Chicamocha Valley of the eastern Andes of Colombia. The purchase of over 3,200 acres of some of the highest quality forest of this type remaining in the region has resulted in the creation of a new reserve to protect the wren, as well as several other endemic species, including the endangered Chestnut-bellied Hummingbird, Colombian Chachalaca, and Apical Flycatcher.

Despite the uniqueness of the Chicamocha Valley and its resident species, this extraordinary ecosystem has been completely unprotected, and much of it has been destroyed by



The Niceforo's Wren, which numbers fewer than 50 pairs, will benefit from the creation of a new 3,200-acre reserve by ABC and its Colombian partner, ProAves. Photo: Fundación ProAves, www.proaves.org

intense seasonal burning and grazing from goats and cattle. As a result, the endemic Chicamocha Cavanillesia tree is now critically endangered.

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Groups Petition FCC: End Bird Kills at Towers

ABC National Audubon Society, and Defenders of Wildlife filed a petition in April with the Federal Communications Commission (FCC) urging them to adopt new rules for the way they license the siting and operation of communications towers. These new rules would require the FCC to develop environmental impact statements that allow for public involvement, and to consult with experts at FWS to prevent the killing of threatened and endangered species.

"We call for the FCC to respond to the scientific evidence that millions of migratory birds are being killed every year by communications towers, and to swiftly implement rules that can halt this needless carnage," said George Fenwick, ABC's President. "We are pleased FCC quickly responded to our petition by opening a 30-day public comment period to allow citizens to weigh in on this issue, and we urge the agency to act on a final rule in similarly quick fashion."

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ABBREVIATIONS:

BLM: Bureau of Land Management
 EPA: U.S. Environmental Protection Agency
 FCC: Federal Communications Commission
 FWS: U.S. Fish and Wildlife Service
 NOAA: National Oceanic and Atmospheric Admin.
 USGS: U.S. Geographical Survey

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Groups Petition FCC, from page 1

ABC and other conservation organizations have been working for years to bring public attention to the deaths of millions of migratory birds at the more than 90,000 lighted communications towers across the United States, and have sought to end the problem through dialogue, grassroots pressure, and legal action. An ABC report analyzing documented tower kills lists 230 species – more than one quarter of all avian species found in the United States – known to be killed at towers, including U.S. WatchList species such as the Wood Thrush, Bay-breasted Warbler, and Bachman's Sparrow.



Wood Thrush: Greg Lavaty

The vast majority of bird mortality at towers occurs during fall and spring, when night-migrating birds are attracted in large flocks to tower aviation safety lights. Steady-burning or slow-pulsing lights interfere with the birds' celestial navigation cues, particularly during poor visibility conditions such as rain and fog. Confused, the birds fly around a tower repeatedly, crashing into one another, the tower, its guy wires, or the ground. Others simply drop from exhaustion. Research has shown that by switching from steady-burning to strobe lights, bird kills at towers can be all but eliminated. Changes in siting and construction rules can further help by keeping towers out of major migration flyways,

minimizing tower height, and eliminating the use of hazardous guy wires.

Thanks to the work of ABC, FCC Commissioners have now recognized that bird collisions are a serious problem, and indicated their intent to act by releasing a Notice of Proposed Rulemaking in November 2006. But more than two years later, the Commission has yet to release a rule.

In February 2008, a federal court of appeals ordered the FCC to carefully evaluate the potential adverse effects of communications towers on migratory bird populations of the Gulf Coast region. A panel of federal judges ruled that national environmental laws such

The vast majority of bird mortality at towers occurs during fall and spring, when night-migrating birds are attracted in large flocks to tower aviation safety lights.

as the Endangered Species Act and the National Environmental Policy Act require the FCC to more carefully consider these possible adverse effects in its tower permitting process.

ABC, National Audubon Society, and Defenders accompanied their recent petition with a request for action by their members and supporters. To date, over 15,000 people have asked the FCC to address the problem of bird kills at towers.

ABC has also worked with the Federal Aviation Administration to begin a study that will demonstrate whether the steady-burning lights that run up the sides of tall towers can be switched off altogether without affecting aircraft safety. The study is expected to begin later this year. For more information, contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

ABC'S VIEWPOINT

State of the Birds Report Offers Way Forward for Conservation

America is blessed with a spectacular abundance and diversity of birds, with more than 800 species inhabiting the mainland, Hawai'i, and surrounding oceans. However, the recently released report, *State of the Birds: United States of America, 2009*, a collaborative effort involving FWS, ABC, and several other non-profit groups, under the umbrella of the North American Bird Conservation Initiative, reveals that hundreds of these bird species are in decline, and some are threatened with extinction.

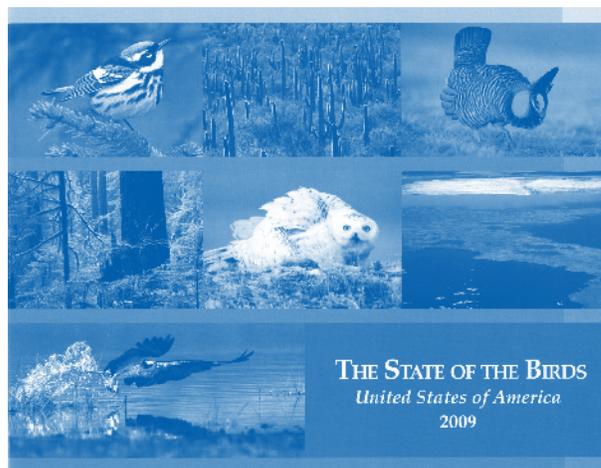
Reversing this situation is a major challenge, but change is possible. The report makes it clear that when we invest in conservation, we can succeed in saving endangered wildlife, protecting habitats, and solving the multitude of threats at the root of these bird declines.

State of the Birds finds that the birds of Hawai'i, the birthplace of President Obama, are in the greatest peril. Many Hawaiian bird species are on the brink of extinction; ten have not been seen in years. Much of Hawai'i's native bird habitat has been permanently lost to development and agriculture, and most of what remains is highly degraded by invasive plants and animals.

Action is urgently needed to conserve and restore habitat, and to address the multiple threats causing Hawaiian bird declines, which include the spread of diseases that have decimated many forest bird populations. We can do this by investing in jobs to remove and fence out invasive animals from conservation areas, advancing the study of little-known Hawaiian bird species, and developing new and innovative solutions to stem population declines.

The report also finds that many species of oceanic birds are in great danger. Overfishing is eliminating their food sources, while oil spills, trash, and other pollutants pose a continuing threat to populations. Great progress has been made in reducing seabird deaths on longline fishing gear in American waters, but seabird bycatch remains a serious problem globally. The United States can help resolve this issue by becoming a signatory to the international Agreement on the Conservation of Albatrosses and Petrels, and we believe this should be a high priority for U.S. lawmakers and the President this year.

Across America, birds continue to face a gamut of threats to their survival including pesticides, collisions, domestic cats, and habitat loss. While many of the most harmful pesticides to birds have been banned or restricted in the United States, some remain on the market and must be better regulated or cancelled. Many pesticides that are banned here are still



used in other countries, poisoning our migrant birds where they winter. The United States contributes to that continued poisoning by permitting residues of these harmful chemicals on the produce that we import. These import tolerances for pesticides banned in America should be revoked.

Hundreds of millions of birds die each year by colliding with towers and buildings. Better tower lighting systems that don't attract birds, changes in how new buildings are designed and constructed, and new technologies that make windows more visible to birds are urgently needed to halt this needless carnage. Hundreds of millions of birds are also killed by free-roaming and feral cats each year. Education is needed to make the public more aware of the heavy toll exacted on wildlife by domestic cats that are not kept indoors, and by feral cat colonies where they are allowed to persist.

The tremendous rebound of waterfowl populations over the past forty years due to wetland restoration proves that habitat restoration can boost declining bird populations. Unsustainable land use, such as the continued logging of old-growth forests and mountaintop removal coal mining, needs to be quickly brought to an end, and new jobs created to restore forests, wetlands, and grasslands. Sixty million acres of roadless areas within our National Forests also need to be protected to help conserve the suite of interior forests dependent bird species. Programs supporting the conservation of grasslands, such as the Conservation Reserve Program, require substantial increases in the amount of subsidies offered to farmers to entice them to keep their land enrolled rather than putting it back into production. In arid lands, cattle grazing practices also need to be reformed to protect riparian areas which harbor the vast majority of wildlife.

State of the Birds calls attention to the problems and the solutions. Now we need to act before it is too late, to ensure that future generations of Americans will enjoy a better quality of life, and the same magnificent diversity of birds that we treasure today. The report and an inspiring video are available at www.stateofthebirds.org.

Threatened Bird Protected, from page 1

Intensive surveys and studies by ProAves, supported by the BP Conservation Leadership Program, established that the wren is one of the most imperiled bird species in the world, with a global population of fewer than 25 pairs. ABC and ProAves acted decisively to acquire the private properties containing the core population of 14 pairs to establish the reserve. ProAves will now manage the reserve for the wren and the other threatened species, which will begin with the removal of all goats and cattle to allow the habitat to recover.

“To be able to give a species that is so close to extinction another chance at survival is a thrilling opportunity, and we are tremendously indebted to the supporters who have made this a reality,” said George Wallace, ABC’s Vice President for International Programs. “Now begins the task of protecting the habitat on the ground as well as on paper, and we are working hard with ProAves to ensure success of the project.”

Sara Lara, Executive Director with ProAves said, “This is another example of how international cooperation is

making a tangible difference to the most threatened birds in the Americas. For the first time we can say that tomorrow holds a brighter outlook for the Niceforo’s Wren and many other threatened and endemic animals and plants that share its unique habitat.”

ABC thanks World Land Trust-U.S. and Robert Wilson for their support in bringing about the creation of the new reserve, and to the Corporación Autónoma de Santander for their collaboration. Contact George Wallace, ABC, <gwallace@abcbirds.org>.



The endangered Chestnut-bellied Hummingbird will also benefit from the creation of the new reserve. Photo: Fundación ProAves, www.proaves.org

ABC Helps San Francisco Push for Wasteful Night Light Ban

An amendment to the San Francisco Environment Code that prohibits commercial buildings from lighting unoccupied interior spaces after business hours could help reduce the number of fatal bird collisions in the city. The ordinance, sponsored by ABC, was introduced in March by city Board of Supervisors President, David Chiu, and now awaits approval by the city’s Land Use and Economic Development Committee.

The intrusion of artificial light into the night sky dramatically increases bird collisions by interfering with their migration routes. This adds another element of danger to an already dangerous journey for many neotropical bird species. The problem is particularly acute in San Francisco because it is located along the Pacific Flyway, a broad migration front that extends from South and Central America along the West Coast to Canada and Alaska. Golden Gate Park provides significant stopover habitat for night migrating songbirds, which are most often the victims of collisions with buildings.

In addition, more than 200 species of birds use the Presidio, more than 50 of which nest there. This former military fort dating back to the Eighteenth Century is managed by the National Park Service, and provides unique bird habitat in an otherwise densely populated city. The Presidio’s location on the northwest tip of the San Francisco peninsula offers a stopover location for many birds before they cross the Golden Gate Straits.

In another positive development, the City of Baltimore approved the addition of a Lights Out policy to their sustainability plan. The policy states, “Turning off non-essential lighting between approximately 10 p.m. and 6 a.m. can drastically reduce energy use. In addition to the financial and environmental costs of energy use, unnecessary lighting produces light pollution, which obscures views of the night sky and negatively impacts migratory birds, especially during their spring and fall migration.” Contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

ABC and Partners Improve Status of Threatened Macaw

The bad news that there are more threatened birds around the world than ever before – revealed by the 2009 update to the avian section of the IUCN Red List of threatened species – was tempered by some good news, particularly for followers of ABC conservation efforts in Latin America. The Lear's Macaw, a striking blue parrot found in northeastern Brazil, has been downlisted from critically endangered (the highest threat category) to endangered as a direct result of conservation action.

ABC and its Brazilian partner Fundação Biodiversitas have worked to save the macaw's primary nesting and roosting cliffs, and together have purchased and protected nearly 4,000 acres of habitat to help assure the species' survival.

"The fight to save the Lear's Macaw is far from over, but the news that it is being downgraded from critically endangered to endangered is a clear indication that our hard work is paying off," said George Fenwick, President of ABC. "The overall picture for birds throughout the Americas and the rest of the world continues to be a great cause for concern, but the macaw serves as a shining example of what we can achieve when focused conservation action is backed up by broad cooperation and the required resources."

Biodiversitas began working to save the Lear's Macaw in 1989, when the global population of the species numbered

Ciro Ginez Albano



ABC and its Brazilian partner Fundação Biodiversitas have worked to save the macaw's primary nesting and roosting cliffs, and together have purchased and protected nearly 4,000 acres of habitat to help assure the species' survival.

little more than 60 individuals. The macaw has suffered at the hands of illegal bird traders, and is further threatened by goats, whose grazing prevents the regeneration of new licuri palms, the seeds of which form the macaw's primary food source. Fires set to create pasture for cattle farmers have also contributed to an ever-dwindling habitat.

In 1991, Biodiversitas created the Canudos Biological Station, then a 321-acre reserve, to protect core Lear's habitat. In 2007, ABC raised the funds needed to dramatically expand the station ten-fold, and just this year, managed to secure a critical inholding to consolidate reserve lands. (See *Bird Calls*, Vol. 13, No. 1). Key supporters have included the

Disney Worldwide Conservation Fund, Robert W. Wilson Trust, Malcolm C. Damuth Foundation, Alan Joyner-Parr Fund, and private donors, including Anthony Collerton, David and Patricia Davidson, Nancy Delaney, Robert Kleiger, James Mellon, John Day, Christina Duthie, and Robert Chipley.

Since purchasing the land, and with the generous support of the Jeniam Foundation, ABC and Biodiversitas have concentrated on reducing illegal trapping and protecting the nesting and roosting areas from disturbance by renovating and expanding the reserve's guard station, facilitating round-the-clock protection for the birds. The building is being renovated to better accommodate visiting scientists and birders keen on observing and studying the macaws.

The current population estimate for the Lear's Macaw stands at 960 birds, at least 700 of which are at Canudos. ABC and Biodiversitas are now looking into licuri reforestation, and will be working with local landowners to establish the best plan for protecting saplings from goats. For more information, contact David Wiedenfeld, <dwiedenfeld@abcbirds.org>.



Staff at the entrance to the Canudos Biological Reserve: Fundação Biodiversitas

Cormorants Continue to Get a Bad Rap

In a joint letter to FWS, ABC, National Audubon Society, and Defenders of Wildlife voiced their opposition to the proposed extension of the 2003 rule allowing for the widespread lethal control of Double-crested Cormorants at aquaculture facilities and recreational fishing sites without requiring scientific evidence that they are significantly harming fish stocks (*Bird Calls* Vol. 11, No. 3).

Extensive drainage and degradation of wetlands, plus the widespread use of DDT, and other pesticides impacted cormorant populations, which reached their lowest point in the mid-1970s. With the banning of DDT, the species has now rebounded, resulting in perceived but unproven conflicts with fishing interests.



Citing the lack scientific justification for the blanket depredation order, the three organizations called on FWS to complete a Supplemental Environmental Impact Statement (SEIS) before

Double-crested Cormorant: Tom Grey

reauthorizing the 2003 rule for another five years. The letter states, "... an SEIS would allow for an update of the concerns of the fishing and aquaculture industries, an evaluation of control efforts to date (including the impact of the control efforts on fish and cormorant populations throughout the range covered by the orders), and a consideration of alternatives for cormorant control."

ABC and its partner organizations also urged FWS to examine the full scope of the conflicts it seeks to evaluate and address. This includes the impacts of water pollution, dredging, non-native species, unsustainable commercial fishing, development, erosion, loss of wetlands, climate change, and other factors, all of which can play a role in the decline of fish populations.

Finally, the three conservation organizations strongly objected to FWS's Draft Environmental Assessment, which was used instead of a comprehensive SEIS, and which failed to consider any non-lethal alternatives, even though several of these may prove to be more effective or more cost-efficient in some circumstances. Contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

Yellow-billed Loon Endangered (Nearly)

On March 25th, in response to a 2004 petition brought by the Center for Biological Diversity, FWS published a finding that the Yellow-billed Loon warrants listing under the Endangered Species Act (ESA). As with many recent ESA findings, FWS stated that this listing is currently precluded due to other, higher priority actions, so it is not likely to be protected under the Act any time soon. Instead, it will remain on the Candidate List along with the Greater Sage-Grouse, Kittlitz's Murrelet, Red Knot, and several other species for which funds are not currently available to complete the listing process.

The finding comes at the end of a thorough status review of the loon by FWS, which followed a 2007 finding that listing for the species may be warranted. The loon relies on undisturbed and unpolluted Arctic lakes for nesting, but 75% of its range falls within the National Petroleum Reserve in Alaska. Parts of the reserve (which has been designated a Globally Important Bird Area by ABC) are being leased out for oil and gas exploration, and potentially, development. In 1999 and 2002 alone, 1.45 million acres were leased.

FWS states that loons may be affected by human disturbance occurring up to a mile away. The species is also vulnerable to

drowning in gill nets and to oil pollution on its wintering grounds along the Pacific coasts of China, Japan, the Korean peninsula, Canada, and the United States, where

it occasionally reaches as far south as California. The species has a global population of between 17-26,000 individuals (around half of which may occur in the United States), and a slow reproductive rate (it is monogamous, raises a single brood of just one or two chicks, and only reaches sexual maturity at six or seven years of age). It is therefore especially vulnerable.

The effects of climate change on permafrost, potentially accelerated by oil development at sensitive sites, may also present a threat to nesting loons if melting results in breaches in the banks of nesting lakes. There is also some small scale subsistence hunting of the species for its salty, seal-like meat and its skin, which is used to make tool bags. Contact Anne Law, ABC, <alaw@abcbirds.org>.



Yellow-billed Loon: FWS

ABC Video Highlights Damage to Birds from Trap, Neuter, Release Programs

ABC has produced a new, short video “Trap, Neuter, and Release: Bad for Cats, Disaster for Birds”, now available on ABC’s YouTube channel at www.youtube.com/abcbirds. Each year, cats left to roam free or that are feral, kill hundreds of millions of our nation’s birds, putting additional pressure on the populations of many species that are in decline.

Trap, Neuter, and Release (TNR) programs catch feral cats, neuter them, and then release them back into their colonies, which are subsequently maintained by volunteers. In theory, the colony will diminish over time through attrition, and eventually disappear. The new video shows that in reality, TNR fails to eliminate cat colonies,

and instead perpetuates many of the problems these colonies create, including the predation of birds.

The film focuses on two examples where the technique has been used: one, at Ocean Reef, a gated private residential community in the Florida Keys, and one at a public park in Miami. The Ocean Reef program is widely hailed as a model for TNR programs nationally, though it is quite different from most, having full-time paid staff and veterinarian care twice weekly. Despite this and restricted access to the colony by the public so that cat abandonment is limited, 500 cats continue to roam the community. In the more typical case of A.D. Barnes Park in Miami, the cat population at the colony has continued to grow since the TNR program run by volunteers was launched.



Dr. Gil Ewing

The film includes interviews with a number of experts, including wildlife managers, veterinarians, and volunteers, all of whom have experience with TNR and believe that it is an ineffective means of reducing cat populations. A better solution is to trap, neuter, and then relocate them to enclosed cat sanctuaries or shelters, or, where possible, to adopt them out to safe and comfortable homes. For more information, see <www.abcbirds.org>.

Booklet Showcases Landowners Managing for Cavity-Nesting Birds

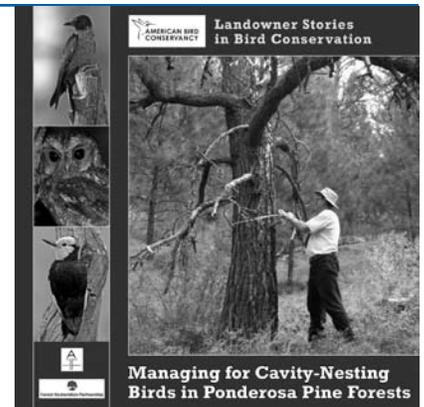
ABC has produced a new booklet highlighting its work with private landowners in implementing bird conservation measures in ponderosa pine forests to help cavity-nesting birds. In many areas of the West, there is a shortage of large snags (dead trees) needed by many species of cavity-nesters, especially in ponderosa pine forests. This is due to several

reasons that include the cutting of trees for firewood, salvage harvest, and aesthetics, and land management practices that emphasize young, vigorously-growing trees. ABC has been active

in working with private landowners to create targeted ponderosa pine snags that will help priority species such the Flammulated Owl, and Lewis’s and White-headed Woodpeckers.

Produced in cooperation with the American Forest Foundation and Forest Restoration Partnership, the booklet, entitled “Landowners Stories in Bird Conservation: Managing for Cavity-Nesting Birds in Ponderosa Pine Forests”, features the stories of six landowners who participated.

“I used to take 10-12 truckloads of dead and dying trees off my property each year, but now I will leave a lot of those dead trees for wildlife, especially cavity-nesting birds,” says Jim Dovenberg, a program participant from Oregon featured in the booklet.



“We hope that the stories of these folks will inspire other people to manage their land for cavity-nesting bird species, and we are providing a variety of resources to help them make the transition,” said ABC’s Dan Casey, the Northern Rockies Bird Conservation Region Coordinator.

The booklet can be downloaded at www.abcbirds.org/newsandreports/ppine_landowner.pdf. It was made possible thanks to the generous support of the Wildlife Conservation Society and the Doris Duke Charitable Foundation.



White-headed Woodpecker: Tom Grey

Obama Administration Moves to Protect Spotted Owl

On March 31st, in response to a court case brought by ABC and other conservation organizations, the Obama Administration told Federal Judge Emmet Sullivan that it would not defend the Bush Administration's Northern Spotted Owl Recovery Plan or its decision to reduce Critical Habitat for the owl, and would instead pursue a settlement with the plaintiffs to have the plan revoked.

"This is a tremendous victory for the Spotted Owl and also for the Marbled Murrelet, which is equally reliant on old-growth forest along the Northwest Coast," said Steve Holmer, Director of Public Relations for ABC. "This policy change needs to be quickly followed up with broad and progressive forest management reforms. These include the permanent protection of our mature and old-growth forests that are essential not only for the conservation of these priority birds, but also as a vast carbon store that must remain intact if we are to succeed in the battle against climate change."

In addition, BLM withdrew the first two large timber sales under the Western Oregon Plan Revisions, a forest management plan for the state which is based in part on the owl recovery plan. In a letter to Secretary of the Interior Ken Salazar, ABC, members of the Bird Conservation Alliance, and other conservation organizations requested that the plan be withdrawn so that it could undergo Endangered Species Act review by FWS to determine its likely impact on endangered species. Withdrawal of the scientifically flawed proposal to reduce Critical Habitat for the threatened Marbled Murrelet is also being requested. Contact: Steve Holmer, ABC, <sholmer@abcbirds.org>.



Chris Warren

Act for Songbirds Bill Reintroduced in Senate

Senator Ben Cardin (D-MD), Chairman of the Environment and Public Works, Water, and Wildlife Subcommittee, has reintroduced bipartisan legislation to boost funding for the conservation of migratory birds. Cosponsors of the bill include Senators Mike Crapo (R-ID), Robert Menendez (D-NJ), Patrick Leahy (D-VT), Bill Nelson (D-FL), and Joseph Lieberman (I-CT). Reps. Ron Kind (D-WI) and Jim Gerlach (R-PA) have introduced a similar bill in the House.

"Maryland's natural treasure, our environment, is a lure for millions of human tourists and avian visitors each year. For nearly a decade, federal investment in habitat protection, education, research, and monitoring of neotropical migratory birds has been vital to the well-being of our ecosystem and our economy," said Senator Cardin.

The Senate bill (S. 690) and the House bill (H.R. 2213), dubbed the Act for Songbirds by conservationists, are identical to bills introduced last year, but which did not reach a vote before Congress adjourned. They reauthorize the existing Neotropical Migratory Bird Conservation Act (NMBCA), but at significantly higher levels, to meet the growing needs of our migrant birds, many of which are in rapid decline. The legislation was introduced following the release of *U.S.*

State of the Birds, the most comprehensive assessment to date on the status of America's bird populations. The report found that more than 250 American bird species are in decline or facing severe threats (see *ABC's Viewpoint* on page 3).

"This legislation is urgently needed to prevent America's native birds from disappearing," said Darin Schroeder, American Bird Conservancy's Vice President of Conservation Advocacy. "Nearly one third of our songbird species are now in decline or facing serious threats; effective conservation projects can help us to start turning that around."

Saving Migratory Birds for Future Generations: The Success of the Neotropical Migratory Bird Conservation Act, a 2008 report by American Bird Conservancy, details the disturbing downward trends in the populations of many migratory species and their causes, and documents the effectiveness of NMBCA in helping reverse the situation.

Citizens are being encouraged to contact their Senators in support of the legislation using the automated Take Action site at www.abcbirds.org/action.

"This is something that everyone who loves birds can easily do to make a difference," said Schroeder, "so if you haven't done so already, please take action today."



Kentucky Warbler: Greg Lavaty

President Obama Signs Land Conservation Act into Law

President Obama has signed into law a major land conservation package that was passed by significant majorities in both the House and Senate. The Omnibus Public Land Management Act of 2009 (H.R. 146) contains over 150 separate bills covering land protection and other related initiatives in almost every state, and will provide significant habitat conservation for many priority bird species, including the Black Swift, Greater Sage-Grouse, and Northern Spotted Owl.

The bill designates over two million acres of wilderness in nine states, enlarges 15 National Parks, creates one new National Monument, ten new National Heritage Areas, three new National Conservation Areas, and four

new National Trails, and designates more than 1,000 miles of National Wild and Scenic Rivers. The bill also makes permanent the National Landscape Conservation System, comprising 26 million acres of lands and waters with high conservation and recreation value administered by BLM. Additionally, more than one million acres of the Wyoming Range, part of the Bridger Teton National Forest that sits south of Jackson Hole and Grand Teton National Park, are withdrawn from future oil and gas leasing.

Unfortunately, the package includes a controversial section that would allow a new road through Alaska's Izembek National Wildlife Refuge, an internationally recognized wetland and an

ABC-designated Globally Important Bird Area. The refuge is a vital staging area for migrating waterfowl, with almost the entire global population of the Emperor Goose passing through it each fall. The road would provide airport access to the remote village of King Cove, and is supported by the Alaska congressional delegation. Another controversial measure potentially allows 190,000 acres of BLM-managed lands in Idaho, formerly treated as potential wilderness, to be subject to multiple uses including off-road vehicles and grazing.

For more information, contact Anne Law, ABC, <alaw@abcbirds.org>.

LAND PROTECTIONS INCLUDED IN THE ACT:

- ◆ 190,000 acres in Riverside County, California to be designated as wilderness, including parts of Joshua Tree National Park, benefitting the Le Conte's and Bendire's Thrashers.
- ◆ Nearly 250,000 acres of Colorado's Rocky Mountain National Park to be designated as wilderness, benefitting the Black Swift.
- ◆ 517,000 acres in Idaho's Owyhee Canyonlands to be designated as wilderness, benefitting the Greater Sage-Grouse and other birds that rely on sagebrush habitat by banning all development including oil and gas.
- ◆ 11,739 acres of wilderness at Michigan's Pictured Rocks National Lakeshore to be protected, benefitting Tennessee and Golden-winged Warblers and many species of shorebirds.
- ◆ 13,700 acres of old-growth forest in Oregon's Siskiyou National Forest to be protected, benefitting the Northern Spotted Owl.
- ◆ 23,000 acres in southeastern Oregon's Soda Mountain region to be protected, benefitting the Varied Thrush and Hermit Warbler.
- ◆ 43,000 acres of the Jefferson National Forest in Virginia to be designated as wilderness, and 12,000 acres as a national scenic area.
- ◆ 37,000 acres in the Monongahela National Forest in West Virginia to be designated as wilderness, benefitting Cerulean Warblers and other forest birds.

Joshua Tree National Park, Rocky Mountain National Park, Jefferson National Forest, and Monongahela National Forest are all ABC-designated Globally Important Bird Areas. See www.abcbirds.org for more information.

Condors Flying High, But Lead Still A Threat

The California Condor has reached a significant milestone: for the first time in more than 20 years, there are now more birds flying free in the wild than there are in captivity. California Condors dwindled to a low of only 22 individuals in 1982, when birds were taken into captivity as part of a recovery program. The program has been a success, with the condor population now flying high at 332. Nine chicks fledged in the wild in 2008, and there are now 87 birds in the wild in California, 68 in Arizona, and 19 in Baja California, Mexico.

“The public perception is that condors have recovered, but the reality is that without constant intervention, many of the birds would die of lead poisoning from bullet fragments in their food, and chicks would succumb to starvation due to trash accumulated in their guts,” said Dr. Michael Fry, ABC’s Director of Conservation Advocacy.

The American Ornithologists’ Union (AOU) recently asked Dr. Fry and five other experts to review the condor program and make recommendations for continuing the recovery. Their report confirms the necessity of eliminating the sources of lead that are poisoning condors, primarily lead fragments from hunting bullets. This presents a critical problem, because condors are scavengers that often supplement their diet with carcasses left behind by hunters.

California now requires the use of non-toxic bullets within the condor’s range (See *Bird Calls* Vol. 12, No. 1). Arizona has been providing lead-free ammunition to hunters for two years, and a similar program is now underway in the Zion region of Utah. A recent study found that California’s ban was complied with by 99% of hunters, and that the voluntary measures in Arizona had a 90% compliance rate.

In the absence of an Arizona lead ban, the Center for Biological Diversity (CBD) has filed a lawsuit against FWS and BLM to protect condors from lead poisoning in the Grand Canyon region. The suit concerns management plans that govern two million acres of mostly public land in northwestern Arizona, where BLM has authorized hunting activities that will result in continued lead poisoning of Grand Canyon condors.

The California Fish and Game Department has created a website, www.dfg.ca.gov/wildlife/hunting/condor, to educate hunters and provide them with resources. The state has 17 certified non-lead ammunition manufacturers, and Winchester is now producing non-toxic .22 caliber ammunition.

The AOU panel recommended that each release site continue supplemental feeding of condors to allow biologists to trap and monitor the birds and treat for lead. However, this process is expensive and time-consuming, and prevents the program from releasing additional birds into the wild.

The panel also noted that condors in California have begun to feed on carcasses of marine mammals that beach along the Big Sur coast, and recommended that a contaminants monitoring program be initiated to ensure that the condors are not being poisoned by this new food source. Despite the problems, the panel was confident that once lead exposure has been greatly reduced, the condor populations in several states have the potential to become self-sustaining. Contact Michael Fry, ABC, <mfry@abcbirds.org>.



Gunnison Sage-Grouse May Be Listed as Endangered

FWS officials are reconsidering listing the Gunnison Sage-Grouse under the Endangered Species Act in light of a report released in December 2008 by the Inspector General for the Interior Department. The report found that there was improper political meddling in the decision-making process for listing multiple species, including the Gunnison Sage-Grouse.

At the end of March, FWS filed notice in federal court indicating that it would reconsider its April 2006 decision not to list the species. This move has been applauded by environmental groups concerned with the bird’s survival. FWS previously decided against listing because it said the population was not declining and the threats to the sage-grouse were not imminent or of such a magnitude to threaten the species’ survival.

A December 2008 report by The Endangered Species Coalition identified the Gunnison Sage-Grouse as one of the ten most imperiled species in the country. Factors that have contributed to the species’ long-term decline include live-stock grazing, oil and gas drilling, motorized recreation, and urbanization. The *U.S. State of the Birds* report (see *ABC’s Viewpoint* on page 3), found that Western deserts and grasslands, home of the Gunnison Sage-Grouse, are among the most degraded habitats in the country. If a decision is made by FWS to list the sage-grouse, additional scrutiny will be placed on activities that may adversely affect the bird, such as over grazing and energy development. The recommendation for listing may take up to a year to be finalized. Contact Anne Law, ABC, <alaw@abcbirds.org>

National Park Service Announces Lead Phase Out

Efforts to protect birds in the United States from the harmful effects of lead took an important step forward with the recent announcement by the National Park Service that it will begin to phase out the use of lead ammunition and fishing sinkers on its lands. The decision to make all parks lead free by the end of 2010 was announced by Acting Park Service Director Dan Wenk, who said, “We want to take a leadership role in removing lead from the environment.”

Lead is an environmental toxin that has been responsible for hundreds of thousands of bird deaths, including loons and swans. The birds accidentally swallow spent lead shot or fishing sinkers along with the sand and gravel they eat off the shores and beds of lakes

and rivers to help grind up food in their gizzards. The lead quickly enters the bloodstream; a single lead shot or fishing sinker is enough to kill a swan. Lead poisoning from shot left in hunted deer and elk carcasses is also a serious threat to the restoration efforts for the endangered California Condor (see article on page 10), as well as being a potential threat to humans who eat game killed with lead.

“We are delighted that the Park Service has decided to introduce this lead phase out. With the easy and cost-effective availability of non-toxic alternatives for both hunting and fishing, there is no reason that lead needs to continue to threaten our wildlife,” said Dr. Michael Fry, Director of Conservation Advocacy for ABC. “This

is not anti-gun regulation, it is pro-wildlife and pro-human health regulation. We should embrace it for the sake of future generations who will inherit the environment we leave behind.”

FWS has already banned lead in thirteen national wildlife refuges, and lead is also outlawed in Yellowstone National Park, which has one of the few remnant populations of Trumpeter Swans left in the lower 48 states. Nevertheless, the United States continues to lag behind Canada and several European countries in the control of lead. Britain banned all small lead fishing weights in 1987, as did Denmark in 2002. In 1997, Canada banned lead fishing gear in all its National Parks and Wildlife Areas. Contact Michael Fry, ABC, <mfry@abcbirds.org>.

Administration Moves to Restore Endangered Species Act

Interior Secretary Ken Salazar and Commerce Secretary Gary Locke announced on April 28 that the Obama Administration will reverse an Endangered Species Act (ESA) regulation pushed through in the final months of the last administration. The rule removed the long-standing requirement under Section 7 of the ESA for federal agencies to consult with experts at FWS and National Marine Fisheries Service in cases where their actions may impact endangered species. Instead, it permitted each agency to decide on its own whether or not to consult.

“We are gratified that Secretary Salazar and Secretary Locke acted to restore the Endangered Species Act to its intended strength,” said Darin Schroeder, Vice President for Conservation Advocacy at American Bird Conservancy. “The consultation process is one of the cornerstones of the ESA, and one of the key checks and

balances that ensures protection for the 90 birds and 1,263 other animals and plants it covers.”

A coalition of Chief Executive Officers of national environmental groups, including American Bird Conservancy President George Fenwick, had called on Secretary Salazar to reverse the ESA regulation. A group of 44 Congressional Democrats also sent Secretary Salazar a letter in early April urging him to use the authority they gave him in the recent omnibus appropriations bill to fast-track the reversal of the regulations without public notice or comment. Of the members who signed the letter, seven were committee chairs, including House Interior Appropriations Subcommittee Chairman Norm Dicks (D-WA) and House Natural Resources Chairman Nick Rahall (D-WV).

Earlier this month, Secretary Salazar announced that although the Administration is fully committed to

the protection and recovery of the polar bear it will not overturn the controversial 4(d) rule, also enacted under the previous administration, which limits the use of the ESA to curb emissions of greenhouse gases. The rule weakened ESA protections that were afforded to the polar bear when the species was listed as threatened last year, and specifically stated that oil and gas development can proceed in polar bear habitat without review of how these activities may impact the bears. The rule also failed to take into account the effects of climate change, which is causing the loss of sea ice and reducing essential habitat that threatens the survival of not only the polar bear, but also the Kittlitz’s Murrelet and Ivory Gull. The Administration will now have to defend the rule in court, as environmental groups that sued to overturn the rule say they plan to move forward with their lawsuits. For more information, contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

Short-tailed Albatross Translocation Project

Fifteen albatross chicks were given a rare opportunity this February to relax and let a pilot do the flying. The young Short-tailed Albatrosses were translocated by helicopter from the island of Torishima, Japan to Mukojima, as part of an effort to create a new colony well away from the active volcano that casts a shadow over their former home.

Before feather hunting decimated populations around the turn of the Twentieth Century, the Short-tailed Albatross was probably more abundant than the Laysan or Black-footed Albatross. Now, it is by far the most threatened of the three northern Pacific species, with a population estimated at only 3,000 individuals. Though it ranges widely and frequents the rich waters off the coast of Alaska, the species now breeds on only two remote islands in the western Pacific (down from 12 known historical breeding colonies). The vast majority of the birds breed on Torishima, where the species could be devastated by a single volcanic event. Establishing a new colony in a secure location is a primary recommendation of the Short-tailed Albatross Recovery Team.

The project began in February 2008, when a group of ten birds was hand-raised and taken to Mukojima. On the island, they received the undivided attention of their surrogate human parents, who spent each day preparing squid “smoothies” and other seabird delights. All of the chicks fledged by the end of May. Half were fitted with satellite

transmitters, so that scientists could evaluate their survivability and learn valuable information about their habits. The tracked birds spent a week or so close to the island, slowly building up to more sustained flights. Less than two months after fledging, more than half of the birds were in Alaskan waters over two thousand miles away.

This second group is also doing well, and the project is on track to meet its goal of successfully relocating one hundred chicks over five years. “These results have made us cautiously optimistic about securing the future of these birds,” said Dr. Rob Suryan of Oregon State University, who is collaborating with FWS and Japanese scientists on the project. “We hope to see these birds come back to breed on Mukojima. We have our fingers crossed.”

It will take patience to see whether the birds do return. Albatrosses are slow to mature, and the young birds will not be ready to breed for eight to ten years. Success will take a sustained effort, and consistent funding for the project is as critical as perfecting the techniques. Nevertheless, these initial results mark a milestone in albatross conservation, and an important step to securing the future of the Short-tailed Albatross. Jessica Hardesty, ABC, <jhardesty@abcbirds.org>.

M Romano/USGS



Laysan Albatross Colony Disappears on Hawai'i

In March, 50 Laysan Albatrosses mysteriously disappeared from a breeding colony at Kuaokala in the Northern Wai'anae mountains of Hawai'i. The colony is fenced to protect it from predators, and no remains or signs of disturbance were found after hours of searching by biologists using specially trained dogs. Usually, if pigs or dogs get into the area the remains of birds are scattered throughout the colony, and tracks make it easy to figure out what predator attacked the birds. Adding to the mystery is the fact that adult albatrosses who may have been frightened or driven away by a predator will usually return when it is safe. In this case, no telltale signs were found, and there were still no adults present weeks after the event. Biologists believe that humans may have played a role in killing off the colony.

During their last visit in mid-February, biologists counted 15 chicks, six nests with eggs, and 20 adults present in the colony. Laysans do not breed until they are approximately



Glen Tepke

eight years old, and raise only one chick per year. As a result, it can take decades for a new colony to form. The destroyed colony took close to 20 years to reach the size of 50 birds

The Laysan Albatross is protected by state and federal laws, and killing or possessing them is illegal. They are one of the few native seabird species that still nest in the main Hawaiian Islands, and are an attraction to

many residents and tourists alike, who often visit Ka'ena Point to catch a glimpse of these majestic birds. Albatrosses are very docile and unafraid of people or other animals, which makes them vulnerable to disturbance.

The Hawai'i Department of Land and Natural Resources and FWS Law Enforcement division are both investigating the disappearance. A local group is offering a cash reward for any information that leads to a conviction in the case. Contact Jessica Hardesty, ABC, <jhardesty@abcbirds.org>.

Maryland Limit on Horseshoe Crab Harvest To Help Shorebirds

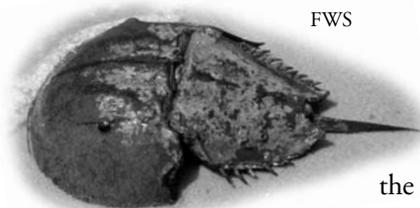
The State of Maryland announced that, effective April 1, it will require a 2:1 male to female harvest ratio of horseshoe crabs. While short of the total ban on horseshoe crab fishing in the state and the rest of the Atlantic Coast ABC hopes to achieve, this is a strong step in the right direction to ensure more critically important horseshoe crab eggs will be available when Red Knots stop to refuel on their long migration northward.

“Both FWS and USGS have concluded that without greater conservation of horseshoe crabs, the eastern (*rufa*) Red Knot could soon be extinct,” said Darin Schroeder, Vice President of Conservation Advocacy for American Bird Conservancy. “Governor O’Malley and the Maryland Department of Natural Resources are to be commended for taking this action, which we hope

will ensure that future generations of Americans will be able to see this magnificent bird.”

The *rufa* Red Knot, a shorebird about the size of an American Robin, migrates annually from Tierra del Fuego to its Arctic breeding grounds in Canada and Alaska, stopping to rebuild critical energy reserves by feasting on horseshoe crab eggs in Delaware Bay. Unfortunately, science has shown the number of available horseshoe crab eggs has declined, leading FWS to conclude, “The primary factor threatening the Red Knot is destruction and modification of its habitat, particularly the reduction in key food resources resulting from reductions in horseshoe crabs ...”

Only 14,800 Red Knots were counted in 2007 at the species’ primary wintering areas, a decline of 15% from



FWS

the previous year.

Overall, numbers declined by 75% from 1985 to 2007. Despite this, FWS has failed to grant the knot Endangered Species Act protection, although it has increased its priority on the ESA Candidate List to the highest possible ranking for a sub-species.

Researchers are finding that other shorebirds that rely on horseshoe crab eggs, such as the Semipalmated Sandpiper, are also in severe decline. In the 1980s, two million sandpipers were counted along the coasts of the species’ South American wintering grounds. This year approximately 400,000 birds were found—a 70-80% decline. Contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.



ABC Says Athos Oil Spill Restoration Projects Should Benefit Red Knots

On November 26, 2004, the oil tanker Athos struck a large, submerged anchor, puncturing the vessel’s bottom, resulting in the discharge of nearly 265,000 gallons of crude oil into the Delaware River and nearby tributaries. Oil from the ruptured tanker impacted over 115 miles of the river, its shoreline (including marshes, sandy beaches, and tidal flats), and its tributaries. Fish, shellfish, birds, and other wildlife were harmed. The trustees of the funds paid by the oil company in compensation for the spill developed potential restoration projects to mitigate these losses. These alternatives have now been narrowed down to nine preferred projects, about which ABC submitted comments.

“Several projects to create oyster reef beds would not accomplish the restoration benefits called for in the Draft Plan,” said ABC’s Dr. Michael Fry. “Projects including a horseshoe crab fishery buyout, a Delaware Bay shoreline restoration project; and a horseshoe crab and shorebird project would be superior, but none of these projects was considered in the proposed restoration plan.”

Projects involving protection and restoration of horseshoe crab spawning beaches would provide important feeding resources for resident and migratory shorebirds, such as the declining Red Knot. Contact Michael Fry, ABC, <mfry@abcbirds.org> for more information.

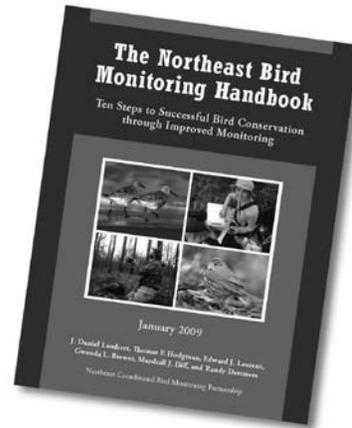
Red Knot: Mike Parr

ABC Produces Northeast Bird Monitoring Handbook

ABC has produced the Northeast Bird Monitoring Handbook, a significant advance in efforts to improve the way birds are monitored. The handbook presents ten simple yet crucial steps to aid in designing new monitoring programs, modifying existing ones, or applying results to the practice of bird conservation. Following the steps outlined in the handbook will make it possible for biologists and decision makers to implement State Wildlife Action Plans, Endangered Species Recovery Plans, Strategic Habitat Conservation Initiatives, and other programs to conserve birds and their habitats.

“Monitoring of bird populations is one of the most critical, yet misunderstood and misapplied elements of bird conservation. Despite the best of intentions, thousands of people spend untold resources counting birds in ways that ultimately provide very little information of conservation value,” said David Pashley, Vice President of Conservation at ABC. “While there are certain programs such as the Breeding Bird Survey that suggest which birds warrant conservation attention, there are dozens more monitoring efforts that fail for many different reasons. The new Northeast Handbook will help them succeed.”

Perhaps the most commonly ignored problem, states the Handbook, is the lack of a clear purpose in monitoring programs, with point counts or bird banding conducted out of a vague interest in learning more about birds. “This interest is wonderful, but would be so much more productive if specific objectives were to be identified up front,” said Pashley.



“There are so many questions that are of value if answered, from simple issues of distribution, to numbers, to trends, to response to reserve creation, or larger issues such as response to global climate change. How biologists go

about counting birds (and there are dozens of ways to do so) flows directly from the initial objective.”

The handbook goes on to describe other issues that need to be considered, such as collaboration, sample design to allow analytical treatment, and field protocol. New applications such as ebird (www.ebird.org) and the Avian Knowledge Network (www.avianknowledge.net) can serve as long-term repositories for much of this type of information, overcoming several perennial problems.

The final step listed in the handbook is to evaluate and adjust activities, be they management, monitoring, or others, to reflect the knowledge gained through an effective monitoring program. This completes the circle, from clearly stating a purpose to having an impact on conservation. Rather than being a step-by-step monitoring cookbook, the handbook, in a brief 30 pages, creates a complete conceptual framework that will allow users to design and implement monitoring efforts of lasting value to bird conservation. The handbook is available at www.nebirdmonitor.org/handbook.

Santiago Declared Goat Free

The island of Santiago, the fourth largest island in the Galapagos Archipelago, has been declared officially goat-free. Feral goats were released on the 226-square-mile island in the 1920s. The goat population exploded, and by the 1990s the goats had destroyed much of the shrub and tree vegetation in the sensitive highlands of the island. The destruction of wooded and forested areas was dramatic, leaving only short grasses over much of the island, which is home to nine species of Darwin’s finches, including the unique tool-using Woodpecker Finch, and to threatened species such as the Galapagos Rail and Galapagos Petrel. Damage to their habitat had put significant pressure on the populations of these species.

Following an eradication project by the Galapagos National Park Service and Charles Darwin Foundation from 2001 to

2005, and three subsequent years of monitoring to assure that all goats were gone, the island was declared goat free in February, making this the largest eradication of invasive mammals from an island ever achieved. Even before the eradication had been completed, vegetation began growing back, renewing the habitat for the endemic birds and tortoises. With no goats or other large grazing mammals on the island, it is expected that vegetation recovery will be rapid, resulting in substantially increased bird populations. Contact David Wiedenfeld, ABC, <dwiedenfeld@abcbirds.org>.



Woodpecker Finch: Sonia Kleindorfer

New Crossbill Described, Faces Trouble

Craig Benkman and colleagues at the University of Wyoming, New Mexico State University, and Pacific Lutheran University recently described a new species of crossbill in *The Condor*. The new species, called the South Hills Crossbill (*Loxia sinescuris*), inhabits lodgepole pine forests in the South Hills and Albion Mountains of the Sawtooth National Forest of southern Idaho. These forests are special as they lack red squirrels that remove cones from pine trees (the Latin name *sinescuris* means “without squirrels”). In the absence of squirrels, more pine seeds are available for the crossbills to eat. The South Hills Crossbill occurs at 20 times the typical density of the similar Red Crossbill in lodgepole pine forests with squirrels.

The South Hills Crossbill was previously known to differ in vocalization from other Red Crossbills in North America. New research,

however, shows that the South Hills Crossbill also differs in a variety of other ways: in the absence of squirrels, it has evolved a short thick bill to more efficiently extract seeds from lodgepole pine cones, it does not migrate, is genetically divergent, and very rarely breeds with other Red Crossbills that occur in the same forests.

The North American Checklist Committee of the American Ornithologists' Union will vote later this year on a proposal to add this species to the official checklist, and will publish their decision next year.

Unfortunately, the conservation outlook for the South Hills Crossbill is dire. It occupies less than 40 square miles of habitat, 95% of which occurs within the Sawtooth National Forest. Climate change models predict that virtually the entire area will be unsuitable for lodgepole pines by the end of



The newly-described South Hills Crossbill is already in danger from habitat loss. Photo: Craig Benkman

the century, leaving this non-migratory species few options for finding a home.

Over the last five years, numbers of South Hills Crossbills declined by over 60%, and adult survival rates declined by about 50%. South Hills Crossbills numbered a mere 4,000 birds including young at the end of summer in 2008. This small population already ranks the South Hills Crossbill as the second least abundant songbird species that breeds exclusively in the lower 48 states (behind the Kirtland's Warbler). For more details, contact Craig Benkman <cbenkman@uwyo.edu>.

Twenty Years After Exxon Valdez Spill, Some Bird Species Still Not Recovered

Many wildlife populations were decimated when the Exxon Valdez spilled nearly 11 million gallons of crude oil into Prince William Sound, Alaska on March 24, 1989. While many are showing signs of returning to normal, several bird species have not yet recovered, and the status of five others remains unknown.

“Twenty years after the Exxon Valdez spill, oil still poses a grave threat to marine birds. American Bird Conservancy would like to see oil companies meet the 2015 requirement for phasing out single-hulled tankers in the United States ahead of schedule,” said Dr. Michael Fry, ABC's Director of Conservation Advocacy. “A similar



Kittlitz's Murrelet: GA Sanger, USGS

requirement for double-hulled tankers needs to be made globally to protect birds and other wildlife from future spills. Additional marine reserves and no-go zones for tankers during sensitive breeding and staging seasons should also be implemented to protect the most vulnerable species.”

Analysis of the oil spills' impacts found that a significant portion of several species' populations were killed, including 5-10% of the world's Kittlitz's Murrelet population and 6-12% of the area's population of the Marbled Murrelet. Kittlitz's Murrelet, a candidate for listing under the Endangered Species Act, has declined significantly in the last 35 years. Prior to the spill, the rate of decline was 18% per year, but since 1989, that rate has increased to 31%. The growing impact of global warming in the Arctic and the resultant melting of glaciers caused by the burning of oil and other fossil fuels may also be a significant factor in the decline of the murrelet, which relies on floating ice for foraging and breeding. For more information, contact Michael Fry, ABC, <mfry@abcbirds.org>.

Some U.S. Wetlands Increasing

A new report published by NOAA, NMFS, and FWS on February 17, shows that although the United States as a whole gained wetlands at a rate of 32,000 acres per year between 1998 and 2004, watersheds along the Atlantic and Gulf Coasts were losing wetlands at a substantially accelerated rate. The study included salt marsh, mangrove, bottomland hardwood swamps, freshwater marshes, and shrubby depressions known as pocosins.

During the study period, the Atlantic Coast, Gulf Coast, and Great Lakes regions lost a combined estimated 361,000 wetland acres, though losses along the Gulf Coast were 25 times those along the Atlantic Coast, and the Great Lakes region actually gained wetland acres. Most estuarine or marine associated wetlands were degraded by salt water inundation, whereas those wetlands situated away from the coastline were most affected by development pressure.

According to the *U.S. State of the Birds* (see *ABC's Viewpoint* on page 3), 25% of our nation's birds are wetland-dependent. Wetland birds as a whole have shown significant increases since the 1970s, driven mostly by a resurgence in waterfowl numbers due to conservation actions. However, those birds that are dependent on specialized habitats, such as salt marshes, are of increasing conservation concern. The Saltmarsh Sharp-tailed Sparrow, for example, is completely dependent on Atlantic Seaboard salt marsh for nesting, and close to 1% of intertidal wetlands along the Atlantic Coast were lost during the report's seven-year study period. If the rate of sea-level rise increases as widely predicted, the loss of coastal marshes will accelerate further, and major conservation actions that enable adaptation of these ecosystems will be needed. To view the report, visit www.nmfs.noaa.gov/habitat/habitatprotection/pdf/wetlands/Final%20Coastal%20Wetlands%20Report.pdf.

Progress on Protecting Birds from Wind Turbine Collisions

Pressure from environmental organizations to make wind energy bird friendly and therefore truly green is showing some initial signs of changing the attitude and behavior of wind developers and the federal government. An FWS advisory committee has now begun the task of writing recommendations to protect birds from habitat destruction and collision risks associated with wind farms, but much work remains to be done to convert an industry and its regulatory agencies that have long viewed wind power as environmentally benign.

The push by President Obama and Congress for a massive expansion of renewable sources of energy has concerned conservationists, who want to ensure that sensitive habitats and migration corridors are protected and needless fatal collisions with spinning turbines by birds and bats avoided. The current energy plan for the United States calls for 350,000 megawatts of power generation capacity from wind energy by 2030, which is predicted to require building wind farms to cover a total of 19,000 square miles of countryside—approximately the combined areas of Massachusetts, Connecticut, and New Jersey. The effects on birds and bird habitats could be significant, and require close attention and mitigation.

The Nature Conservancy has produced a national map identifying sensitive areas to wind power development, and NRDC and the National Audubon Society have joined with Google Earth to produce a map of 13 western states identifying areas where wind developments should be avoided.

ABC and Cornell Lab of Ornithology are working to further the development of computer models to predict risks to migrating birds from wind projects. The approach uses data gathered by weather radar stations across the country to predict both where concentrations of birds will occur during the migration seasons, and the weather conditions that could force birds to fly at lower elevations, increasing the probability of collisions with wind turbines. These models would allow wind projects to temporarily shut down, avoiding avian collisions.

A similar project has been introduced by Iberdrola Renewables, which incorporates real-time radar developed by DeTect, Inc. for use at a wind project in coastal Texas. This system uses DeTect's airport bird-strike avoidance radar to identify flocks of migrating birds and automatically shut down the wind project when the risk of collision is high.

While these recent advances point towards a better regulated and more responsive wind industry, many projects that may still be very risky for birds are being fast-tracked. For example, several projects in the Great Plains states of North and South Dakota, Nebraska, and Kansas are going ahead without provisions to protect endangered Whooping Cranes. Cranes are well known to be at risk from collisions with electric transmission lines, and thousands of turbines now being erected along the cranes' migration route could provide an additional, serious hazard at a time when the population is already at a critically low level (see article on page 22). Contact Michael Fry, ABC, <mfry@abcbirds.org>.

Legislation Introduced to Curb Mountaintop Mining

In early March, a bipartisan group of 119 House lawmakers, led by Representatives Frank Pallone (D-NJ) and Dave Riechert (R-WA), reintroduced legislation prohibiting the dumping of rock and soil removed from mountaintop coal mines into nearby valleys. The bill, H.R. 1310, would amend the Clean Water Act (CWA) to clarify the definition of “fill material” so that it cannot be comprised of mountaintop waste.

The bill would reverse a rule promulgated by the previous administration in 2002 that altered the definition of fill material under the CWA. This permitted coal companies operating in the Appalachian region to dump tons of rock and dirt from the tops of

If the legislation passes, it would force the Army Corps of Engineers to re-evaluate how it issues mining permits under the Clean Water Act.

mountains into nearby valleys, destroying rivers, streams, and their associated riparian habitats. Senators Ben Cardin (D-MD) and Lamar Alexander (R-TN) have introduced a companion bill in the Senate, S. 696, “The Appalachia Restoration Act”.

If the legislation passes, it would force the Army Corps of Engineers to re-evaluate how it issues mining permits under the CWA. ABC and other

environmental groups see the bill as a necessary step to keep mountaintop mining from inflicting irrevocable damage to mountain forest and riparian ecosystems. More than 1,200 miles of streams have already been buried by mountaintop mining. If these practices are permitted to continue at their current rate, they could destroy as much as 1.4 million acres of streams and rivers by 2020.

Mountaintop mining is particularly damaging to the rapidly declining Cerulean Warbler, a species which relies on mature deciduous forests that are currently being decimated by this practice. Contact Anne Law, ABC, <alaw@abcbirds.org>.



Mountaintop mining operation. Photo: Vivian Stockman, Ohio Valley Environmental Coalition



Cerulean Warbler: Bill Hubick

EPA Halts Pending Mountaintop Mining Permits; Reviews Existing Operations

New legislation to halt mountaintop mining is particularly needed following a 4th U.S. Circuit Court of Appeals decision to overturn a lower court’s ruling on this harmful practice. The lower court had said that the Army Corps of Engineers was not performing adequate environmental review under the CWA before issuing permits for mountaintop removal operations. However, the appeals court found that it was the agency’s responsibility to balance the CWA with other federal laws which permit coal development.

Following the 4th Circuit decision, environmental groups urged the Obama Administration and the EPA to block a long list of more than 250 pending permits that the Corps was poised to issue. In response, EPA announced that it would put a hold on permitting for mountaintop mining so it can assess the impacts the projects have on water quality and aquatic life.

The EPA notified the Army Corps of Engineers that it planned to review permitting for five coal mining operations in West Virginia and Virginia, and also indicated that it planned to review other requests for mining permits. The EPA expressed concerns that the permits would threaten water quality because inadequate consideration was given to the damage caused to valley ecosystems by dumping rock from blasted mountaintops into streams and rivers. The EPA also requested a meeting with the Corps and the mining companies seeking the new permits to discuss alternatives that would better protect streams, rivers, and wetlands.

Congress Puts Energy into Global Warming Debate

One of the top priorities for Congress this year is to address the threat of global warming. The Administration and congressional leaders are hoping to finalize legislation by the end of this year that would create a program to boost energy conservation, the use of alternative energy sources, and establish a mandatory cap on greenhouse gas emissions.

While this legislation is absolutely necessary to curb global warming, which threatens all wildlife, it may create new challenges for conservationists to ensure that birds are not harmed. If drafted well, however, it has the potential to create new opportunities to advance bird conservation.

House lawmakers began the process of passing a bill with a marathon series of hearings in April, featuring high-ranking Obama Administration officials, an array of environment and industry experts, and Nobel Laureate and former Vice President Al Gore, who said, “This year, a number of groups...released the *U.S. State of the Birds* report showing that nearly a third of the nation’s 800 bird species are endangered, threatened or in significant decline due to habitat loss, invasive species and other threats including climate change. The major shift attributed to the climate crisis related to the migratory patterns and a large shift northward among a vast range of bird species in the U.S.”

Witnesses discussed a draft bill proposed by House Energy and Commerce Committee Chairman Henry Waxman (D-CA) and Energy and Environment Subcommittee Chairman Ed Markey (D-MA). The draft Waxman-Markey bill would create the first federal requirements to boost energy efficiency and ensure that 25% of the nation’s electricity comes from renewable sources. This provision will likely lead to a major expansion in the use of wind turbines. Another significant new program created by the bill would provide billions of dollars over a decade to speed commercial deployment of carbon capture and storage technologies that could help attract support from lawmakers in coal states. The program would create a ten-year, \$1 billion annual fund to help accelerate the commercial-scale use of this unproven technology, allowing the continued use of coal while simultaneously cutting emissions from the carbon-heavy fuel.

The bill also includes language concerning the need to prevent tropical deforestation. Five percent of the funds the government receives from selling carbon credits will be allocated for that purpose, along with an unspecified percentage of funding to be set aside to help pay for wildlife and forest adaptation. This could be a major source of additional revenue for programs benefitting birds, such as the Neotropical Migratory Bird Conservation Act (see article on page 8), and the Joint Ventures.

While this legislation is absolutely necessary to curb global warming, which threatens all wildlife, it may create new challenges for conservationists to ensure that birds are not harmed.

The bill includes a provision to offset emissions with reforestation efforts, which would initially account for 30% of the total carbon emissions reduction, growing to 60% by 2050. These offsets have the potential to fund forest reserves, shade coffee plantations, and other projects that can store carbon while benefiting birds in Latin America and the United States.

The draft House bill omits support for programs that help maintain existing forest cover and reduce carbon emissions from logging. Funding for this type of activity has been included in other global warming bills, but the Committee said the decision was not final, and that if enough groups and particularly members of Congress ask for this funding, it could be included. This would support programs to help forest owners keep their land as forests, rather than developing it, and to provide incentives for longer rotation forestry which maximizes carbon storage and benefits wildlife. Contact Steve Holmer, ABC, <sholmer@abcbirds.org>.



Peru Recognizes Private Conservation Areas on Community Lands in Andes

The Government of Peru has formally recognized two Private Conservation Areas on community lands in the Cordillera de Vilcanota, near Machu Picchu, that protect threatened *Polylepis* forests for the benefit of local communities and endangered wildlife. The recognition stems from work by ABC and its Peruvian partner, Asociación Ecosistemas Andinos (ECOAN), to create a number of forest reserves centered around sustainable development projects that also benefit local communities.

“Not only are we conserving the *Polylepis* forests and their birds, but we are also creating a precedent that will encourage others to do the same,” said Hugo Arnal, American Bird Conservancy’s Director of International Sustainable Conservation. “A new method of community-based conservation has been established through this project. This is biodiversity conservation by and for the local people.”

Polylepis is a genus of tree and shrub in the rose family that is restricted to the Andes. Currently, less than 2-3% of the original closed-canopy, high-elevation

Polylepis forest remains in Peru, scattered in small patches across the country. Several bird species reliant on this habitat, including the critically endangered Royal Cinclodes and the endangered White-browed Tit-Spintail and Ash-breasted Tit-Tyrant, are disappearing as a consequence. Local communities that have traditionally harvested the slow-growing *Polylepis* wood for fuel and building materials are also suffering from resulting erosion of fragile soils, disruption to watersheds, and loss of medicinal plants from these forests.

ECOAN has engaged 18 farming communities and the town of Yanahuara in projects to save *Polylepis* forests, benefiting more than 2,000 local people in the process. Together they have planted more than 362,000 *Polylepis* saplings and 33,500 other native trees as part of a sustained reforestation effort. An additional 109,000 fast-growing tree saplings have been planted for use by the communities as alternative fuel and construction materials, helping reduce local reliance on *Polylepis* trees. To further reduce the use of *Polylepis* for firewood,



ECOAN and ABC partnered with local communities to create private conservation areas on community lands in Peru. Photo: Hugo Arnal

nearly 6,000 high-efficiency clay stoves have been distributed to local families in recent years. The stoves cut the amount of firewood needed by approximately one quarter. Pilot projects that use solar panels to provide an alternative lighting source are also being developed.

In addition to the two Private Conservation Areas recognized by the government of Peru, five more are nearing official designation. The ultimate goal of the project partners is to create more *Polylepis* reserves that can be sustained through community incentives and income generated by sustainable development and tourism. Contact Hugo Arnal, ABC, < Harnal@abcbirds.org >.

Brazilian Land Purchase Doubles Protected Area for Stresemann’s Bristlefront

The purchase of a 479-acre property in eastern Brazil has almost doubled the size of the Stresemann’s Bristlefront reserve established in 2007 by ABC and in-country partner Fundação Biodiversitas. The new acquisition, which abuts the existing reserve, comprises over 60% untouched, humid Atlantic forest, one of Brazil’s most rapidly disappearing habitats, and will boost protection of the critically endangered Stresemann’s Bristlefront and other endangered birds, such as the Red-browed Parrot, Hook-billed Hermit, Banded Cotinga, and Bahia Tyrannulet.

The bristlefront disappeared for more than 50 years before being rediscovered in 1995 near Una, in Bahia province. Subsequent searches failed to find any more birds there, but a small population was later discovered at a site in Bandeira County on the border of Minas Gerais and Bahia. The area is threatened by deforestation for cattle ranching and fires, making the creation of the reserve by ABC and Biodiversitas critical for the survival of the species. For more information, visit www.abc-birds.org. Contact David Wiedenfeld, ABC, <dwiedenfeld@abcbirds.org>.



This Atlantic forest habitat in Brazil forms part of the protected area for Stresemann’s Bristlefront and other endangered birds. Photo: Romulo Ribon

Pen-Pal Program Connects Students in Colombia and the Appalachians

The Appalachian Regional Reforestation Initiative (ARRI), ABC's Colombian Partner Fundación ProAves, and the Cerulean Warbler Technical Group (CWTG) have invited high school science and Spanish teachers to participate in a pen-pal program to link students aged 14-16 from the Appalachians of the United States with students in the Andes of Colombia. The "ambassador" between the two cultures will be the Cerulean Warbler, a neotropical migratory songbird that needs the help of people young and old to conserve habitat in both the coal fields of Appalachia and its wintering grounds, that include the Andes of Colombia.

ARRI, ProAves, and the CWTG will provide teachers with instructional materials about the Cerulean Warbler and the efforts to conserve it, which include surface mine reforestation in the Appalachians, and shade-grown coffee production in Colombia. The pen-pal program got off the ground this February, when 57 Colombian students wrote letters to U.S. students. The letters were distributed by a representative of the United Nations to high school kids and teachers at a tree planting ceremony in Kentucky in March.

"The more kids we can get involved, the more education we can do on the need for neotropical migratory songbird

conservation (specifically the Cerulean warbler), surface mine reforestation and shade coffee production," said Patrick Angel, a forester/soil scientist with the U.S. Department of the Interior.

ABC is a partner in ARRI, a coalition of groups including citizens, the coal industry, non-profit organizations, and government that is dedicated to restoring forests on former coal mines in the eastern United States.

"The Cerulean Warbler is a focal species for neotropical migrant bird conservation in both Appalachia and the Andes," said ABC's Brian Smith, Coordinator of the Appalachian Mountains Joint Venture. "Programs such as this that use this beautiful warbler to reach out to children across the hemisphere and heighten awareness of bird habitat conservation are a great investment that can have a lasting impact with the conservationists of tomorrow."

For more information on the pen-pal program, contact <Patrick Angel, pangel@osmre.gov>.



Colombian schoolchildren working on letters to American students. Photo: Cristian Agudelo

Prairie Grouse Partners Seek Restoration of Grasslands

ABC has joined with the North American Grouse Partnership, Pheasants Forever, the Theodore Roosevelt Conservation Partnership, and the Mule Deer Foundation to become part of the Prairie Grouse Partners, a new conservation initiative with the aggressive goal of restoring 20% of North America's native grasslands. This equates to 60 million acres of improved habitat for a wide range of wildlife, including three focal species of prairie grouse: the Greater Prairie-Chicken, Lesser Prairie-Chicken, and Sharp-tailed Grouse.

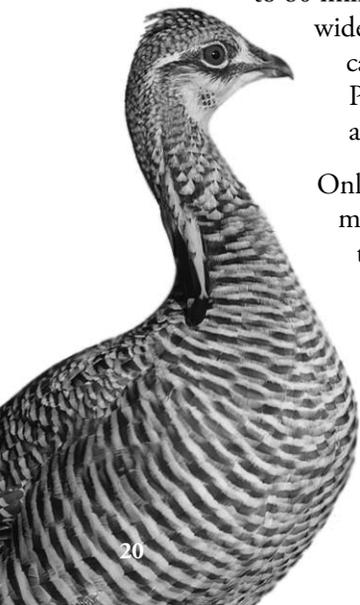
Only 10% of North America's original 585 million acres of native grasslands remain today, and their associated wildlife species are in a state of rapid decline.

ABC highlighted the plight of grasslands and their bird species in its report, *The Top 20 Most Threatened Bird Habitats in the United States*.

Shortgrass and tallgrass prairie, as well as Gulf Coast prairie, were identified as highly endangered.

"The best place to find grasslands in America today is in a history book," said David Pashley, Vice President of Conservation at ABC. "Piece by piece, we are witnessing the extinction of an entire habitat; a habitat whose wide open expanses once symbolized the American frontier landscape, but which today is shrinking at an alarming rate. If we are to stop the declines and save the species that rely on our native grasslands, it will take an unprecedented and coordinated effort by the conservation community. The Prairie Grouse Partners is an important step in that direction."

The Prairie Grouse Partners was established by the Montana-based North American Grouse Partnership. Their conservation work will be guided by the Grassland Conservation Plan for Prairie Grouse, a landscape-scale, ecologically-based plan developed in cooperation with state natural resource agencies and adopted by the Association of Fish & Wildlife Agencies. For more information, visit www.grousepartners.org.



"Attwater's" Greater Prairie-Chicken: Greg Lavaty

New Photograph Shines Light on Junin Grebe Identification

A recent photograph of the Junin Grebe, taken by ABC, may help efforts to reassess population estimates of this critically endangered species. The photo provides a direct comparison with the more common and widespread Silvery Grebe, with which the rare endemic species shares Peru's remote Lake Junin.

Until recently it was thought that the two species could be identified through distant observations by telescope, but as the close similarities shown in this photo combined with other research now suggest, closer observation is required.

Previous surveys suggested that only a few hundred flightless Junin Grebes remain, and the species has been identified by the Alliance for Zero Extinction as a top global conservation priority.

ABC and its Peruvian partner group, ECOAN, are now devising a new system for more accurately assessing the



The Junin Grebe (on the right) appears larger and longer-necked with a somewhat paler flank and a longer, paler gray bill than the Silvery Grebe on left.

population. In the meantime, ECOAN is also working with local communities and the Peruvian government to protect the lake from toxic run-off from nearby mining operations which threatens the grebe's survival.

As well as being the only site for the critically endangered grebe, the lake provides important habitat for significant numbers of migrant Wilson's Phalaropes and many waterfowl species such as the Andean Goose and Crested Duck. Baird's Sandpipers also use the lake's shoreline during the non-breeding season, and the surrounding marshes provide the only known habitat for the endangered Junin Rail. The altitude of the lake (13,000 plus feet), is a challenging environment for biologists, but it is hoped that it will ultimately become part of a "Central Peru Birding Trail" that starts in Lima and crosses the Andes northwards to Tingo Maria National Park and its famed Oilbird cave. Contact Mike Parr, ABC, <mparr@abcbirds.org>.

Minnesota Votes for Tax Hike to Protect Habitat

In a move that flies in the face of the notion that Americans always want lower taxes, citizens of the state of Minnesota voted last November in favor of a constitutional amendment to increase its sales tax by 0.375%. The amendment would generate \$240 million in revenue each year to be split between four funds: outdoors, parks, clean water, and the arts. The outdoor fund, which will be managed by the newly formed Legacy Outdoor Heritage Council for the restoration, protection, and enhancement of wetlands, prairies, and forests, will receive one-third of the total revenue. The fund was advocated for by a broad coalition of interests, who argued that the state needed dedicated funding for the protection of its wildlife habitat that could not be diverted by lawmakers to other issues.

Minnesota is home to a huge diversity of nesting and migrating birds, including a breeding population of

the federally threatened Piping Plover, and several other birds of conservation concern, such as the state endangered Burrowing Owl, King Rail, Henslow's Sparrow, and Sprague's Pipit.

A proposed 187,000-acre land easement will vie for \$40 million of the outdoor fund over the next two years. This historic deal would result in the permanent protection of an area almost the size of the entire existing state parks system. The land is currently owned and managed by Blandin Paper Co. If negotiations prove successful, the land would be placed in permanent easement that would allow continued managed timber operations and access by the public, but would prohibit any further development. Without the easement, the land could likely be sold and subdivided, which would be bad news for Minnesota's forest birds. Currently, Blandin is one of only a handful of forest resources companies in Minnesota that owns its own land. Almost all the



Henslow's Sparrow: Bill Hubick

others have sold their entire holdings to real estate developers in recent years.

The easement deal is expected to cost approximately \$50 million; any funding not provided by the Legacy Amendment Fund will be raised through private sources, including the Blandin Foundation, which has already pledged \$7 million, along with \$2 million from the R. K. Mellon Foundation. For more information on the Legacy Outdoor Heritage Council and the funding of the forest easement, visit www.lohc.state.mn.us.

Birds in Brief

Good news for the McKay's Bunting

The first empirical estimate of the population of McKay's Bunting, published in *The Condor* by Stephen Matsouka and James Johnson of FWS's Office of Migratory Bird Management based on their recent survey data, concludes that the population is between 27,500 and 35,400 birds. This is 5-11 times greater than prior estimates. McKay's Bunting only breeds on St. Matthew and Hall Islands in Alaska within the Alaska Maritime National Wildlife Refuge, and is one of the most poorly studied of North America's bird species. Despite the larger population estimate, McKay's Bunting still ranks among the least abundant passerines in North America.



McKay's Bunting: FWS

Crane Bill Passes House

On April 21, The Crane Conservation Act easily passed the House of Representatives by a vote of 299-166. The Act was authored by Representative Tammy Baldwin (D-WI), and will fund projects in the United States and around the world to help improve the viability of crane populations and their habitats. Out of the fifteen crane species, eleven are classified as threatened, making them one of the world's most endangered bird families. The Act will benefit the endangered Whooping Crane, which had its

deadliest year on record in 2008, with 23 birds perishing due to drought conditions along the Texas coast. The die-off leaves just 247 adult cranes in the population at Aransas National Wildlife Refuge, and heightens the importance of efforts to create a second, separate migratory flock of cranes using ultralight aircraft (*Bird Calls* Vol. 13, No. 1).

First Bermuda Petrel Hatched on Nonsuch Island in Over 400 Years

This year, for the first time since 1620, a Bermuda Petrel (or Cahow) was hatched on Nonsuch Island. The Cahow is Bermuda's National Bird, and one of the few species completely unique to this British overseas territory. It was considered extinct until the 1950s, when 17 pairs were discovered here. The population, which now stands at fewer than 100 pairs, is hampered by introduced predators such as rats and cats that destroy nests, and by erosion that carries away soil from nesting areas.

To help recovery efforts, 105 chicks were translocated to Nonsuch Island between 2004 and 2005, in the hopes of re-establishing a colony safe from the perils of the main island that include pigs that uproot nesting burrows and eat eggs, chicks, and adult birds.



A Bermuda Petrel chick in the hand: Bengül Kurtar

One of the chicks released in 2005 or 2006 returned as an adult and bred successfully on the island this year. Conservationists are hopeful that this lone bird will be joined by other breeding females in coming years. This initial success may provide encouragement to the biologists translocating Short-tailed Albatrosses from Torishima Island to Mukojima Island in Japan in an effort to protect the species from volcanic eruptions on Torishima (see article on page 12).



Palila: Jack Jeffrey

Birds of Conservation Concern 2008

FWS has released the latest version of its Birds of Conservation Concern list to fulfill its Congressional mandate to "identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act." The list is intended to promote "collaborative proactive conservation actions." The 2008 list of 147 species is up from the 131 species on the previous (2002) list. One hundred and three species that were on the 2002 list remain, on the 2008 list; 28 were deleted due to a lack of convincing evidence that continued elevated concern is warranted, and 44 species were added, including the Band-rumped Storm-Petrel, Spotted Owl, and Black Rosy-Finch.



Unlike the U.S. WatchList, the Birds of Conservation Concern list does not include gamebirds for which there are active hunting seasons, but it does include subspecies and birds from island territories in the Pacific and Caribbean. The list is available at <www.fws.gov/migratorybirds>.

New Subspecies of Foliage-Gleaner Identified in Colombia

A previously-known subspecies of Ruddy Foliage-gleaner that is endemic to Colombia's Sierra Nevada de Santa Marta has been identified as a distinct species by Dr Niels Krabbe, based on vocalizations and other behaviors. The species, named the Santa Marta Foliage-Gleaner, was found in the El Dorado Bird Reserve, operated by ABC's Colombian partner group ProAves.



Download the *U.S. State of the Birds* report FREE at www.stateofthebirds.org

The species' native forest is extremely fragmented and has suffered from clearance for agriculture. While known to occur in other sites in the Sierra Nevada, the species' highly restricted range and habitat sensitivity suggest it should be considered as Vulnerable to extinction. Twenty endemic bird species and some 50 endemic subspecies occur in the Sierra Nevada - many may warrant species status as they are little known at present. The area is perhaps the most diverse smaller center of terrestrial endemism in the world.

Planned Defoliation Along U.S.-Mexico Border Put on Hold

A U.S. Department of Homeland Security (DHS) plan to defoliate along a one-mile stretch of the Rio Grande River by aerially spraying the herbicide imazapyr has been put on hold following a citizen lawsuit. DHS announced their plan to use the herbicide to kill the fast-growing invasive plant carrizo cane because they say it offers cover for illegal immigrants trying to cross the U.S.-Mexico border.

The EPA has stated that while there are no serious risks to wildlife from imazapyr's registered uses, there are ecological risks for non-target terrestrial plants and aquatic vascular plants, and potential risks to federally listed threatened and endangered species because of their dependencies on plant communities that may be impacted by the spraying. The lawsuit cites concern

for nearly 1,000 different species, including four listed under the Endangered Species Act, and fears of possible groundwater contamination. Contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

EPA Sets Stage for Greenhouse Gas Regulation

The EPA released a proposed finding in April stating that carbon dioxide and five other greenhouse gases threaten the public health and the welfare of current and future generations. Changes in the earth's climate as a result of the build-up of greenhouse gases are affecting food production, the spread of infectious diseases, and water supplies, and are altering habitats which birds, other wildlife, and plants all depend for their survival, says the report.

This long-awaited finding comes two years after the 2007 Supreme Court decision, *Massachusetts v. EPA*, which ordered the agency to reconsider whether greenhouse gases are pollutants subject to regulation under the Clean Air Act. Under the previous administration, the EPA had been reluctant to identify such emissions as pollutants because it was opposed to putting mandatory limits on carbon dioxide and other greenhouse gases.

If the proposed endangerment finding becomes final, legal experts believe the agency will have no choice but to regulate carbon dioxide and other greenhouse gases under Section 202 of the Clean Air Act.

Errata from previous issue:

Page 15, Thick-billed Parrot, credit should read Javier Cruz.
Page 20, bottom photo shows a Common Ground-Dove, not a Socorro Dove.

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'Amakihi: Peter LaTourrette,
www.birdphotography.com



Hawaiian Hawk (I'o): Jack Jeffrey



Newell's Shearwater: Jack Jeffrey

Hawai'i's birds face critical challenges, with many species on the brink of extinction. ABC is working with a wide range of national and in-state partners to find and implement solutions through its new Endangered Hawai'i program:

- ◆ We successfully petitioned the U.S. Fish and Wildlife Service to list two Hawaiian bird species, the `Akeke`e and `Akikiki, under the Endangered Species Act (ESA) to provide them with greater levels of protection.
- ◆ Because of advocacy by ABC and its partners, bycatch of Laysan and Black-footed Albatrosses by Hawai'i-based longline fishing vessels was significantly reduced from over 2,000 birds per year in the 1990s to fewer than 100 birds per year today.
- ◆ Thanks to ABC efforts, the National Fish and Wildlife Foundation has adopted the conservation of Hawaiian forest birds as a "Keystone Initiative", triggering a significant, multi-year funding commitment.

But we are not stopping there:

- We are working with partners to ensure Hawaiian birds receive far greater federal funding for endangered species conservation.
- We are advocating for passage of a bipartisan act that will help eradicate invasive species from National Wildlife Refuges, including Midway.
- We are pushing for dedicated federal funding for toxic lead paint and invasive plant removal on Midway Atoll to protect the world's largest Laysan Albatross colony.
- We are advancing a \$1 tax on every cargo container entering Hawai'i to fund inspections that will prevent the further influx of invasive species such as the brown tree snake.

Time is running out for 91 native bird species left on Hawaii. A donation of \$91 – just \$1 for each species left – will make a tremendous impact. Donate any amount you can today using the enclosed envelope, or visit www.abcbirds.org/EndangeredHawaii to give online.

Thank you!

George H. Fenwick
President, American Bird Conservancy