

BIRD CALLS

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Major Advance Gained in Efforts to Prevent Bird Kills at Towers

Thanks to ABC-led efforts, a new agreement has been made with major representatives of the communications industry that will help reduce bird kills at communication towers across America. The joint proposal to the Federal Communications Commission (FCC – the government agency that licenses towers) aims to minimize the impacts of new towers on migratory birds. It was made by ABC, National Audubon Society, and Defenders of Wildlife, with the National Association of Broadcasters, Personal Communications Industry

Association, CTIA – The Wireless Association, Sprint/Nextel, and National Association of Tower Erectors.

The proposal, which resulted from a memorandum of understanding signed by representatives of the groups, focuses on tower height and lighting, two key factors associated with millions of bird kills at towers every year. The proposal does not address the full range of impacts of existing towers on birds, but instead proposes interim standards for the

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Peruvian Government Ramps up Habitat Protection for Endangered Birds

The Peruvian government has announced the creation of several new conservation areas that will have significant ramifications in the ongoing efforts to protect habitat for endangered bird species in the country.

Three New Private Conservation Areas Approved

The Peruvian Minister of the Environment, Antonio José Brack Egg, recently announced his government's approval of three new community-owned, private conservation areas encompassing 8,438 acres to protect *Polylepis* forest in the Vilcanota Mountains of southeastern Peru, near Cusco. Government ap-



Ash-breasted Tit-Tyrant: Joe Tobias

proval of such private conservation areas is significant because it recognizes, at the highest level, the importance of preserving these areas for conservation purposes.

The three new areas add to the 755 acres previously protected within two other areas of the Vilcanota Mountains by local communities.

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ABBREVIATIONS:

BLM: Bureau of Land Management
 EPA: U.S. Environmental Protection Agency
 FWS: U.S. Fish and Wildlife Service
 NPS: National Park Service

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ABC'S VIEWPOINT

Anger, Frustration, and Sadness Spill Over in the Gulf

We live in a world of the 24-hour news narrative, whoever-shouts-the-loudest-wins advertising wars, and seemingly never-ending political campaigns. We are bombarded from all corners with a continual excess of rhetoric, where an ice cream flavor is 'awesome', a small summer storm 'wreaks havoc', and every little political twist and turn presents a 'crisis'. Our continually intemperate vocabulary has left us without the means to adequately express times of real crisis, havoc, or awe. So when something of the magnitude of the Deepwater Horizon oil spill occurs, we are left struggling for ways to articulate its real significance. Only graphic images of oiled birds floundering pathetically in a toxic slurry, or a rising line of black sludge starkly outlined at the edge of a marsh can bring home the severity of the situation. We need satellite images of the advancing slick to be able to comprehend the sheer scale of the disaster. Words just don't cut it anymore.

And with every image we see of that gushing wound on the ocean floor or its indelible imprint on our planet's surface, our frustration, anger, and sadness mount. We want answers: How could this happen? How will those responsible be punished? What does it mean for the environment and birds? How do we prevent it from happening again?

Oddly, the answers to the first and last questions are the same. It happened because the environment was given short shrift over the ceaseless desire for cheap energy and corporate profits. The decisions that were made guaranteed that disaster would strike in the same way that decisions that were made about the country's banking systems guaranteed financial catastrophe. It was just a question of when. We prevent it from happening again by learning from this experience and changing the paradigm: give the environment the same standing as the economy in every political decision on this country's oil policy; give the bird, fish, and wildlife experts the same voice as the economy and energy experts; and ensure that in 20 years we haven't conveniently forgotten about what happened and roll back the regulations to the good old days before someone let those pesky environmentalists into the room. Only in this way will we be assured of preventing not only environmental disaster, but also the economic disaster that inevitably accompanies it, as we are now witnessing in the ruinous loss of fishing and tourism revenues in the Gulf.

How those responsible for the oil spill will be punished is the subject of ongoing debate by pundits and politicians. Two environmental laws, the Endangered Species Act and Migratory Bird Treaty Act (MBTA),



Great Egret and chicks: Bill Hubick

are most likely to yield prosecutions, the former for turtles, cetaceans, and possibly Piping Plovers, and the latter for the death of every migratory bird that results from the spill. The now second-largest oil spill in U.S. history, the Exxon Valdez, resulted in MBTA prosecutions, and it is unconscionable that this spill would not lead to similar citations for the deaths of pelicans, terns, and other seabirds that become oiled, as well as their chicks that die slowly and painfully of starvation back at the nest. Sadly, given the vast area affected by the spill, most bird deaths will go undiscovered and therefore unprosecuted. The inevitable reproductive failure of birds that get as little as a thimbleful of oil on their breasts will also be hard to convert into prosecutable offenses.

Those reproductive failures, along with the insidious destruction of marshes, bayous, creeks, estuaries, and beaches, will likely have long-term impacts on many bird species of the Gulf. But attempts at predicting the extent of those impacts at this stage seem futile when the slick continues to expand and move at the whim of changing ocean currents.

The most pressing question on our lips is inevitably what can *I* do *now*? For most of us, the answer is wait. A few will venture down to help lay booms or clean beaches – and those interested in volunteering can visit ABC's website for state-by-state contact information – but ultimately, the scale of this disaster is such that, as individuals, we can do little more than watch as this heartbreaking tragedy unfolds.

But you can help ABC effect change. Your support will enable us to provide a voice for birds and their habitats at the highest political levels. ABC has already provided key testimony before

***This disaster happened
because the environment was
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energy and corporate profits.***



Brown Pelican colony: FWS

a Congressional sub-committee on the impacts of the spill on birds, and we are demanding specific, immediate action from the government. This includes a moratorium on further deepwater offshore drilling, particularly in sensitive areas such as the Arctic Ocean or Bristol Bay Alaska, until adequate safeguards are in place to ensure that this is the last disaster of this type we are ever forced to witness. An independent scientific review of individual oil spill response plans is also critical. BP's plan for a possible Gulf oil spill was rife with absurdity, addressing potential harm to walrus and sea lions (neither of which occurs in Gulf waters nor anywhere near),

and predicting that little damage to biological resources or wildlife would result from a potential spill. And the plan's approval indicates a colossal regulatory failure that must be rectified.

While our attention is diverted to the Gulf spill, we must be careful not to lose sight of the big picture. The real issue here is energy. Whether it is oil, gas, coal, wind, or hydro, our energy decisions affect birds and all biodiversity—America's great natural patrimony. In the understandable post-Deepwater Horizon rush to look for alternative sources of energy, a push for unregulated wind development will be a step backwards rather than forwards for birds such as sage-grouse. This is why ABC is launching a new Wind Program to ensure that we don't, under the notion that any wind power is better than any oil power, turn the wind industry loose on the landscape without mandatory regulations that protect birds and their habitats. And independent of oil spills, cutting the tops off mountains where Cerulean Warblers nest to reach coal seams makes no environmental sense. This is why ABC continues to campaign against mountaintop mining, including supporting a bill now before the Senate that would make the practice illegal.

We believe that, when it comes to energy, regulation is preferable to regret, and we will continue to fight for practical, enforceable, and just regulation that will ensure a safer future for our birds and their habitats. We hope we can count on your support.

Major Advance in Efforts to Prevent Bird Kills at Towers, from page 1

Antenna Structure Registration program, by which the FCC registers new towers that support wireless communications and broadcast services, such as cell phone transmission.

“It is impossible to predict just how many towers this agreement will impact in coming years, but if recent history and the current evolutionary pace of wireless technologies are anything to go by, and taking into account President Obama’s call for greater rural broadband access across the country, it could be tens of thousands,” said Darin Schroeder, ABC’s Vice President of Domestic Advocacy. “These towers will pose a significantly reduced threat to birds thanks to this effort.”

Science has shown that height and lighting are the major causes of bird mortality at towers. The scientific and field evidence is strong that the type of lights used on towers plays a critical role in attracting birds, particularly in poor weather. Towers with solid red lights combined with flashing red lights cause most avian mortality, including nearly all mass mortality events. Such tower lighting systems are common, particularly on tall towers. Studies have shown

that avian collisions increase exponentially as tower height rises above 450 feet.

The proposed interim standards would subject these tall towers to greater levels of environmental review, including the need for an independent environmental assessment. The standards also include an agreed-upon ranking of preferred lighting styles.

The industry associations and conservation groups have urged the FCC to act quickly on their joint proposal. Meanwhile, as a result of ABC efforts, the FCC is now preparing a programmatic environmental impact statement on the effects of existing towers on birds, which may lead to further beneficial changes. ABC is also waiting for the results of a study by the Federal Aviation Administration that will determine whether steady-burning side marker lights on tall towers can be safely turned off without impacting visibility to pilots. If so, this would reduce bird kills dramatically while saving the communications industry millions of dollars in energy and replacement bulb costs. Contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

Peruvian Government Ramps Up Protection for Birds, from page 1

Leading Peruvian conservation group Asociación Ecosistemas Andinos (ECOAN) and ABC have been working with these local communities to protect, reforest, and restore healthy *Polylepis* habitat on their communal lands to benefit several globally threatened birds that are unique to this habitat, including the endangered Ash-breasted Tit-Tyrant and White-browed Tit-Spinetail, and the critically endangered and highly range-restricted Royal Cinclodes. Currently, only about 2-3% of the original *Polylepis* forest remains in Peru, threatening the specialized biota of this vanishing ecosystem.

ECOAN has erected signs to mark reserve boundaries, put up fences to exclude grazing animals, and improved infrastructure at these protected areas and on other community lands elsewhere. Thanks to efforts by ECOAN and ABC this past season, 81,000 *Polylepis* saplings were planted to create future habitat for threatened birds. Three additional



Polylepis is a genus of trees and shrubs that grow at or above the tree line only in the Andes of South America. Photo: Mike Parr

nurseries were also built with a combined capacity to produce 47,000 *Polylepis* saplings annually. Work continues with several other communities to declare additional private protected areas in the region.

ABC Partner Granted Key Conservation Concession

ECOAN was also granted approval from the government of Peru to manage over 16,500 acres of government-owned montane forest in the north of the country. This 40-year conservation concession connects the existing 6,690-acre Abra Patricia-Alto Nieva Private Conservation Area, established by ECOAN and ABC in 2007, with the 449,700-acre Alto Mayo Protection Forest to create a continuous protected landscape spanning almost 473,000 acres.

“Receiving official government approval for this designation is a milestone for our bird conservation efforts,” said Tino Aucca, President of ECOAN.

The Abra Patricia bird list includes 317 bird species, of which 23 are considered globally threatened, including four endangered species: the Long-whiskered Owlet, Ochre-fronted Antpitta, Royal Sunangel, and Ash-throated Antwren. The critically endangered yellow-tailed woolly monkey also occurs here. If you are interested in visiting the area, please visit www.conservationbirding.org.

Wading Bird Nesting Population in South Florida Up Significantly

Good news for Florida wading birds: according to a report from the South Florida Water Management District, which includes Everglades National Park, the number of wading bird nests in the district, including those of herons and egrets, is estimated to have more than quadrupled between 2008 and 2009.

The estimated total number of wading bird nests in South Florida was 77,505 in 2009, which eclipses the number of nests recorded during the previous record year of 2002 by about 8,000 nests, and represents the largest nesting effort since the 1940s. Increases in nesting occurred for most wading bird species and especially for the endangered Wood Stork. Approximately 6,452 Wood Stork nests were recorded in 2009, about four times the average number of nests over the past decade.

“These numbers are certainly a welcome one-year finding, but we must be mindful of the long-term forecast

for wetland-dependent birds is down as a result of habitat loss, urban development, and potentially climate change,” said George Wallace, ABC’s Vice President for Oceans and Islands.

According to the South Florida report, the 2009 survey numbers may be the result of extensive drought conditions in recent years that reduced predatory fish densities, thus allowing crayfish and small fish populations, which are food sources for wading birds, to increase in size and abundance.

“Given the magnitude of the wading bird increases, they must be partly a result of influxes of birds from other locations, where water conditions and prey supplies were not as favorable to nesting birds as they were in south Florida,” Wallace added.

Scientists also found that wading birds appeared to increase nesting activity on the recently restored section of the Kissimmee River floodplain. Over



The Wood Stork has shown significant nesting increases in the past year—good news for this endangered bird. Photo: FWS

1,500 nests were recorded there, which is considerably greater than the six nests found in 2008, and greatly surpasses the previous high count of 637 nests in 2006.

Additional highlights include:

- The 2009 season represented an 83 percent increase over the average of the last nine seasons.
- The count of 8,169 wading bird nests around Lake Okeechobee was the fourth highest since aerial surveys began in 1957.
- White Ibis nest numbers were double the average of the past nine years.

For more information, contact Bob Johns, ABC, <bjohns@abcbirds.org>.



White Ibis nest numbers have doubled the average of the past nine years. Photo: FWS

\$16.9 Million to Help Restore Seabird Species in California Injured by Past Oil Spills

Lingering impacts from oil leaking from a ship that sank off the California shore 57 years ago have led to the awarding of \$16.9 million to the State of California and federal trustees for seven projects undertaken since 1990 to address harm to birds—including more than 50,000 dead California seabirds.

The projects will help bird species impacted by oil that leaked from the S.S. Jacob Luckenbach. The freighter sank in 1953 about 17 miles southwest of the Golden Gate Bridge, but was not identified as the source of the oil until 2002, after decades of polluting waters, especially during winter storms. The oil caused massive injury to wildlife along northern California beaches from Bodega Bay to Monterey Bay. Among the affected species were endangered Snowy Plovers and Marbled Murrelets, as well as Brown Pelicans, loons, grebes and other waterfowl, cormorants, gulls, shorebirds, and otters.

In 2002, the U.S. Coast Guard oversaw a \$19 million effort to remove oil from the wreck, and to seal it to prevent further oil releases. In 2006, a claim for funding from the Oil Spill Liability Trust Fund resulted in the award to fund conservation projects. The Fund pays for oil spill cleanup and restoration of natural resources when there is no responsible party to claim from directly (in this case, the owners of the Luckenbach went out of business long ago). The fund is sustained by fees from the oil industry and managed by the Coast Guard's National Pollution Funds Center (NPFC).



Common Murre: Tom Grey

To provide the greatest benefit to the affected bird species, each of the seven awarded projects will occur at the breeding grounds of affected species. Four of these are in northern California, with others for long-distance migratory seabirds in New Zealand, Mexico, and British Columbia.

Overall, 14 restoration projects were identified, at a cost of more than \$20 million, to address the injuries from the spills. The NPFC previously approved \$2.8 million for five projects to restore seabirds and sea otters. Two other projects to benefit Marbled Murrelets are still under review. The previous allocation focused on restoring Common Murres, grebes, and other seabirds in northern California, sea otters in Monterey Bay, and nesting seabirds in southwestern Alaska.

“Better late than never,” said George Wallace, ABC’s Vice President for Oceans and Islands. “It is gratifying that the mechanisms put in place to mitigate for oil spills such as these work, and that even in the absence of a responsible party, seabird populations will finally benefit.”

Copies of the Final Restoration Plan, including injury assessment and restoration details, are available at www.dfg.ca.gov/ospr/spill/nrda/nrda_luckenbach.html.



Snowy Plover: Greg Lavaty



New Report Reveals Bird Conservation Efforts Are Critical in the Face of Climate Change

As climate change impacts are increasingly felt throughout the United States and beyond, conservation efforts affecting birds will take on a doubly important role in protecting not only birds that are already threatened, but also more common birds as well. This is a key finding of *State of the Birds 2010*, the first comprehensive assessment of bird species vulnerability to climate change across the United States released in March by Secretary of the Interior Ken Salazar.

The report is a collaborative effort as part of the U.S. North American Bird Conservation Initiative, involving federal and state wildlife agencies, and scientific and conservation organizations. Partners include ABC, the Association of Fish and Wildlife Agencies, Cornell Lab of Ornithology, Klamath Bird Observatory, National Audubon Society, National Fish and Wildlife Foundation, The Nature Conservancy, U.S.D.A. Forest Service, U.S. Fish and Wildlife Service, and U.S. Geological Survey.

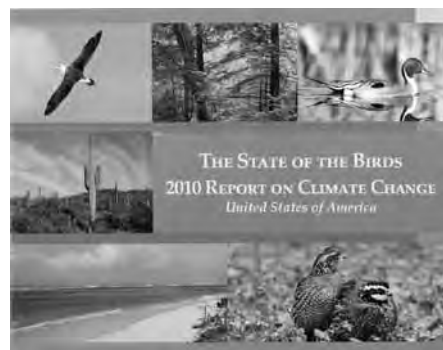
“Our findings tell us that birds of conservation concern today will be in even greater peril in the future as a result of climate change, and many bird species that are now doing well may soon become conservation priorities as global warming progresses,” said David Pashley, ABC’s Vice President for Conservation and a report author.



Northern Pintails; hen on left, drake on right.
Photo: Bill Hubick

How lands are managed can help both mitigate global warming, and help birds adapt to changing climate and habitat conditions.

Conservation efforts that will take on special importance include: reduction of carbon emissions, conservation of bird habitat, protection of bird prey bases and food supplies, and removal of threats, including invasive plant and animal species. The report identified common bird species such as the American Oystercatcher, Common Nighthawk, and Northern Pintail that are likely to become species of conservation concern due to climate change.



“The birds that will be the hardest hit by climate change will be ocean- and island-reliant birds, whose habitat and food base are most tied to both a climate-dependent ocean biology and sea level. Hawaiian birds in particular, are already in deep trouble and may be looking at even more difficult circumstances,” Pashley said.

All 67 oceanic bird species are considered vulnerable due to low reproductive rates, use of islands for nesting, and reliance on rapidly changing oceans. Ninety-three percent of Hawaiian birds and 62% of all U.S. Pacific Island birds have a medium to high vulnerability to climate change. Hawaiian forest birds are also threatened by the spread of avian malaria; warming may increase the rate of transmission and reduce the size of the birds’ current, and already very restricted, malaria-free safe area.

How lands are managed can help both mitigate global warming, and help birds adapt to changing climate and habitat conditions. For example, conserving carbon-rich forests and wetlands, and creating incentives to avoid deforestation can keep carbon from dissipating into the atmosphere, while also providing invaluable wildlife habitat.

The *State of the Birds 2010* report is available at www.stateofthebirds.org. For more information, contact Steve Holmer, <sholmer@abcbirds.org>.



Laysan Albatross: Bill Hubick

Lead Poisoning of Midway Albatrosses Must End, Says ABC

ABC has renewed calls to Congress to provide funding to clean up 70 lead paint-contaminated buildings on Midway Atoll National Wildlife Refuge. The buildings have been responsible for the deaths of as many as 130,000 Laysan Albatross chicks since jurisdiction of Midway was transferred from the Navy to the Department of the Interior in 1996. ABC wrote letters to the House Resources and Interior Appropriations Committees to elevate the importance of the issue, and followed up with funding requests.

Lead is fatal to birds even in small doses. The pathetic annual spectacle of thousands of emaciated chicks unable to lift their wings, dying a slow and painful death, is a stark reminder of the threats that still confront the world's largest population of Laysan Albatrosses.

In a paper to be released in the scientific journal, *Animal Conservation*, Dr. Myra Finkelstein of the University of California-Santa Cruz and co-authors, including scientists and managers from the U.S. Geological Survey and the U.S. Fish and Wildlife Service, concluded that the deaths of Laysan Albatross chicks from lead exposure on Midway has long-term consequences for the population. By 2060, there may be as many as 190,000 fewer albatrosses due to lead poisoning. By contrast, removing lead-based paint now could increase the population by up to 360,000 by 2060. When the paper was published, the Center for Biological Diversity quickly initiated a lawsuit, claiming that the lead also affects the endangered Laysan Duck.

The Midway Atoll is located in the North Pacific Ocean, about 1,250 miles northwest of Honolulu. It comprises an elliptical outer reef nearly five miles in diameter, with 580,000 acres of submerged reef and ocean, and three flat coral islands totaling approximately 1,500 acres.



This Laysan Albatross chick is suffering from droopwing due to lead exposure, and will never be able to fly. The chick will eventually succumb to starvation. Photo: Myra Finkelstein

The Department of Interior estimates that \$5.6 million is needed to clean up the remaining toxic lead paint on Midway. Approximately 70 of the federally-owned buildings must be stripped of all lead-based paint, and sand surrounding the buildings thoroughly sifted to remove toxic paint chips. Despite the lack of dedicated funding, the Fish and Wildlife Service has managed to remove paint from approximately 25 buildings, but Interior officials have stated that the current federal budget for the nation's wildlife refuge system is insufficient to prevent the continued ingestion of lead paint by Laysan Albatross chicks at the remaining structures. Contact Jessica Hardesty Norris, ABC, <jhardesty@abcbirds.org>.

Old buildings with peeling, lead-contaminated paint prove fatal for many albatross chicks on Midway. Photo: Forest and Kim Starr

Move in Congress to Make Federal Buildings Safer for Birds

New legislation introduced by Representative Mike Quigley (D-IL) may help prevent the deaths of millions of birds that collide with windows at thousands of federal buildings across the country.

Called The Federal Bird-Safe Buildings Act of 2010, H.R. 4797 is a cost-neutral bill calling for each public building constructed, acquired, or altered by the General Services Administration (GSA) to incorporate, to the maximum extent possible, bird-safe building materials and design

features. Although many buildings constructed by GSA are already bird-friendly, this law would formalize the process and establish prerequisites for future construction. ABC worked closely with Congressman Quigley on the development of this bill.

The legislation would also require GSA to take similar actions on existing buildings, where practicable. While this bill is limited to federal buildings, it is a very good start that perhaps can lead to more widespread applications of bird-friendly designs elsewhere.

"Anyone who has ever spotted a cardinal in their backyard or watched a hummingbird fly backwards understands how beautiful and important our bird species are to the natural world. I'm proud to work with the American Bird Conservancy to do all we can to make sure they continue to be a part of that world," said Congressman Quigley.

Most birds' first encounter with glass is fatal when they try to fly to trees, sky or other objects seen through glass or reflected on its surface. Light pollution makes things worse, disorienting birds, especially night-flying migrants. As many as one billion birds, both residents and migrants, die annually in the United States after colliding with buildings. However, low- or no-cost techniques can be used in new construction projects, as well as existing buildings, to mitigate bird collisions and deaths.

The legislation proposed by Congressman Quigley is similar to local legislation he sponsored in 2008 when he was Illinois Cook County Commissioner. That legislation was approved unanimously by the Cook County Board of Commissioners. Contact Christine Sheppard, ABC, <csheppard@acbirds.org>.



Photo: Christine Sheppard

Argentine Mayors Pledge Shorebird Conservation Commitment

On March 11, 2010, in the port city of San Antonio Oeste, the mayors of seven Argentine municipalities signed an agreement formalizing their joint commitment to shorebird conservation within their jurisdictions. The cities border four key shorebird reserves recognized by the Western Hemisphere Shorebird Reserve Network (WHSRN): Laguna Mar Chiquita y Río Dulce Provincial Reserve, Bahía de San Antonio, Río Gallegos Estuary, and Tierra del Fuego Atlantic Coast Reserve.

The mayors established "sister city" relationships between their cities as a mechanism for cooperation on conservation issues. Specifically, the agreement recognized the value of

migratory shorebirds and outlined joint actions for the conservation of their habitat. The mayors declared the Red Knot as a priority species for conservation.

Southern Argentina and Chilean Tierra del Fuego are the main wintering areas for the *rufa* subspecies of the Red Knot, which has been declining precipitously in recent years. The declines are due in large part to the overharvesting of horseshoe crabs in the Delaware Bay, where millions of knots stop to refuel on an overabundance of crab eggs during their long and arduous migration to their Canadian breeding grounds. However, issues on the Argentine wintering grounds may also be impacting the knot's population.



Red Knots: Ralph Wright

Specific actions resulting from the agreement include collaboratively addressing the problem of all-terrain vehicles on the beaches of San Antonio Oeste, and garbage on the coast along Río Gallegos.

Charles Duncan, Executive Director of WHSRN, opened the signing ceremony, saying "This is a unique agreement in the world that will stand out because of the work that is going to result from this exchange of experiences." For more information, visit www.whsrn.org/alertsupdates/alert/20100318.

Park Service, Bureau of Land Management Finally Sign MOU on Migratory Birds

Two Interior Department agencies have signed Memoranda of Understanding (MOU) with the U.S. Fish and Wildlife Service aimed at strengthening coordination for migratory bird conservation.

National Park Service Director Jon Jarvis and Bureau of Land Management Deputy Director Mike Pool each signed an agreement, referencing the need for better interagency cooperation and coordination regarding efforts to conserve and protect migratory birds. They cited the environmental importance of birds, as well as the recreational value birding provides to many Americans. According to a 2006 FWS report, one out of every five Americans watches birds, and birdwatchers contribute about \$36 billion annually to the U.S. economy.

These MOUs meet the requirements under Section 3 of Executive Order 13186, which was signed by President Clinton in 2001, and which directed the development and implementation of these MOUs within two years. The Executive Order directs agencies to take actions to further implement the Migratory Bird Treaty Act and to promote

the conservation of migratory bird populations. The newly signed MOUs identify specific ways the agencies can cooperate to substantially contribute to the conservation and management of migratory birds and their habitats. Potential areas of collaboration include:

- Implementing studies on migratory bird species that may be potentially affected by agency actions;
- Developing conservation measures and best management practices;
- Developing/providing ongoing support for educational programs such as International Migratory Bird Day;
- Promoting and providing training, sharing information, and integrating migratory bird conservation principles and practices across agencies.

Notably, the EPA, which registers pesticides and implements the Clean Air and Water Acts, has yet to sign an MOU under the Executive Order. Contact Bob Johns, ABC, <bjohns@abcbirds.org>.

Permits for Puerto Rico Wind Farm Clash with Endangered Puerto Rican Nightjars

A breeding population of endangered Puerto Rican Nightjars is threatened by the WINDMAR wind energy project that is planned for the south coast of the island of Puerto Rico. The project's 25 giant wind turbines are planned to be placed in a 29-acre plot of dry forest habitat adjacent to the Guanica State Forest in an area with more than 40 territories of breeding male nightjars. The species is critically endangered, with an estimated total population of 1,700 birds located at just a few sites in southwestern Puerto Rico. The Guanica dry forest area has a high density of birds, whose habitats will be fragmented by roads and turbine construction if the project is allowed to go forward.

The U.S. Fish and Wildlife Service has already granted an Endangered Species Act Habitat Conservation Plan with an Incidental Take Permit for nightjars, and is defending the project because only 43 acres will be cleared. However, the remaining 250 acres will be highly fragmented during construction, and overall, the project may eliminate 5% of the current nesting territories. The project has had an on-again off-again history, with local permitting agencies refusing to grant permits due to environmental issues even

after the Habitat Conservation Plan and incidental take permit were granted in 2006.

Early in 2010, the Puerto Rican government gave approval to the project, but conservationists continue to protest, and have discovered the endangered Puerto Rican crested toad living on the site in addition to the nightjars. Whether this additional endangered species will trigger new permit battles or force modification or abandonment of the project is still unknown. For more information, contact Michael Fry, ABC, <mfray@abcbirds.org>.



Puerto Rican Nightjar:
Michael J. Morel

Greater Sage-Grouse Added to Candidate List

On March 5, 2010, the Obama Administration released a much-anticipated decision on whether the Greater Sage-Grouse would be listed under the Endangered Species Act (ESA). Ken Salazar, Director of the Interior Department, announced that the grouse would be added to the list of “Candidate Species”, meaning it warrants federal protection, but is currently precluded from listing because of other, higher priorities. This decision has since been challenged in court by Western Watersheds.

“FWS got the science right, but passed on the opportunity to fully protect this bird with this decision,” said ABC President George Fenwick. “Nevertheless, we are hopeful that the Fish and Wildlife Service will now use this decision to bring all parties and agencies together to make effective management decisions that will balance development needs while halting sage-grouse population declines.”

The Greater Sage-Grouse now joins 11 other birds and 239 other species currently on the Candidate List, some of which have languished there for more than 25 years. The “Warranted but Precluded” decision gives no specific legal protections for the Greater Sage-Grouse under the Endangered Species Act, thereby leaving it up to states and federal agencies to decide what conservation measures will be taken to protect the chicken-sized bird, whose sagebrush habitat spanning across 11 western states also contains prime locations for energy development and agriculture. More than half of North America’s sage-grouse population is believed to be in Wyoming.

Environmentalists, politicians, and energy developers have been at odds for almost a decade over the potential listing of the sage-grouse under the



Greater Sage-Grouse: Noppadol Paothong

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ESA. Significant voluntary conservation efforts have taken place, and BLM recently developed a sage-grouse conservation plan in Wyoming, but more must be done.

“The general idea of protecting core areas for the sage-grouse is sound,” said Fenwick. “To be effective, what is required is a comprehensive, region-wide management plan that will protect the species’ entire core habitat, with sufficient buffers around core areas.”

The causes for the decline of sage-grouse are varied, and include the loss or degradation of habitat due to grazing and agriculture, energy development, and fires that are escalated by invasive vegetation such as cheat grass.

Additional threats include mosquito-borne West Nile virus, and collisions with wire fences.

The first petition to list the Greater Sage-Grouse across its range dates back to 2003. Western legislators and energy groups had feared that an endangered or threatened listing of the grouse would complicate efforts to expand energy development in the area, while environmentalists have called on the Administration to list the bird to boost the health of the entire sagebrush steppe ecosystem and ensure a fair balance with development.

For more information, contact Steve Holmer, <sholmer@abcbirds.org>.

Spotted Owl and Marbled Murrelet Habitat Also a World Champion Carbon Store

The moist, mature and old-growth forests of the Pacific Northwest and Alaska have a secret – they store more carbon per acre than almost anywhere on Earth. A National Academy of Sciences report last year concluded that these carbon-rich forests were globally significant and should be conserved in the fight to stem global warming. When these ancient forests are logged, most of the carbon stored in the trees and soils is released into the atmosphere; it would take new forests centuries of growth to regain that carbon.

A recent analysis by a coalition of groups working to conserve forest carbon, including The Wilderness Society and ABC, identified the top carbon storing National Forests. They were Alaska's Tongass National Forest, which provides habitat for over 300 bird species, and forests in Washington, Oregon, and Northern California, home to the threatened Northern Spotted Owl and Marbled Murrelet. Approximately 1.5 million acres of these forests remain at risk of logging and need protection for being immense carbon banks, and to provide additional secure habitat for the declining owls and murrelets, and the hundreds of the other species that depend on these forests.

“Over a million acres of the top ten national forests—one of the greatest carbon banks on Earth—are not formally



Mature old-growth forests such as these in Memaloose State Park, Oregon, are globally significant carbon stores as well as key bird habitat. Photo: Steve Holmer

protected and are vitally important to America's ability to combat climate change,” said Steve Holmer, Senior Policy Advisor for ABC. “Protecting this habitat is also essential for reversing the rapid decline of the Northern Spotted Owl, and will provide some additional habitat protection for the threatened Marbled Murrelet as well.”

ABC, along with The Wilderness Society, Earthjustice, National Center for Conservation Science and Policy, and Sierra Club, believe that this wealth of forest carbon should be protected as a natural and national asset, along with the many other important services that healthy forests provide — from clean water to wildlife habitat. Contact Steve Holmer, ABC, <sholmer@abcbirds.org>.

Study Shows Wind Farms Impact Breeding Bird Success

A study published in the U.K.'s *Journal of Applied Ecology* demonstrates the effects of wind farms on certain breeding birds. The study's authors used data gathered from 12 upland wind farms in the United Kingdom to examine whether there is reduced occurrence of breeding birds close to wind farm infrastructure (turbines, access tracks, and overhead transmission lines). Bird distribution was assessed using regular surveys during the breeding season, modeling bird occurrence in relation to habitat before examining the additional effects of wind farm proximity.

Seven of the 12 species exhibited significantly lower frequencies of occurrence close to the turbines, after accounting for habitat variation, with some evidence of turbine

avoidance in a further two. None of the species showed increase breeding rates closer to the turbines. The authors also found no evidence that raptors altered flight height close to turbines, and noted that nesting birds avoided turbines more strongly than access tracks, while there was no evidence for consistent avoidance of overhead transmission lines connecting sites to the national grid. These latter results correlate with increased bird collisions with transmission lines and turbines themselves.

The authors of the study conclude by emphasizing the need for a strategic approach to ensure wind farm development avoids areas with high densities of potentially vulnerable species. For more information, contact Gavin Shire, ABC, <gshire@abcbirds.org>.

Voluntary Federal Wind Farm Guidelines Insufficient to Prevent Bird Impacts

ABC President George Fenwick has sent letters to Secretary of the Interior Ken Salazar and the Bureau of Land Management (BLM) Director Bob Abbey identifying key shortcomings in recent federal plans to address the impacts of wind farms on bird. In his letters, Fenwick requested a meeting with those officials to discuss his concerns.

The Federal Wind Advisory Committee has made excellent recommendations for the generation of wind power that ABC wants adopted throughout the federal government. The major shortcoming in the Committee's recommendations, however, is that they are proposed as voluntary, rather than mandatory, and as such will do little to curb unacceptable levels of bird mortality and habitat loss at wind farms.

In his letter, Fenwick highlighted differences between the U.S. Fish and Wildlife Service (FWS) wind guidelines and guidelines proposed by the BLM relating to conservation of the Greater Sage-Grouse. The FWS guidelines clearly advise against development close to sage-grouse leks (breeding grounds), saying that "development within three to five miles (or more) of active sage-grouse leks may have significant adverse impacts on the affected grouse population." Yet the BLM plan allows for siting as close as 0.6 miles.

"It is ironic that the Interior Department is asking us to believe that the wind industry will follow voluntary guidelines when their own land

management agency is not even doing so," Fenwick said.

Fenwick is positive about BLM's efforts on wind, but in his letter named over a dozen concerns in addition to the discrepancy between siting guidelines around sage-grouse leks. These included:

- Wind project sites should be carefully evaluated at the proposal stage for habitat conflicts and migratory bird collision risks, and projects should avoid sensitive sites such as Important Bird Areas, Wildlife Refuges, and areas of concentrated bird use;

The major shortcoming in the Committee's recommendations... is that they are proposed as voluntary, rather than mandatory, and as such will do little to curb unacceptable levels of bird mortality and habitat loss at wind farms.

- Short-term operational shutdowns of turbines should be required at times during which large numbers of migratory birds can be predicted to pass through a wind farm. Such conditions (e.g., low cloud during peak migration times) occur for limited periods, but likely account for the bulk of migratory bird collisions with

turbine blades. Similar shutdowns that use radar systems to detect birds so that operators can quickly start and stop the turbines have already been adopted in other countries (e.g., Spain and Mexico);

- Infrastructure, such as power lines and lighting, should be minimized, and designed not to interfere with the migration of birds such as the endangered Whooping Crane;

At the current rate of industry expansion, 200,000–300,000 large, industrial-scale turbines will be turning across the American landscape by 2030. If wind projects continue to be operated as they are today, approximately 1,000,000 birds will likely be killed each year from flying into those turbines. Mandatory regulations on siting and operation would significantly reduce the number of birds killed.

"The notion that the wind industry is predominantly made up of small, environmentally conscious operations is one that must be quickly dispelled. Many of these are corporate-scale utility companies, not unlike coal and oil conglomerates, in business to make corporate-scale revenues, and with a checkered environmental track record to date. The industry could have been acting voluntarily to reduce bird mortality for more than 20 years, but has failed to do so," Fenwick said. "Voluntary guidelines will not change that paradigm, and will work about as well as voluntary taxes." For more information, contact Michael Fry, ABC, <m Fry@abcbirds.org>.

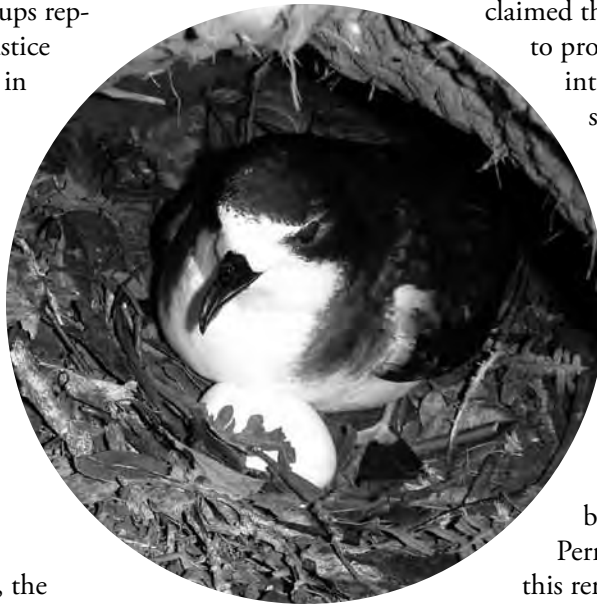
Luxury Hawaiian Resort Sued Over Seabird Deaths

ABC and three other groups represented by Earthjustice filed suit in Federal District Court in Hawai'i on May 6, 2010 against the St. Regis Princeville Resort on Kaua'i over the luxury resort's failure to prevent the ongoing deaths of rare, native seabirds in violation of the Endangered Species Act (ESA). The St. Regis is a property of Starwood Hotels and Resorts, which also owns the Westin, Sheraton, Four Points by Sheraton, W Hotels, and Le Meridien brands.

Hui Ho'omalū i Ka 'Āina, the Conservation Council for Hawai'i, the Center for Biological Diversity, and ABC are trying to protect two seabirds, the threatened Newell's Shearwater ('A'o), whose population on Kaua'i declined by an alarming 75% between 1993 and 2008, and the endangered Hawaiian Petrel ('Ua'u). Under the ESA, 'take' of either of these species is illegal without specific permits from the U.S. Fish and Wildlife Service.

During the late September to early December fledging season, Newell's Shearwaters and Hawaiian Petrels heading to sea are attracted to bright lights in and around the St. Regis on Kaua'i's north shore. Trapped in the lights' glare, the confused birds circle repeatedly until they fall to the ground from exhaustion or strike the resort's buildings.

Grounded Newell's Shearwaters and Hawaiian Petrels are highly vulnerable to predation by dogs, cats, and other mammals, as well as to being hit by vehicles, and to dehydration or starvation. Data from the Save Our Shearwaters (SOS) program indicate that, from 2000 to 2008, over one-quarter of the shearwaters downed by artificial lights on Kaua'i went down at that one resort. They recovered 60 birds in 2009, even though representatives of the St. Regis



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claimed that the resort had adopted measures to protect the birds, including dimming interior lights, lowering window shades, and keeping pool lights off.

However, recent visitors to the site found that none of these measures was being implemented. A hotel employee even reported that the staff was under orders to keep the lights on and the shades up.

The ESA requires the St. Regis to reduce the number of birds it kills and injures as much as possible, and to obtain an Incidental Take Permit for unavoidable take. To offset this remaining take, they are required to adopt a Habitat Conservation Plan to conduct offsite mitigation, which may include protecting the birds' breeding colonies from predators such as pigs, rats, and cats.

On March 24, 2010, the plaintiffs in the St. Regis case filed a similar suit against Kaua'i Island Utility Cooperative, whose power lines constitute the largest source of unpermitted and unmitigated take of Newell's Shearwaters and Hawaiian Petrels on Kaua'i. Like the St. Regis

case, the suit is intended to bring the utility into compliance with the ESA. On May 19, 2010, the Department of Justice filed a criminal indictment against the Cooperative for its past documented illegal take of seabirds. A judge in Hawai'i District Court will have to decide how the civil and criminal cases will be coordinated, but a settlement of the cases is expected to include payment of fines for violation of the ESA and the Migratory Bird Treaty Act, and measures to reduce and mitigate for any future take.

For more information, contact George Wallace, ABC, <gwallace@abcbirds.org>.

Hawaiian Petrel ('Ua'u) in nest burrow. Photo: Kaua'i Endangered Seabird Recovery Project

ABC Helps Increase Legal Protections for Hawaiian Birds

On March 10, 2010, responding to a 2007 petition filed by ABC and scientist Dr. Eric VanderWerf, the U.S. Fish and Wildlife Service (FWS) listed the 'Akikiki (also known as the Kaua'i Creeper) and 'Akeke'e (or Kaua'i Ākepa) as Endangered under the Endangered Species Act (ESA). Both species are native to the Hawaiian island of Kaua'i and were listed along with 46 other animals and plants that inhabit the island. Under the listing action, Critical Habitat was also designated for the two birds and 45 of the 46 other plant and animal species listed.

Today, there are estimated to be fewer than 1,400 'Akikikis left, based on surveys conducted in 2007. The population has declined sharply from approximately 7,000 birds in 1970, while its range had contracted from about 34 square miles to about 14 square miles in 2000. The population of the 'Akeke'e in 2007 was estimated to be 3,500 birds, fewer than half of the approximately 8,000 birds recorded in 2000. In addition, surveys in 2007 failed to find the species in many areas where it was previously observed, indicating there has been a range contraction.

The primary threats to the 'Akikiki and 'Akeke'e are habitat loss and degradation caused by invasive alien plants,

diseases (such as malaria and pox spread by introduced mosquitoes), predation by alien mammals, and catastrophes such as hurricanes. Some of these threats are severe in magnitude and are occurring over a significant portion of the species' ranges. The threat from avian malaria is expected to worsen as global warming increases temperatures in the highest parts of the island, where malaria transmission is currently limited and highly seasonal. Listing under the ESA will result in increased protection and funding for recovery efforts, such as fencing of habitat and removal of exotic predators and grazing ungulates.

Also, partly in response to comments from ABC, FWS made a major revision to the list of bird species protected under the Migratory Bird Treaty Act (MBTA), which included adding 24 Hawaiian species to the list. As a result, for the first time, all native Hawaiian bird species are now protected under federal law. The changes added 23 species of Hawaiian honeycreepers to the list. Now, species such as Hawai'i Amakihi, 'Apapane, and the declining I'iwi are protected. The Millerbird, endemic to the island of Nihoa in the Northwestern Hawaiian



'Akikiki (Kaua'i Creeper). Photo: Jack Jeffrey

Islands, is also now protected under the MBTA. In all, FWS added 186 species to the list and removed 11 others, resulting in a total of 1,007 species now protected under the Act. The Act is the fundamental federal bird protection law in the United States. Species appearing on this list are protected from take (killing, capturing, or attempts to kill or capture of adults, eggs, or nests) and from commercial use, unless authorized under migratory bird permits or hunting regulations. Contact George Wallace, ABC, <gwallace@abcbirds.org>.



'Akeke'e (Kaua'i Ākepa). Photo: Jack Jeffrey

Three California Condors Die from Lead Poisoning – Concern Over Additional Birds

After three years without a confirmed mortality due to lead poisoning, three California Condors in Northern Arizona died earlier this year from ingesting lead. The condors, including a female and her chick, were recovered by The Peregrine Fund, the organization responsible for the condor release program in Arizona. Necropsies to determine cause of death confirmed the presence of lead fragments in the digestive tracts of all three birds. Lead shuts down the condors' digestive system, which leads to starvation, weakness, and death.

In 1982, only 22 California Condors remained on Earth. They were all captured and made part of a breeding program undertaken by a coalition of federal and private wildlife conservation organizations as part of the Condor Recovery Program. As a result of that effort, there are now about 350 California Condors in existence, approximately half in captivity and the other half in the wild in release programs in California, Arizona, and Baja California, Mexico.

The three dead birds had been outfitted with satellite tracking equipment that allowed biologists to monitor their movements. The transmitters showed that the two adult birds had been foraging in Utah, outside of the local release area in northern Arizona, which is likely where they ingested the lead.

And just last month, a California Condor chick at the release site in Pinnacles National Monument near Soledad, California – the first chick to be born in a National Park in over a century – was found to have dangerously high levels

of lead in its blood. After initially treating the young bird in the nest, its condition degraded further. As a result, the National Park Service and condor recovery partner Ventana Wildlife Society decided to take the young bird, along with its male parent, which also tested positive for lead, to the Los Angeles Zoo. The female parent of the chick will also be tested as soon as she is trapped. The chick, which was born in late March, will undergo treatment along with its father, likely lasting one to three weeks.

Conservation partners in the Recovery Program continue to work with hunters in an attempt to reduce the amount of spent lead ammunition that threatens condors scavenging on gut piles and carcasses left in the field. The State of California requires hunters to use lead-free ammunition in historic condor areas. The Arizona Game and Fish Department started a voluntary non-lead ammunition program in 2003. Surveys show that 85% of Arizona hunters took measures in 2009 to reduce the amount of available spent lead in the condor's core range. The Utah Division of Wildlife Resources is implementing a similar program for hunters in the Utah Division of Wildlife Resources' Zion Wildlife Management Unit in southwestern Utah.

"Reducing the use of lead ammunition, at least in the condor's foraging range, must remain a priority," said Michael Fry, ABC's Director of Conservation Advocacy. "Education and outreach to the hunting community has been working well in Arizona, and that success needs to be duplicated in Utah. It is a major key to protecting one of the rarest and most spectacular birds on the planet." Contact Michael Fry, ABC, <mfry@abcbirds.org>.

Conservation partners in the Recovery Program continue to work with hunters in an attempt to reduce the amount of spent lead ammunition that threatens condors scavenging on gut piles and carcasses left in the field.



California Condors, such as this juvenile, continue to face significant poisoning threats from lead shot left in their habitat. Photo: FWS

History-making Decision Protects Key Seabird Areas in Peru

A new Peruvian Government declaration has, for the first time in South American history, created a formal network of protected areas for marine waters.

The announcement, made on December 30, 2009, added 22 so-called “guano islands,” 11 peninsulas (guano reserves), and adjacent waters along Peru’s coast to the country’s national system of protected areas. These guano reserves support dense nesting colonies of millions of seabirds, including the endangered Peruvian Diving-Petrel, and ten vulnerable species, such as the Humboldt Penguin.

“American Bird Conservancy is hopeful that this new declaration has the teeth of regulation and enforcement to support and protect important, and in some cases endangered seabird populations,” said Jessica Hardesty

Norris, ABC’s Seabird Program Director.

The newly designated areas cover about 350,000 acres, including protections extending two miles into surrounding waters. This action by the Peruvian Government has been awaiting approval since it was first presented in 2001.

The guano that accumulates at these seabird colonies is a much sought-after organic fertilizer, and drove Peru’s economy for decades. In fact, the guano islands of Peru were once an international model of excellence in seabird management, but excessive guano extraction led to population crashes at the turn of the 20th Century. As a result, Peru implemented strict protections for the islands that controlled the collecting of guano for minimal impacts to the birds that produced it.

These improvements quadrupled the bird populations by the early 1960s. Unfortunately, the guano market crashed with the advent of chemical fertilizers, and as a result, protections were reduced. When the once-thriving colonies were left under-protected, many quickly succumbed to introduced predators and human disturbance, including harvest of the birds.

“The new protections put in place by the Peruvian government may be just the shot in the arm that these seabird colonies need to recover to their former levels,” said Norris. “We will keep a close watch on seabird nesting in coming years to see whether we get the desired results.”

Contact Jessica Hardesty Norris, ABC, <jhardesty@abcbirds.org> for more information.

Administration Issues New Rules to Limit Mountaintop Mining

In response to scientific consensus about irreversible environmental damage and growing public opposition, the Obama Administration has taken a series of concrete steps to halt mountaintop mining/valley fill operations in Appalachia. This form of mining, where entire mountaintops are removed and the waste rock dumped into adjacent valleys, is a major cause of forest loss and fragmentation. This is a special concern in the Appalachians, which provides interior forest habitat needed by the Cerulean and Kentucky Warblers, Wood Thrush, and other species.

The Environmental Protection Agency (EPA) signaled the new direction when they denied the permit for the Spruce No. 1 mine, the largest proposed mountaintop mine in the country, because the project would have buried over seven miles of mountain

streams and destroyed 2,278 acres of forestland.

This was followed by new rules to limit valley fill operations, which are necessary to make mountaintop removal mining economical. The EPA found that as water flowed down through the mine waste, the runoff picked up large quantities of salts and minerals such as selenium, which is toxic in high concentrations. EPA released a study that found that these pollutants were devastating aquatic life downstream.

Under the rules, which apply to new permits, no valley fill operations will be allowed if they exceed the new runoff limits. Few existing valley fill permits could meet the new salinity standard, which is about five times the normal level. If the mining companies want to proceed with mountaintop removal mining operations, they will

now have to develop alternatives to properly dispose of the mining waste.

“You’re talking about no, or very few valley fills that are going to meet this standard,” said EPA Administrator Lisa Jackson.

This decision marks a major change in Administration policy, and is a huge victory for the environment and birds. ABC has been a vocal opponent of mountaintop removal coal mining, and has encouraged the public to contact their elected officials in support of Clean Water legislation that would further protect Appalachian streams.

To take action, visit ABC’s action site at www.abcbirds.org/action. For more information, contact Steve Holmer, ABC, <sholmer@abcbirds.org>.

Texas Coal Plant Raises Red Warnings Flag for Birds

ABC has asked the U.S. Army Corps of Engineers to deny the permit for the 1,320-megawatt White Stallion coal plant proposed for construction on a 1,200-acre site on the Colorado River near Bay City in Matagorda County, Texas.

In a letter to the Corps and the Environmental Protection Agency, ABC's Vice President of Conservation Advocacy, Darin Schroeder, stated "...operation of the coal plant will have an impact on one of the nation's most significant areas of native coastal habitats for birds; where early winter species avian diversity is among the highest in the United States, an area that supports a large breeding population of water birds, and where massive numbers of migrating birds pass through during the spring and fall."

Nearby Mad Island Marsh has been designated a Globally Important Bird Area by ABC because of its value to thousands of wintering waterfowl, shorebirds, and wading birds,

including significant numbers of Sandhill Cranes, Reddish Egrets, Sprague's Pipits, and Le Conte's and Seaside Sparrows.

According to ABC, discharge from White Stallion will increase emissions of nitrogen oxide, mercury, and lead, all of which have negative impacts on birds and humans.

White Stallion would also pull 36,000 acre-feet of water from the Colorado River every year, reducing needed availability to shorebirds. In addition, increased activity from the barges that would deliver coal every day would contaminate water with toxic runoff and erode embankments, likely impacting nesting success. The proposed site is situated in a 100-year floodplain, and in the event of extreme weather, toxic waste could wash into public waterways, creating an environmental catastrophe.

For more information, contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.

Shorebirds, Other Wildlife Draw Short Straw in Cape Hatteras Off-Road Vehicle Management Plan

The National Park Service (NPS) continues with development of a long-overdue and controversial Final Environmental Impact Statement and an Off-Road Vehicle (ORV) Management Plan for the 30,000-acre Cape Hatteras National Seashore. NPS is now reviewing comments submitted during five public meetings held in April in North Carolina, as well as other comments received before the May 11 deadline.

The purpose of the plan is to properly manage ORV use and access to the seashore for the next 10-15 years in a manner compatible with the preservation of natural and cultural resources. In their draft plan, NPS proposed a preferred alternative where ORVs would be prohibited year-round on only 16 of the 68 total miles of beach. ABC, The Wilderness Society, Defenders of Wildlife, and Preserve Hatteras have criticized this choice.

"ORV use would be allowed to one degree or another in over three-quarters of the park under the preferred management alternative. Given the correlation of increased ORV use with significant impacts to birds, ORV use should be *prohibited* in three-quarters of the park," said ABC President George Fenwick.

Cape Hatteras National Seashore provides important habitat for the threatened Piping Plover, and other shorebirds,

waterbirds, and sea turtles. High-volume ORV use deters birds and turtles from nesting areas; crushes nests, eggs, and chicks; and prevents hatchling turtles from reaching the ocean. Beach driving also causes pollution, erosion, and habitat degradation.

In recent years, ORV use has increased exponentially, with as many as 2,200 vehicles traveling on the beach in a given day. This increase in vehicle use has coincided with a 49% decrease in American Oystercatcher numbers at Cape Hatteras over the last decade, as well as steep declines in the numbers and breeding success of numerous other species of shorebirds and turtles.

"Protection of the natural resources and wildlife of the area should come first and be based on the best scientific information available. Recreational beach use should be consistent with this protection," said Fenwick.

For more information, contact Darin Schroeder, ABC, <dschroeder@abcbirds.org>.



New Species of Bird Discovered, Named After ABC President and Family

A species of bird new to science has been discovered and named after ABC President George Fenwick and his family. The new species of antpitta, native to Colombia, South America, was announced at a ceremony in May at the residence of the Colombian Ambassador, Carolina Barco. The bird is named Fenwick's Antpitta (*Grallaria fenwickorum*).

The announcement was made after a comprehensive two-year study and review process following the bird's discovery in 2008. The capture and evaluation process itself was remarkable in that it is one of the first times that a new species has been described from an individual captured, banded, measured, photographed, sampled for DNA, and then released alive back into the wild.

"I am deeply honored by this naming. I know it reflects in equal parts on the contributions of my family and the ABC organization, both of which have sought to further bird conservation efforts in Colombia," Fenwick said.

"I am especially pleased that this effort was achieved without the loss of

the bird's life. Rare and special birds, especially those on land set aside for conservation, should not have to be sacrificed to the scientific identification process," he added.

"Your family and ABC have done much in the last 15 years in the name of Colombian bird conservation, and I look forward to continued great accomplishments in the decades to come," said Ambassador Barco.

The bird that provided the so-called "holotype" for the description was captured in the Colibri del Sol Bird Reserve located in the western Andes of Colombia. The reserve is managed by Fundación ProAves, Colombia's leading conservation organization and an ABC partner. The 11,322-acre reserve, founded in 2005, is known for a stunning array of threatened birds, including the critically endangered Dusky Starfrontlet that was rediscovered in 2004 after being "lost" for over 50 years, and which provided the initial impetus for the Fenwick family's support to establish the bird reserve.

The new bird species inhabits a highly restricted area of montane cloud



Fenwick's Antpitta (*Grallaria fenwickorum*).
Photo: Fundación ProAves, www.proaves.org

forest, where dwarf bamboo thickets thrive on rich volcanic soils on the less-humid eastern-facing slopes; this habitat has undergone extensive clearance for pasturelands in recent decades. The bird has been proposed as Critically Endangered under IUCN-World Conservation Union criteria, with a population described as extremely small and of great conservation concern.

Fenwick's Antpitta is a medium-sized, cinnamon and gray colored bird with a height of about seven inches and weighing only about two ounces. It is distinguished from its nearest relative, the Brown-banded Antpitta, by the complete lack of a brown breast band (with the breast instead being uniform slate gray) and lighter brown dorsal plumage. Its vocalizations are also distinct. The bird is shy, spending its time foraging on insects in the leaf litter, occasionally ascending to sing from bamboo stands.

Photos of Fenwick's Antpitta are available at www.flickr.com/photos/proaves/sets/72157623898966996



Left to right: Alonso Quevedo, President of ProAves; Rita Fenwick, George Fenwick; and David Caro, Exec. Director of ProAves. Photo: Gavin G. Shire

Alliance for Zero Extinction and Secretariat of the Convention on Biological Diversity Join Forces

Two major global biodiversity groups – The Alliance for Zero Extinction (AZE) and the Secretariat of the Convention on Biological Diversity (CBD) – are partnering through a new cooperative agreement to prevent species extinctions and maintain ecosystems and habitats at key sites for endangered species.

CBD is an international treaty to sustain the diversity of life on Earth. AZE is a global alliance to prevent the extinction of species. A Memorandum of Understanding between the two groups was signed as the first agenda item during a CBD plenary session held at the United Nations complex in Nairobi, with more than 700 people in attendance, including delegates from 193 countries.

“This Memorandum will help us better prevent species extinctions by establishing a collaborative framework between the CBD Secretariat and AZE, and specifically defining areas of cooperation,” said Mike Parr, Chairman of AZE and ABC Vice President.

Areas of cooperation identified in the Memorandum include:

- Use of AZE expertise to support implementation of the revised and updated CBD Strategic Plan, particularly regarding the target of zero species extinctions;
- AZE’s assistance to CBD parties in integrating the zero extinction target into national biodiversity strategies and action plans;
- AZE’s establishment of a forum on best practices and lessons learned;
- AZE’s assistance in the implementation of CBD’s work program on communication, education, and public awareness, in particular, International Day for Biodiversity, International Year of Biodiversity, and the International Decade on Biodiversity;

In 2001, biodiversity conservation scientists came together over a common concern: that landscape-based conservation approaches alone could not conserve all species, and that many extinctions would occur imminently if key sites were not identified and protected. These concerns led to the formation of AZE, a global initiative of biodiversity conservation organizations that aims to prevent extinctions by identifying and safeguarding key sites where endangered or critically endangered species are in imminent danger of disappearing. To date, AZE has identified 595 sites that each represents the last refuges of 794 of the world’s most highly threatened species.

ABC serves as Chair of the organization and has been a leading member since its creation. ABC has also been actively involved in conservation at a number of AZE sites, and has helped partner groups in Colombia, Ecuador, and Peru purchase more than 45,000 acres to create ten new private bird reserves and expand three others for AZE species. These include the Chestnut-capped Piha, Colorful Puffleg, Blue-billed Curassow, Long-whiskered Owllet, Jocotoco Antpitta, and Pale-headed Brush-Finch. Contact Benjamin Skolnik, ABC, <bskolnik@abcbirds.org>.

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Long-whiskered Owllet: ECOAN



Blue-billed Curassow: Fundación ProAves, www.proaves.org



Chestnut-capped Piha: Fundación ProAves, www.proaves.org

Parrot Once Thought Extinct Now Numbers Over 1,000

In a move that rarely happens, the International Union for Conservation of Nature (IUCN) and BirdLife International announced that the global status of the Yellow-eared Parrot is being downgraded from “Critically Endangered” to “Endangered.” The action recognizes the remarkable achievements of ABC, its Colombian partner Fundación ProAves, and Fundación Loro Parque, in conserving the species.

The birding and wildlife communities rejoiced in 1998 when ProAves, funded by ABC and Loro Parque (a Spanish parrot conservation organization), rediscovered a colony of 81 Yellow-eared Parrots in the Andes of Colombia. The species had been thought extinct for 50 years.

That jubilation was tempered by the fact that a new responsibility and challenge needed to be faced—protecting the environment around these birds and growing the colony to levels that would better ensure its long term viability. The IUCN/Birdlife announcement confirms that the challenge is being successfully met, with the Yellow-eared Parrot population now standing at more than 1,000 individuals.

“Today, almost 11 years later, we see the results of the ongoing work of over 180 individuals and 47 organizations around the world. This also includes contributions by local communities as well as success in research, conservation, and environmental education activities,” said Alonso Quevedo, President of ProAves.

“This stunning and truly remarkable success shows what can be achieved when committed organizations, institutions, and individuals come together with a clear and common purpose—to save a species,” said ABC’s President George Fenwick.



Yellow-eared Parrot: Fundación ProAves, www.proaves.org

*Despite the success to date,
conservation efforts continue with
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becomes a common sight across
the Andes of Colombia.*

Fundación ProAves implemented several major initiatives to help save the Yellow-eared Parrot. In 2009, the Parrot Conservation Corridor was established to protect the population, which included the acquisition of over 10,000 acres of habitat that had undergone significant reforestation. A nest box program was another conservation tool begun in 2003 that has provided many new nest sites and directly increased the parrot population.

Another important effort has involved the wax palm, Colombia’s national tree, which is critically important to the survival of the parrot, and which is itself in danger of extinction. With the support of Conservación Internacional Colombia, a campaign was successfully instituted to reduce the use of the wax palm for Palm Sunday celebrations by the Catholic Church in Colombia, which whole-heartedly supported the campaign. Residents now use the fronds of an introduced palm, allowing wax palm numbers to recover.

The Yellow-eared Parrot conservation effort was further advanced by the support and commitment of local governments, rural communities and environmental education projects such as the Loro Bus, a mobile classroom that has helped spread the message of conservation of this and other parrots to more than 120,000 children in 17 departments and 43 municipalities in Colombia.

Despite the success to date, conservation efforts continue with the hope that the spectacular Yellow-eared parrot once again becomes a common sight across the Andes of Colombia.

Unfortunately, the IUCN/BirdLife announcement on the parrot was accompanied by news that they are raising the threat category for two other birds in the Americas, the Zapata Rail (Cuba) and White-bellied Cinclos (Peru), to Critically Endangered due to increasing conservation concerns.

For more information, contact Sara Lara, ABC, <slara@abcbirds.org>.

Birds in Brief

First Ever WHSRN Shorebird Site Designated in the Caribbean

In February 2010, the Western Hemisphere Shorebird Reserve Network (WHSRN) approved the nominations of the first Caribbean site into its network. The 1,249-acre Cabo Rojo Saltflats, located within the Cabo Rojo National Wildlife Refuge on the island of Puerto Rico, was approved as a Site of Regional Importance due to high concentrations of Snowy Plover and Wilson's Plover. Both plover species are on the U.S. WatchList of birds of concern.

WHSRN is a conservation strategy launched in 1986 that strives to protect key habitats throughout the Americas in order to sustain healthy populations of shorebirds. A key part of this strategy is the designation of important shorebird areas. Areas can be categorized for hemispheric, international, or regional importance. To date, WHSRN site partners are conserving more than 29 million acres of shorebird habitat.

Sprague's Pipit May Be Declared Endangered

In April 2010, the conservation group WildEarth Guardians filed a federal lawsuit against the Secretary of the Interior Ken Salazar for failing to list the Sprague's Pipit as an endangered species. Sprague's Pipit is a small songbird that breeds in the short- and mixed-grass prairies of North America, and overwinters in the south-central U.S. and in northern Mexico. The species is currently considered globally vulnerable, according to IUCN-World



Sprague's Pipit: Greg Lavaty

Conservation Union criteria, and is also listed on the U.S. WatchList as a declining species. The Sprague's Pipit is especially threatened by the degradation of its native grasslands, which has led to dramatic declines in its population throughout its range. According to the lawsuit, the Fish and Wildlife Service has failed to meet the deadline to list the pipit under the U.S. Endangered Species Act following a petition filed in October 2008.

Now You Can Prevent Birds from Colliding with Your Windows

American Bird Conservancy has made available online a new flyer that offers a variety of tips on how to reduce the chances of birds flying into home windows and glass doors. In addition to describing techniques homeowners can follow, the publication also recommends several different suppliers from whom materials can be purchased to make homes collision-resistant for birds. Scientists estimate that 300 million to one billion birds die each year from collisions with glass, the majority of which is on homes. Meanwhile, ABC is scientifically testing different anti-collisions materials to determine which are most effective, and whether

there are any new materials that would dramatically reduce collisions. To see the new flyer, visit www.abcbirds.org/abcprograms/policy/collisions_flyer.pdf.

Watch New Video of Successful Western Bluebird Reintroduction Project

Efforts to reintroduce Western Bluebirds to their historic breeding grounds on the San Juan Islands of Washington State are succeeding following the relocation of adult pairs from Fort Lewis. Biologists are reporting that the population on the islands has now reached ten pairs. Since 2007, 29 pairs of bluebirds, have been captured at the Fort Lewis Military Base and transported to San Juan Island including four pairs with dependent nestlings. To date, there have been at least 15 successful nesting attempts on San Juan Island following the reintroductions, and 73 young have fledged. Both adults and young have returned to nest on the island, indicating the success of the reintroduction techniques, and providing hope that the goal of establishing a viable breeding population will be achieved.

Learn about this ongoing success story by watching the latest Bird News Network video by ABC at www.youtube.com/abcbirds.



Western Bluebird: Alan Wilson



Mexican Spotted Owl Critical Habitat Designation Stands

The Ninth U.S. Circuit Court of Appeals has upheld a decision to set aside 8.6 million acres as Critical Habitat for the Mexican Spotted Owl. The decision had been challenged by the Arizona Cattle Growers Association, who claimed that the designations should be reversed as no owls were present in large areas of the designated habitat. However, the court declared that the law did not require the species to be continuously present for an area to be classified as "occupied". The judges also dismissed arguments that the federal agency had not properly considered economic impacts when making the decision.

Erratum

In the last issue of *Bird Calls*, the article *Barbed Wire Fences Take Significant Toll on Imperiled Greater Sage-Grouse* stated that a study by biologists with the Wyoming Fish and Game Department had yielded 146 sage-grouse deaths over a period of seven months along a 4.7-mile-stretch of barbed wire fence. The authors have revealed that there was an error in the published paper, and that the time period should have been 31 months. Despite this, it seems evident that barbed wire fences cause significant sage-grouse mortality (approximately one bird per mile per month for the study area) a threat that should be addressed to help with this species' conservation.

Website Launched to Help Save Endangered Bird Species

ABC and partners in 12 countries throughout the Americas recently launched an ecotourism website, www.conservationbirding.org, designed to promote birding tourism at bird reserves throughout Latin America. Increased ecotourism will help generate the finances needed to further conservation efforts at these unique places, which protect some of the world's rarest bird species.

The website has been designed to help visitors plan their birding trips by presenting detailed information



on the reserves and their ecologies. A Google Earth component adds another dimension to the site, presenting suggested routes, photographs of lodges and birds, and videos of rare and interesting species.

To view the site further, visit www.conservationbirding.org



Royal Cinclodes:
Valère Claverie

ABC's Legacy Circle

The Future for Birds

You can help secure the future for wild birds and their habitats by making a planned gift that includes American Bird Conservancy. A growing number of our supporters have named ABC as a beneficiary of their wills, trusts, retirement plans, or insurance policies. When you establish a bequest or other planned gift to ABC, we welcome you into our Legacy Circle in recognition of your commitment to the future of bird conservation.

The best assurance for the future of ABC is the endowment of its core mission—safeguarding the rarest species, conserving and expanding habitat, and eliminating threats to all birds. We invite you to join the Legacy Circle by making a gift that endures. You can ensure that ABC will be a champion for wild birds in the Americas for generations to come.

For more information about planned giving with ABC or the Legacy Circle, please contact Jack Morrison at 540-840-7893 or jmorrison@abcbirds.org

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Threats to Birds Come in All Shapes and Sizes

WIND TURBINES invasive plants *FERAL CATS* OIL SPILLS
brown tree snakes *GILL NETS* **West Nile Virus** **LEAD**
LONGLINE FISHING *glass buildings* *COMMUNICATION TOWERS*
FIRE ANTS **FLOATING PLASTICS** **MOUNTAINTOP MINING** **pesticides**
AVIAN INFLUENZA **black rat** *climate change* **DEFORESTATION**

Human actions take an astounding toll on bird populations, from the millions of birds killed by free-roaming cats, to the scores killed by collisions with glass and other man-made structures, to the insidious effects of pesticides. Now we face the fallout from one of the largest environmental disasters of our time, the Deepwater Horizon oil spill. But ABC has a proven record of mitigating these threats and providing a voice for birds.



Newell's Shearwater: Jack Jeffrey

ABC Gets Results

- Due to our efforts to cancel and restrict pesticides, bird deaths from pesticide poisonings have dropped from an estimated 67 million birds per year in 1992 to approximately 15 million per year today. Your continued support can help save millions of other birds.
- ABC recently reached agreement with the communications industry to require mandatory public notice and assessments on proposed towers over 450 feet in height (the deadliest for birds). These guidelines could save more than 3 million birds annually.

- Over the last thirty years, approximately 30,000 endangered Newell's Shearwaters were killed or wounded by collisions with man-made structures. ABC, Earthjustice, and other groups filed suit and won an indictment against the offenders, successfully defending the species. Your support will help us continue to protect shearwaters and other endangered birds.

Help ABC today by using the enclosed envelope to make an additional gift, or save a stamp and give online at www.abcbirds.org.