

Bird Calls

FEBRUARY 2013 | Vol. 17, No. 1



Lesser Prairie-Chicken May Get Federal Protection

The Lesser Prairie-Chicken, an iconic western bird that shares its shrinking habitat with everything from cattle herds to wind farms, may soon be added to the list of plants and animals whose rangelands are protected by the federal Endangered Species Act. Best known for its stomping, booming mating dances, these 1-2 pound brown-banded game birds used to be abundant in the short-grass prairies found in Colorado, Texas, Oklahoma, Kansas, and New Mexico. Now more than 80 percent of those grasslands are gone, the rest are highly fragmented, and Lesser Prairie-Chicken counts have declined dramatically.

ABC and other environmental groups have been arguing for years that the Lesser Prairie-Chicken deserves a spot on the Endangered Species List. In 1998, the U.S. Fish and Wildlife Service (FWS) ruled that such a listing was “warranted but precluded” by the need to deal with “higher priority” species of concern. That move put the Lesser Prairie-Chicken on what is commonly known as the “Endangered Species Waiting List,” where some rare species have languished for decades.

Now, as part of a settlement agreement linked to a listing lawsuit filed by the Center for Biological Diversity, FWS has formally proposed to classify the Lesser Prairie-Chicken as a Threatened species, a term applied to species found likely to be at risk of extinction in the foreseeable future and thus in need of federal protection.

The listing proposal was published in the December 11, 2012 issue of the *Federal Register*, initiating a 90-day public comment period. Comments should be plentiful, since oil companies, cattle ranchers, and wind power companies

have long been fearful that an ESA listing for this species could mean costly new land-use restrictions (*Bird Calls*, Vol. 15, No. 3). Environmental groups called the proposal welcome but long overdue.

“The status of the Lesser Prairie-Chicken is a proxy for the status of the stunning prairie lands that used to cover large parts of this country,” said Steve Holmer, Senior Policy Advisor at ABC. “It’s our hope that this proposal will spur further conservation efforts to help both the species and the ecosystem recover.”

This listing proposal has lent urgency to region-wide efforts to develop voluntary conservation plans that would protect the Lesser Prairie-Chicken by connecting and restoring crucial bits of western prairie grassland, and by finding ways to mitigate ongoing threats to the existence of the species. Those ongoing threats include conversion of grasslands to tilled agriculture, the rapid spread of invasive grasses, habitat changes linked to oil drilling and mining activities, excessive grazing, and fire suppression. Fences, power lines and wind turbines can also pose problems, since this species will not nest near human structures.

FWS and other federal agencies are helping the affected states develop these voluntary conservation plans; conservation agreements are already in place in Texas, New Mexico, and Kansas, and another plan is being developed in Oklahoma. The Natural Resources Conservation Service is providing funding for some of these programs.

It could be a year before FWS issues a final a ruling on the listing plan.

TOP: Lesser Prairie-Chicken: Eleanor Briccetti

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ABC's Hawaiian Bird Film Wins International Prize

Endangered *Hawai'i*, a video about the ongoing extinction crisis facing Hawai'i's endemic birds, was awarded the International Jury Prize at EKOFILM - International Film Festival on the Environment and Natural and Cultural Heritage. The EKOFILM Festival has long been one of the leading environmentally-oriented festivals in the world, twice recognized as the top festival of its kind. The festival was first held in 1974, and is hosted in the city of Ostrava in the Czech Republic.

"We are thrilled to receive this award," said George Wallace, the senior writer and director of the film and Vice President for Oceans and Islands at ABC. "We hope it will bring more attention to Hawai'i's stunning birds, the threats they face, and the actions we can take now to save them."

More than 70 species of bird have gone extinct since Europeans first arrived on the Hawaiian Islands (*Bird Calls*, Vol. 11, No. 3). Many more are in serious decline, earning

Hawai'i the unfortunate nickname of "bird extinction capitol of the world."

Wallace thanked the actor Richard Chamberlain for donating his time and narration skills to the film. "He helped give this video the sense of urgency that it deserves," said Wallace. "I am sure that Richard is one of the main reasons why this video has been so well-received."

Chamberlain remarked that the video was "something that I had to be a part of," adding that he has long thought of Hawai'i as one of the world's most treasured jewels. "I lived there for many years, so I could relate to what was happening to its environment. The video was a wonderful opportunity to give back. I'm thrilled to have been able to contribute."

ABC produced this film with funding from the National Fish and Wildlife Foundation. DVDs are available for \$9.95 plus shipping at www.abcbirds.org/abcprograms/oceansandislands/hawaii/endangered_hawaii.html

Palila Still Declining in Hawai'i

Two recent studies by the U.S. Geological Survey and collaborators including ABC have found that populations of the Palila, a highly endangered honeycreeper found only in subalpine forest on Mauna Kea, Hawai'i, have steeply declined over the last 10 years. The study also found that other endemic Hawaiian birds sharing this habitat, including the Hawai'i 'Elepaio, the 'Apapane, and the 'I'iwi, have been negatively affected.

The Palila population peaked in 2003 at nearly 6,500 birds, but dropped to approximately 2,200 birds in 2012 – a 66 percent decline. The species' range also continued to contract. It was detected in a block of less than six square miles of forest, despite surveys throughout the species' nearly 95 square miles of designated critical habitat on Mauna Kea. In 2008, Palila were consistently found in a forested area more than four times larger.

Numerous factors impact Hawai'i's subalpine forest, but the two biggest are extreme recent drought and nearly 200 years of browsing by exotic grazing animals. Drought reduces food availability, particularly māmane seeds (the primary Palila food), reducing Palila breeding success and survival.

Cattle, goats, and sheep have been grazing on Mauna Kea since their introduction in early 1800s. These species have destroyed and degraded the native Hawaiian forests and suppressed regeneration, leading to long-term decline of the Palila and other bird species. Excessive grazing worsens the effects of drought, as does competition from invasive plants.

2013 will be a year of significant progress for the conservation of the Palila. The State of Hawai'i, with funding support from the U.S. Fish and Wildlife Service, is constructing a 52-mile fence to exclude goats, sheep, and



Although Palila populations have declined over the past 10 years, conservation measures, including fencing the birds' most important habitats, are expected to help the species rebound. Photo by Peter LaTourrette, birdphotography.com

and cows from the majority of the Palila's designated critical habitat within the state's Mauna Kea Forest Reserve and Ka'ohe Game Management Area. In addition, a strategy to eradicate the grazing animals from within the fenced area is under development. The fence could be completed within several years, and implementation of portions of the eradication strategy could come even sooner.

Corporate Defiance Keeps Dangerous Rat Poisons On The Market

The Red-tailed Hawk known as Pale Male built a nest on the ledge of an exclusive Fifth Avenue apartment building near New York City's Central Park in the early 1990s. Soon he became a local celebrity with his own Facebook page, website, and YouTube video.

But Pale Male's story has been bittersweet. Last year, the 22-year-old hawk's mate died after eating poisoned rats. Pale Male found a new mate, but their three chicks were exposed to rat poisons as well. One died, and the others needed life-saving treatments. Pale Male himself still faces danger every day from the widespread use of rat poisons.

Raptors everywhere face the same threat. A San Francisco wildlife hospital, WildCare, received Great Horned Owl Patient #1709 in November. The owl was dead on arrival. This bird had been a neighborhood mascot of sorts, often spotted near a popular walking trail. As with 74 percent of the predators admitted by WildCare this past year, the owl tested positive for exposure to rat poison. A necropsy revealed two widely used rodenticides, brodifacoum and bromadiolone.

As the leader of the National Pesticide Reform Coalition, American Bird Conservancy has sought to rein in the use of these rat poisons. We have been presenting testimony, conducting outreach to manufacturers and retailers, and assembling incident reports on pets and wildlife killed by these poisons. Partly as a result of these actions, the U.S. government now recognizes that rat baits are harming a lot more than rodents: they are killing raptors, poisoning pets, and sickening

kids. The Environmental Protection Agency (EPA) ordered companies to take specific steps to improve safety. Those steps are hardly outlandish, and most manufacturers – as well as some national retailers – have been quick to conform. Yet Reckitt Benckiser, whose brands fill the pantries and laundry rooms of homes throughout America, chose to fight the EPA's science-based conclusions. They are carrying out unprecedented stalling tactics while their d-CON rat poisons continue to cause gruesome deaths in hawks, owls and other raptors, as well as in dogs and cats.

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Approximately 10,000 children are accidentally exposed to the poison baits each year. The effects are disproportionately borne by children from low-income families.

In 2008, EPA concluded that certain rat-poison products cause “unreasonable risk” under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). As a result, EPA ordered companies to re-formulate these products in protective bait stations and to stop marketing “second generation” anti-coagulants on the consumer market, instead limiting their sale to large containers from agricultural stores. EPA wants to stop equipping every homeowner with a nuclear missile when a slingshot will do.

EPA gave the companies three years to comply with the safety improvements called for in its 2008 decision. Most companies made the necessary adjustments. But the \$37 billion company Reckitt Benckiser, maker of products ranging from Woolite and Lysol to French's Mustard, chose to defy the EPA. They even signed up a former member of Congress to contact Senators and Representatives urging them to stall the cancellation process. The company continues to sell its d-CON poisons as loose pellets and pastes and to peddle the most toxic formulations to residential consumers.

On February 6, 2013, the EPA announced in the Federal Register that it is moving to ban the sale of 12 d-CON mouse and rat poison products that fail to comply with EPA safety standards. The company has 30 days to appeal, and they say that they plan to do so.

The degree of corporate recalcitrance in this case is unparalleled in recent history. When EPA issues a Risk Mitigation Decision under FIFRA, it is standard practice for companies to comply. Sometimes the affected industries negotiate a compromise. But to outright refuse to conform to a Risk Mitigation Decision under FIFRA, and then to tie up the agency in years of administrative and judicial proceedings, has not happened in more than 20 years.

Although these tactics are not illegal, they drain public resources and delay measures that would protect children, wildlife, and pets. These companies are also gaming the regulatory system to gain an advantage over more ethical

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Dangerous Rat Poisons Kept On Market

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Corporate intransigence continues to put lethal poisons in the way of raptors, such as this Red-tailed Hawk, and many other species. Photo by Michael Stubblefield.

competitors, such as Bell Laboratories, that have complied with the EPA's order.

ABC applauds those companies that have put children's health and animal welfare above corporate profits. We are heartened by Bell Laboratories' decision to follow the rules, and by Good Housekeeping's announcement that d-CON products will no longer carry its Seal of Approval. We are encouraged by Target and other retail chains which have pulled from their shelves rodenticide products that do not comply with the EPA directive.

ABC is approaching other retailers, including Walmart, Home Depot, and Lowe's, urging them to show similar leadership.

Raptor predation is an important adjunct to snap traps, electrocution, and other rodent-control approaches. Great Horned Owls like Patient #1709 consume about five medium-sized rodents per day, while Pale Male and his fellow Red-tailed Hawks will dine on roughly three. Let's work together to support Pale Male, his heirs, and their fellow rodent-control champions.

Study Finds California Bird Is Among the Nation's Rarest

The current population of the Island Scrub-Jay, a brightly colored blue and gray bird found only on California's Santa Cruz Island, is only one-fifth of what experts had previously believed, according to a new study led by the Smithsonian Institution's Migratory Bird Center in Washington D.C. The study was published in the journal *Ecological Applications*.

"The bad news is that we only have about 2,500 of these birds left, a very small number for any species," said lead author Dr. Scott Sillett of the Smithsonian's Migratory Bird Center. "The good news is that we are seeing an increasing population trend. It appears that there has been about a 20-30 percent population increase in the last 25 years, owing to a series of conservation actions on the island."

The study observed that the Island Scrub-Jay population is now smaller than that of many of species currently listed as Threatened or Endangered in the United States; however, neither the federal government nor the state of California has listed the species as Threatened.

"Whenever a species only exists in small numbers in a single location, it is cause for concern," said ABC Vice President Mike Parr. "That concern is heightened when the location in question is a relatively small island. Islands are especially vulnerable to introduced predators, severe weather, and climate change impacts that could threaten the survival of this bird."

The authors of the study take a cautiously optimistic view on the future of the Island Scrub-Jay, noting that:



The Island Scrub-Jay occupies an extremely limited territory, occurring only on California's Santa Cruz Island. Photo by Laura Erickson.

"The entire range of [the Island Scrub-Jay] is protected in Channel Islands National Park...nevertheless, our population estimates, coupled with the species' restricted range and low... diversity underscore [its] vulnerability to natural disasters and West Nile virus."

New Study Reports That Outdoor Cats Kill “Staggering” Numbers of Birds and Mammals

Outdoor cats kill at least 1.4 billion birds and 6.9 billion mammals every year, according to the most extensive study of cat predation ever undertaken. Those death tolls, far higher than all previous estimates, have triggered new calls for controls on outdoor cat populations.

“The carnage that outdoor cats inflict is staggering and can no longer be ignored,” said ABC President George Fenwick. “This is a wake-up call for cat owners and communities to get serious about this problem before even more ecological damage occurs.”

The peer-reviewed study was co-authored by Scott Loss and Peter Marra, research scientists at the Smithsonian’s Migratory Bird Center, and by Tom Will, a research scientist with the U.S. Fish and Wildlife Service’s Division of Migratory Birds. It has been published by the online journal *Nature Communications*.

After systematically reviewing more than 170 previous cat predation studies, the authors estimated that outdoor cats kill between 1.4 billion and 3.7 billion birds per year. The estimated death toll for mammals ranged from 6.9 to 20.7 billion per year.

These new estimates show that outdoor cats are responsible for more bird and mammal deaths than “any other



Cat with Barn Swallow: Marge Gibson

Unowned cats — including feral cats in TNR colonies found all over the country — were said to kill at least 900 million birds a year. The authors add that efforts to create more TNR colonies in the United States are currently being implemented “without widespread public knowledge, consideration of the scientific evidence or the environmental review processes typically required for actions with harmful environmental consequences, partly by determining that outdoor cats with owners kill at least a half billion birds per year.”

Native bird species were found to make up the majority of the birds

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George Fenwick, President, ABC

anthropogenic (human-caused) mortality source.” Other man-made bird and mammal killers include pesticides and collisions with windows and communications towers.

ABC had previously estimated that outdoor cats kill 533 million birds each year – a number that some animal welfare groups dismiss as wildly inflated. Those groups have long argued that large colonies of feral cats can be controlled by so-called “Trap-Neuter-Return” (TNR) programs, and that owned cats left to roam outdoors do not kill many birds or mammals.

This study results seem to refute those arguments.

preyed upon by cats. Studies of the mammals killed in urban and suburban areas concluded that the most common prey species were mice, shrews, voles, squirrels and rabbits. All of these mammals are important food sources for birds of prey such as hawks, owls and eagles.

“The very high credibility of this study should finally put to rest the misguided notions that outdoor cats represent some harmless new component to the natural environment,” said George Fenwick. “Every time we lose another bird species or suppress their population numbers, we’re altering the very ecosystems we depend on as humans.”



Cat with Gila Woodpecker: Dawn Grafe, FWS

Energy Company Pleads Guilty In Bird Deaths

A Denver-based oil and gas company has been fined \$22,500 in connection with the deaths of birds at the company's drilling facilities in Montana, Wyoming, and Nebraska. The fine was imposed after SM Energy Company pled guilty to three misdemeanor violations of the Migratory Bird Treaty Act (MBTA).

In addition to the fine, the company was placed on probation for one year and ordered to pay \$7,500 toward improvement of migratory bird habitat. The SM Energy Company was also ordered to continue implementing a \$300,000 remediation program intended to prevent future bird deaths at the company's facilities.

The case against SM dates back to 2005, when FWS agents documented the deaths of migratory birds at un-netted or insufficiently netted "reserve pits" at drilling facilities in Montana, Nebraska, and Wyoming that contained chemical substances known to be harmful or deadly to birds. The FWS notified the company of these mortalities and encouraged it to make the pits 'bird safe' by netting them.

Many violations of the MBTA are handled by Notices of Violation, which are ticket-type citations issued by FWS agents. The FWS issued a Notice of Violation for \$3,025 to Nance Petroleum in 2005 for 12 migratory birds found dead at one of its un-netted reserve pits in Wyoming. Nance Petroleum paid that fine.

But in 2007 and 2008, when the FWS conducted follow-up inspections, agents found more dead migratory birds. Reserve pits at the sites remained un-netted or insufficiently netted. FWS concluded that the birds killed at these sites died after coming in contact with harmful liquids stored in the pits.

The company began addressing its bird kill problems before the fine was levied, preparing an Avian Protection Plan (APP) that described appropriate measures for reducing the hazard to avian wildlife and enhancing its rescue/rehabilitation efforts. The APP was completed and presented to the FWS and government, which approved it in March 2012.

Bird Groups Question Exemptions in Streaked Horned Lark Protection Plan

The FWS recently proposed to list the Streaked Horned Lark, a subspecies of the Horned Lark, as Threatened under the Endangered Species Act (ESA). This bird has been declining because of loss and degradation of its prairie habitat caused by development and agriculture in the heavily populated Willamette Valley and Puget Lowland regions. The lark's range has contracted to less than half of its historical range and continues to contract from the north and south; its estimated population is now less than 1,600 birds.

While ABC supports the FWS on the creation of this proposed rule, it has several concerns.

"It is biologically unlikely that the proposed rule will result in this species even persisting, let alone moving on a trajectory towards recovery," said ABC's Bob Altman. "The compromises and the uncertainties are too great."

These include: Threatened rather than Endangered status, a Critical Habitat designation that will protect only 50% of the existing lark population, and a so-called "4d" rule, that exempts ESA protection for approximately 80% of the population on airports and agricultural lands,

"A 4d Rule can be an effective tool for listed species conservation, but not in cases such as this, where there is no

reciprocity established through formal agreements of continued and desired land management for an allowance of take," said Fenwick.



The Streaked Horned Lark would benefit from ESA protection, but the listing rules currently proposed are less than ideal. Photo: Rod Gilbert.

Key Peruvian Bird Reserve Expanded

The Critically Endangered Iquitos Gnatcatcher, the Vulnerable Allpahuayo Antbird, and the Mishana Tyrannulet are three of the bird species that will benefit from the purchase of more than 1,100 acres of private inholdings within Peru's Allpahuayo Mishana National Reserve, which is near the city of Iquitos in Northern Peru. The driving force behind these deals, the Peruvian conservation organization ProNaturaleza, collaborated with ABC to complete this purchase (*Bird Calls*, Vol.15, No.1).

In addition to ABC, ProNaturaleza worked with SERNANP, the Peruvian agency in charge of protected areas, and with a coalition of Peruvian non-profit groups and community leaders. Funding for the land deals was



The Mishana Tyrannulet is one of the vulnerable bird species that will benefit from the expansion of Peru's Allpahuayo Mishana National Reserve. Photo by Jim Brumm.

provided by the National Fish and Wildlife Foundation (NFWF), the Robert W. Wilson Charitable Trust, and ConocoPhillips.

"ProNaturaleza and ABC efforts have significantly improved our capacity to manage the reserve," said Carlos Rivera, the reserve's director. "Their support and involvement is greatly appreciated."

A total of five new bird species have been described from this area, and a sixth is now awaiting confirmation.

"Allpahuayo Mishana is an incredibly special place," said Martin Alcalde, Director of ProNaturaleza. "It regularly offers us surprises that highlight the need to protect the lands in and around the reserve."

New Population of Royal Cinclodes Found

The discovery of a previously unknown population of the Critically Endangered Royal Cinclodes in Peru is raising hopes that this rare species can be rescued from extinction.

In August 2012, biologists with the Peruvian environmental group Asociación Ecosistemas Andinos (ECOAN) spotted at least one Royal Cinclodes inside the Huaytapallana Regional Conservation Area in Peru's Junín department (a department is comparable to a U.S. state). The sighting took place 29 miles north of the nearest known population of the species.

"There may well be fewer than 250 of these birds left in existence," said Constantino Auca Chutas, President of ECOAN. "These new sightings are

therefore quite significant, because they raise the odds that this rare species might be saved."

The Royal Cinclodes is listed by the International Union for the Conservation of Species (IUCN) as Critically Endangered. It was recently listed as Endangered under the U.S. Endangered Species Act (*Bird Calls*, Vol. 16, No. 3).

The largest concentrations of this species are found in southern Peru, with other populations in Bolivia, close to the Peruvian border.

This bird is a habitat specialist, usually found on the moss-covered ground in *Polylepis* woodlands. Unfortunately, these woodlands are severely threatened by local people who harvest the trees for firewood. Grazing animals



The discovery of a new population of Royal Cinclodes is an encouraging sign that this very rare species may ultimately be saved from extinction. Photo: Fabrice Schmitt

and fires also stunt the growth of these slow-growing trees. Interestingly, the newly-found population of Royal Cinclodes favor a different habitat of rocky alpine areas, not mossy woodlands.

See www.abcbirds.org/abcprograms/international/Polylepis.html for more information.

Canada Expands Protected Wetlands Near Vancouver

The government of Canada has vastly expanded the Alaksen Ramsar Site, first designated in 1982, from 1,448 to over 51,000 acres. The resulting area, now known as the Fraser River Delta Ramsar Site, is comprised of a vast estuary system that is an important link in the chain of wetlands used by waterbirds migrating along the Pacific Flyway between Arctic breeding grounds and South American wintering grounds.

The Fraser River Delta is a major stop-over point for many species of migrating shorebirds, including nearly the entire world population of Western Sandpipers, an ABC WatchList species. More than 35 species of shorebird

rely on this estuary throughout the year, including Long-billed Dowitcher, Greater and Lesser Yellowlegs, Dunlin, and Black-bellied Plover.

The Delta hosts one of the largest wintering waterbird populations in Canada, including 40 species of ducks, geese and swans. Up to 100,000 Lesser Snow-Geese migrate through or winter in and around the estuary, and ducks including American Widgeon, Green-winged Teal, Northern Pintail, Surf Scoter, and Greater Scaup stage or winter here.

The creation of “Ramsar” sites began with the Convention on Wetlands held in Ramsar, Iran in 1971, which



Black-bellied Plover: Greg Lavaty, www.texastargetbirds.com

established an intergovernmental treaty for the conservation and wise use of the world’s wetlands through local, regional and national actions and international cooperation. See www.ramsar.org for more information.

Guarded Praise for New Drilling Proposal in National Petroleum Reserve

In August 2012, Secretary of the Interior Ken Salazar proposed allowing additional oil and gas development in the National Petroleum Reserve in Alaska (NPR-A), one of the Arctic’s greatest migratory bird nesting and molting areas. This proposal was the most environmentally friendly option out of several, and would leave half of the 23.5 million acre reserve — about 12 million acres — preserved for nesting birds, migrating caribou, and many other types of wildlife.



The preferred plan would designate “special areas” as protected from energy development, including Teshekpuk Lake, which provides critical nesting, molting and staging areas for many species of migratory birds. Thousands of Pacific Brant, Canada, Snow, and White-fronted Geese molt their flight feathers in the vicinity of Teshekpuk Lake each summer, and globally significant populations of Black-bellied Plover, Dunlin, and Semipalmated Sandpiper nest there.

The plan would also safeguard the Utukok Uplands, a vital nesting area for raptors such as Peregrine Falcon, Gyrfalcon, and Rough-legged Hawk, and part of the range for a herd of 350,000 caribou, which needs these large expanses for migration. The

caribou herds of the NPR-A are a subsistence resource for over 40 northern and western Alaska Native villages located there.

Some coastal areas that serve as habitat for seals, polar bears and other marine mammals will also be protected.

“This proposal would allow us to continue to expand our leasing in the NPR-A, as we have done over the last three years as part of the Obama Administration’s focus on expanding safe and responsible oil and gas development, and builds on our efforts to help companies develop the infrastructure that’s needed to bring supplies online,” Salazar said.

The BLM will issue a final decision sometime in 2013.

Thousands of Pacific Brant nest and stage in Alaska’s National Petroleum Reserve. Photo: Alan Wilson.

GUEST EDITORIAL: Single Wind Turbines – The Lone Danger

Kimberly Kaufman, Executive Director, Black Swamp Bird Observatory

While the bird conservation community focuses most efforts on commercial-scale wind development, single, midsized turbines are also peppering the landscape in areas of globally important migratory bird habitat. With little to no regulation aside from local zoning boards, wind turbines reaching heights of 300+ feet are being installed at breakneck speed as the industry recognizes these single units as an effective strategy to skirt what few regulations exist on a local level. When strung together, these single turbines essentially become wind farms, with all the inherent dangers they pose to birds.

In northwest Ohio, the Black Swamp Bird Observatory (BSBO) is advocating for protecting migratory bird stopover habitat from wind energy development. Our most recent efforts involve encouraging officials to relocate a large wind turbine planned for the Camp Perry Air National Guard facility, located deep in the heart of the most sensitive stopover habitat in the entire region. Our position has been officially supported by local, state, and national organizations such as American Bird Conservancy, National Audubon Society, Ducks Unlimited and The Nature Conservancy.

Both the FWS and the Ohio Department of Natural Resources have repeatedly told project officials

“Wind energy has a place in our energy portfolio, but location matters for the sustainable future of bird populations.”

*Kimberly Kaufman, Executive Director
Black Swamp Bird Observatory*



Photo: Mike Parr, ABC

that this is a very dangerous place for a wind turbine. And, in their review of the project’s environmental assessment, the agencies collectively call out more than 50 erroneous and/or misleading statements.

You might think, considering the overwhelming support and the many documents from state and federal wildlife agencies against installing a wind turbine in this location, that the project could not possibly go forward, right?

Wrong. Despite overwhelming opposition, the current voluntary guidelines and lack of industry regulation, are allowing this project to continue moving forward.

Public action is the number one force against these misplaced, irresponsible, and dangerous projects that threaten more than just the birds that pass through the areas of these individual turbines. These projects threaten our overall ability to protect birds anywhere. It will require citizen action to force our government officials to do something about it.

So speak up. Take action. Be a voice for the birds. Wind energy has a place in our energy portfolio, but location matters for the sustainable future of bird populations.

Read more about BSBO’s efforts at www.bsbobord.org.

Thousand Turbine Wyoming Wind Farm Could Become Country's Biggest Eagle Killer

The Chokecherry-Sierra Madre site may become the nation's biggest eagle-killing wind farm, based on an estimate by the Bureau of Land Management (BLM), which says the 1,000-turbine facility would kill between 150 and 210 raptors a year, including 46 to 64 Golden Eagles.

If the BLM's prediction is accurate, this single wind farm would kill almost as many Golden Eagles each year as the many wind farms of the notorious Altamont Pass in California. HawkWatch International has commented that the BLM's mortality estimate for Chokecherry-Sierra Madre may even underestimate the potential carnage, estimating that the Wyoming wind farm might kill more than 700 raptors annually, more than 200 of them Golden Eagles.

"Regardless of whose estimate is 'right,' even the lowest predictions are too high, and would likely turn the project area into a population sink for Golden Eagles, where more birds would be killed than could be replaced by the area's breeding population," said Kelly Fuller, ABC's Wind Campaign Coordinator.



Greater Sage-Grouse: Alan Wilson

The Greater Sage-Grouse, a candidate for listing under the Endangered Species Act, is also threatened by the Chokecherry-Sierra Madre project. More than 900 of the project's 1,000 turbines would be located in sage-grouse habitat. Originally, because of the high quality of its sage-grouse habitat, virtually the entire Chokecherry-Sierra Madre project area was within an area that was specially designated as off-limits to energy development. Rather than avoid the area specially designated to protect sage-grouse, the project's developer asked to have the boundary of the area changed. A state committee agreed to this request.

In addition to the Chokecherry-Sierra Madre's project's problems for raptors and sage-grouse, the project's Final Environmental Impact Statement (EIS) was approved before all of the necessary avian studies were completed, and without including plans for mitigating the project's impacts on birds. Instead, some of the project's most important analysis is being pushed off to a series of future Environmental Assessments, which raises serious legal questions.

The Greater Sage-Grouse, a candidate for listing under the Endangered Species Act, is also threatened by the Chokecherry-Sierra Madre project.



Golden Eagle: Brian Murphy

"ABC supports wind energy when it is bird-smart, but the Chokecherry-Sierra Madre is not a bird-smart project."

*Kelly Fuller
Wind Campaign Manager, ABC*

"ABC supports wind energy when it is bird-smart, but the Chokecherry-Sierra Madre is not a bird-smart project," said Fuller (*Bird Calls*, Vol. 15, No. 1).

Recently ABC joined with Biodiversity Conservation Alliance and Western Watersheds Projects in sending a formal letter of protest to the BLM after the EIS was published. The letter pointed out scientific and legal flaws in the BLM's approval of the project site, and noted that the project could be relocated in southeastern Wyoming with far fewer environmental consequences.

The Chokecherry-Sierra Madre project cannot be constructed until BLM grants Right of Way permits, the timing of which is uncertain. Efforts will continue to protect Wyoming's birds from what Fuller calls "an oversized, irresponsible project".

Calls for Change at Nation's Deadliest Wind Turbines

In October 2012, ABC and seven other conservation organizations asked FWS to make changes at a deadly wind energy facility in western Maryland. According to the FWS, the 28-turbine Criterion Wind Project has killed more birds per turbine than any other facility studied in the U.S. — more than 16 birds per turbine.

“I cannot imagine that the state of Maryland is proud that the wind turbines of the first commercial wind power project in the state — a short drive from our nation’s capital — are the most deadly for birds in the entire country,” said George Fenwick, President of ABC.

This dubious distinction became public after FWS asked for comments on three documents concerning the project. The first was a draft Environmental Assessment (EA) of the existing and potential environmental impact of granting an Incidental Take Permit for the Project. The second was an application for an Incidental Take

According to the FWS, the 28-turbine Criterion Wind Project has killed more birds per wind turbine than any other facility studied in the U.S. — more than 16 birds per turbine.

Permit, as required by the Endangered Species Act when activities will likely result in the killing or disturbance of a threatened or endangered species — in this case the endangered Indiana bat. FWS also asked for comments on a proposed Habitat Conservation Plan, which must be completed before a take permit can be issued.

The Criterion Wind Project began operation on Backbone Mountain in December 2010. Maryland conservationists who were concerned that the owners of the project would kill endangered bats immediately sued,

and the owners agreed to apply for an Incidental Take Permit for the bat.

Although the take permit would be for an endangered bat, federal law requires the government to analyze the impacts of the project on all wildlife, including birds. It was during that analysis that the Criterion Wind Project’s high bird mortality came to light.

ABC and partners have asked for more extensive environmental analysis of the project, such as surveying for eagles during the times they are most likely to be present at the site. Depending on what these surveys show, the project may pose a greater risk to eagles than currently thought, and extra measures to protect them may be needed.

ABC has also asked FWS to choose the operational alternative that includes nighttime curtailment of turbines during the peak of fall migration, which is the only alternative that the EA predicted would lower the number of birds killed by this project.



Photo courtesy of Britt Thal

A Legacy of Bird Conservation

Join the growing number of bird conservation supporters who have created a legacy for birds by including ABC in their estate plans. Here’s what longtime supporters Steve and Britt Thal say about ABC:

“We believe ABC provides the best insurance that birds will continue to bring pleasure to those who value their company. In these difficult economic times, we were looking for ways to continue to support ABC’s programs. What better way to accomplish this than by including ABC in our will? It is a wonderful way for people like us, with a fixed income, to give to an organization that so reliably delivers conservation results for birds.”

We hope that others will join us in helping support ABC in perpetuity.

If you have already included American Bird Conservancy in your estate plans, or if you would like more information on how to join ABC’s Legacy Circle, please contact ABC Planned Giving Director Jack Morrison at 540-253-5780, or jmorrison@abcbirds.org.

Marbled Murrelet Numbers Plummet in the Pacific Northwest

Federal conservation efforts haven't come close to halting the decline of the Marbled Murrelet, a seabird that nests in old-growth forests in the Pacific Northwest. That is the gist of a major new peer-reviewed study of the status of the species, prepared by scientists from the U.S. Forest Service, the U.S. Fish and Wildlife Service, the

Washington Department of Fish and Wildlife, and Crescent Research, a private research firm.

The study, published in the *Condor*, found that Marbled Murrelet numbers in five different study areas fell sharply between 2001 and 2010, from a total count of roughly 22,200 to around 16,700. The study areas include all but one of the Marbled Murrelet conservation zones identified in the federal Marbled Murrelet Recovery Plan.

The authors of the study cite the loss of nesting habitat as a major cause of the

murrelet's decline over the past century. They believe it still may be a contributing factor, thanks to major fires, logging, and wind storms.

Another change cited as potentially important was increased nest predation, which caused a decline in nesting success. This rise in nest predation seems to be associated with the increased presence of crows and ravens, which in turn is linked to increased development.

"This study confirms the fears that conservationists have held for years," said Steve Holmer, Senior Policy Analyst for ABC. "By showing that the Marbled Murrelet is still in sharp decline, the study emphasizes the need for stronger, more aggressive conservation measures."



Marbled Murrelet chick: USDA Forest Service.

Controversial Settlement Endangers Threatened Seabird

ABC is urging the FWS to do more to protect the Marbled Murrelet, a small seabird listed as Threatened under the Endangered Species Act.

ABC has asked for the withdrawal of a proposed consent decree that would eliminate Critical Habitat for the Marbled Murrelet, arguing that this habitat protection is required by the U.S. Endangered Species Act.

"We are asking the Administration and relevant federal agencies to adopt more stringent protective measures for the threatened Marbled Murrelet, and withdraw the proposed court settlement," said Steve Holmer, Senior Policy Advisor for ABC. "If Critical Habitat for the species is eliminated, then murrelets will lose important protections despite a declining population and multiple threats that are pushing the species toward extinction."

FWS agreed to the consent decree, which followed a lawsuit filed by the American Forest Resource

Council, Carpenters Industrial Council, and Douglas County, Oregon. The lawsuit charged that FWS had unlawfully designated Critical Habitat for the Marbled Murrelet in the states of California, Oregon and Washington. If the decree is accepted by the court, it would vacate 3.7 million acres as Critical Habitat for the bird designated in 1996, and require a new Critical Habitat designation by September 2018.



Adult Marbled Murrelet at sea: Peter LaTourrette.

New Proposals Aim to Reduce Plastic Pollution in Oceans

Environmental groups are pushing the federal government to take specific actions to address a major problem in the oceans of the world — giant swirling gyres holding billions of pounds of plastic bags, plastic bottles, plastic disposable lighters, plastic packaging materials and other plastic garbage. (*Bird Calls*, Vol. 16, No. 3).

By all accounts it won't be easy to clean up these gyres, given the staggering amounts of plastic trash involved and its world-wide distribution.

But groups like ABC say there are steps can be taken to reduce the flow of plastics into the world's oceans. One such step was recently proposed by the Center for Biological Diversity (CBD), which petitioned the Environmental Protection Agency (EPA) to start using the Clean Water Act to keep more plastic trash out of rivers, bays and other waterways. This proposal would require the EPA to

establish water quality standards for plastics, then issue rules requiring individual states to start meeting those standards.

CBD also asked the EPA to designate the Northwestern Hawaiian Islands and the Papahānaumokuākea Marine National Monument as a Superfund site because of the large amount plastic trash found in its waters. This would be the first time that plastic-polluted waters in the United States have been considered for Superfund status. But George Wallace, Vice President for Oceans and Islands at ABC, says it's a step that should be taken.

"All of these materials pose a direct threat to wildlife, through entanglement or ingestion," Wallace said. "For example, Laysan and Black-footed Albatrosses in the Northwestern Hawaiian Islands are well-known for

feeding plastic trash to their chicks. It is estimated that over 97% of all Laysan Albatross chicks in the Northwestern Hawaiian Islands end up ingesting plastics in this way. Many of the chicks that die have stuffed their stomachs full of plastic."

Wallace added that there is a need for more research into the threats posed by the plastics in our oceans, noting that when plastics break down into microscopic particles, they sometimes bind to toxic chemicals. Those toxic chemicals are passed up the food chain when the microscopic plastic bits are eaten by plankton and small fishes.



Laysan Albatrosses nesting amid piles of plastic trash on Midway Atoll. Much of this plastic will be fed to their chicks, with deadly results. Photo: Steven Siegel, Marine Photobank

Court Stops Logging in Marbled Murrelet Habitat

An injunction halting 11 timber sales and all logging activities in occupied Marbled Murrelet sites in the Tillamook, Clatsop, and Elliott State Forests in Oregon has been issued by US district court Judge Ann Aiken. The ruling was prompted by a lawsuit charging that this logging posed a threat to the murrelet, a federally protected seabird. The lawsuit was filed by Cascadia Wildlands, the Center for Biological Diversity, and Portland Audubon Society (*Bird Calls*, Vol. 11, No. 3).

The state of Oregon voluntarily suspended timber sales on more than 1,700 acres of older forests when this lawsuit was originally filed. Environmental groups responded by requesting an injunction that would stop all logging in the Murrelet sites until the lawsuit was resolved.

In the ruling granting the request for the injunction Judge Aiken concluded that the voluntary logging ban did not protect the murrelet sufficiently, in part because it could be unilaterally lifted by the state of Oregon.

"Oregon's forest practices are the most reckless in the Pacific Northwest and are pushing the Marbled Murrelet closer to extinction," said Francis Eartherington, conservation director with Cascadia Wildlands, an Oregon-based environmental group. "This ruling should send a signal to the leadership of Oregon that balanced forest plans are critically needed to truly protect the murrelet."

Feds Propose Change to Wood Stork Status

Roughly 40 years ago the Wood Stork looked like it was wading toward extinction. Many of the wetlands it requires for successful nesting had been drained or otherwise destroyed. By the 1970s, the breeding population had dipped to a low of 5,000 nesting pairs.

In 1984, FWS declared the Wood Stork an Endangered species, which meant that the Endangered Species Act could be used to protect some of its habitats. For this and other reasons, wetland conservation efforts gained momentum, as did efforts to restore the swamps that had been lost. The Wood Stork has bounced back since then and no longer appears to be headed toward extinction. The number of Wood Stork nesting pairs now stands at roughly 9,500, according to FWS. That's more than the 6,000 listing pair mark required for a change to Threatened status, but less than the three-year average of 10,000 nesting pairs needed for complete delisting.

Wading Bird Nesting Plummet in South Florida

One of the nation's largest and most important wading bird breeding areas, south Florida, which includes the Everglades National Park, has seen wading bird nesting rates fall 39 percent below ten-year averages, according to a new report by the South Florida Water Management District. This decline, which seems to be related to the weather, runs counter to the long-term growth of bird populations in this same area, thanks in part to ongoing attempts to restore natural waters flows in the Everglades. ABC believes the sharp decline proves the need to complete the restoration work.

According to the new report, approximately 27,000 wading bird nests were built in south Florida during the 2012 nesting season – a 39 percent decline from the average over the last decade and a 6 percent decline from the estimate of roughly 78,000 nests issued in 2009.

All species of wading birds built fewer successful nests this year, but the extent of the decrease varied widely among species. Successful White Ibis nests fell 39 percent below the ten year average; Snowy Egret nests were down by 56 percent.

The Endangered Wood Stork, which appears to be on the increase elsewhere, fared especially poorly in the Everglades; it is thought that all 820 nests in South Florida either failed or were abandoned in 2012.

FWS Director Dan Ashe calls these figures proof that the Endangered Species Act works. “This is a good day for the Wood Stork, and a good day for conservation,” said Ashe when the proposal was announced.

The Wood Stork is the only true species of stork that nests in the United States. Its all-white body and jet-black, featherless head have earned it nicknames like “Flinthead” and “Ironhead.”

The Natural Resources Conservation Service (NRCS) Wetlands Reserve Program helped reverse the fortunes of the Wood Stork by restoring over 200,000 acres of wetlands in Florida and more than 115,000 acres in Alabama, Georgia, and South Carolina during the past 18 years. Thousands of acres of wetlands are also being protected on private lands to assist in habitat and wildlife protection through restoration in conjunction with establishing conservation easements. Meanwhile, the Endangered Species Act required landowners to minimize, avoid or mitigate wetland losses.

Curiously, Wood Stork numbers have not risen in Florida's Everglades (see sidebar), which used to be a stronghold for the species. Instead, the birds have expanded their nesting range, turning up as far west as Mississippi and as far north as North Carolina.

Wood Stork numbers in Florida could start to rise again as large-scale restoration projects in that state continue. These include the Comprehensive Everglades Restoration Program, the Kissimmee River Restoration Project, and the St. Johns River Headwaters Restoration Project.



Wood Stork:
Larry Thompson

First Nest of Critically Endangered Stresemann's Bristlefront Discovered

The first known nest of one of the world's rarest birds, the Critically Endangered Stresemann's Bristlefront, was discovered in Brazil in October 2012. Strong evidence of the presence of nestlings was also found.

Two Brazilian researchers visiting Fundação Biodiversitas' Mata do Passarinho Reserve discovered the bird's nesting tunnel (characteristic of this species) about three feet from the ground in an exposed vertical dirt ledge overhung by vegetation. The tunnel, estimated to be around six feet deep, was surveyed and filmed with a micro-camera, and further data should be published shortly.

The Stresemann's Bristlefront was unrecorded for 50 years until it was rediscovered in 1995 in Brazil's eastern Atlantic Forest region. The world population estimate of this species is estimated at fewer than 15 individuals and is threatened by fires, logging, and the clearance of forest for cattle ranching and agriculture. The Atlantic Forest is one of the most endangered forests in the world with only 10 percent of its original area remaining. It once extended along the coast of Brazil into Paraguay and northern Argentina.

"This is the discovery of a lifetime, made all the more gratifying by the fact that not only have we found live adult birds, but we have also found strong evidence of several chicks as well," said Alexandre Enout, the

reserve's manager. "It is urgent that we protect more of the natural Atlantic Forest in this area and reforest areas where forest has been lost. The best way to save this species is by increasing its potential habitat."

ABC is working closely with Fundação Biodiversitas to protect and acquire land in and around the 1,500-acre Mata do Passarinho Reserve, where the nest was found (*Bird Calls*, Vol. 13, No. 2). About 245 bird species have been recorded in the reserve, 37 endemic to Brazil. In addition to being the only known site for the Stresemann's Bristlefront, the reserve is a critically important site for the Endangered Banded Cotinga and the Critically Endangered yellow-breasted capuchin monkey.

Pauxi Pauxi Reserve Expanded

The Cerulean Warbler and 25 other neotropical migrants will be the key beneficiaries of a successful two-year-effort by ABC and its partner Fundación ProAves to purchase and protect key wintering habitat in Colombia.

Nine new properties totaling nearly 700 acres on the western flank of the Pauxi Pauxi Reserve have been purchased, expanding the reserve to approximately 4,500 acres. The newly acquired land is part of an imposing, mountainous outcropping called Cerro de la Paz.

Deforestation due to agricultural and urban expansion has long been a problem on these important lands. In addition to providing winter habitat for the Cerulean Warbler, whose population has declined by about 70 percent



in the last 40 years, these properties provide crucial wintering habitat for other neotropical migrants, such as the Tennessee, Black-and-white, Mourning, Canada, Blackburnian, and Black-throated Blue Warblers,

the American Redstart, the Northern Waterthrush, and the Rose-breasted Grosbeak. The Critically Endangered Blue-billed Curassow and Endangered Helmeted Curassow have also been reported from this area in recent years.

"Cerro de la Paz and the Pauxi Pauxi Reserve may be one of the best migrant hotspots in Colombia," said Alonso Quevedo, Executive Director of ProAves. "It is fantastic that our efforts to protect resident species, such as the Helmeted Curassow, could also help dozens of migratory bird species."



Cerro de la Paz landscape: Fundación ProAves

Controversial Recovery Plan Proposed for Mexican Spotted Owl

The FWS has published a controversial final version of its Mexican Spotted Owl Recovery Plan. ABC and other groups have expressed concern, saying that this plan supports logging, thinning, and other forest management methods that could be harmful to Spotted Owls and their prey.

“The proposed high levels of thinning and fuel reduction in Spotted Owl habitat have not been shown to support populations of Mexican Spotted Owls,” said Steve Holmer, Senior Policy Advisor for ABC. “We urge the USDA Forest Service to take a cautious approach and avoid logging within or near the sites occupied by the owls and instead focus on fuel treatments and thinning near homes

and communities where agency research has demonstrated they are most effective.”

The Mexican Spotted Owl, which occurs in Arizona, Colorado, New Mexico, Texas, and Utah, and south through the Sierra Madre Occidental and Sierra Madre Oriental in Mexico, was listed as Threatened in 1993 under the Endangered Species Act. FWS completed the original recovery plan for the Mexican Spotted Owl in 1995.

A federal judge concluded in 2011 that without owl monitoring data, the agency was unable to prove the species was not being harmed by proposed logging projects. The court also found that the Forest Service had not been monitoring the species’ population (*Bird Calls*,



Mexican Spotted Owls (young with chick shown) face continual threats from logging, thinning, and other forest management methods. Photo: Mike Fugagli, Owl Biologist/Hawks Aloft

Vol. 16, No. 1). Conservationists will continue to review forest restoration efforts in and near areas occupied by the Mexican Spotted Owls.

Fifth International Partners in Flight Meeting Set for Utah, Aug. 25–28



Partners in Flight, the nation’s leading coalition of bird conservation groups, will hold its fifth meeting since 1990 in Snowbird, Utah, on August 25-28, 2013. This year’s meeting, “Advancing Bird Conservation in the Americas,” is being organized by ABC and will focus on “full life-cycle” bird migration studies and attempt to identify projects that link migration studies in both hemispheres.

The meeting will feature keynote speakers, vendors, social events, a poster session, and a wide range of birding field trips. Space is limited, so prospective vendors and interested bird conservationists are urged to make their plans and reservations promptly.

Program inquiries should go to Terry Rich (terry_rich@fws.gov) or Merrie Morrison (mmorr@abcbirds.org). Logistical inquiries should go to either kim@delaneymeetingevent.com or to victoria@delaneymeetingevent.com.

More details are available at <http://www.pifv.org>

FWS Proposes Listing Gunnison Sage-Grouse

The FWS has proposed to list the Gunnison Sage-Grouse as Endangered under the Endangered Species Act, and designate 1.7 million acres of critical habitat in an effort to help save the species (*Bird Calls*, Vol. 16, No.1).

Two years ago, FWS ruled that calls to add this sage grouse to the federal Endangered Species List were “warranted but precluded” by the need to deal with “higher priority” issues. That ruling changed after a U.S. District Court settled a listing lawsuit by approving a multi-year endangered species listing plan. As part of that settlement, FWS agreed to publish a proposed rule on whether or not to list Gunnison Sage-Grouse and designate critical habitat.

Gunnison Sage-Grouse currently occur in seven widely scattered and isolated populations in Colorado and Utah. Recent population estimates indicate that six of the seven populations have declined over the last 12 years. The largest population, in the Gunnison Basin, has remained relatively stable.

Principal threats to Gunnison Sage-Grouse are livestock grazing, habitat loss and degradation, and habitat fragmentation due to residential, urban, and commercial development and associated infrastructure such as roads and powerlines. Some estimates suggest that over 90 percent of the bird’s historic habitat has been lost.

The human population in all counties within the range of Gunnison Sage-Grouse averaged a 70 percent increase since 1980. The population of Gunnison County, an area that supports more than 80 percent of all



Gunnison Sage-Grouse: Noppadol Paothong

The human population in all counties within the range of Gunnison Sage-Grouse averaged a 70 percent increase since 1980. The population of Gunnison County, an area that supports more than 80 percent of all Gunnison Sage-Grouse, is predicted to more than double by 2050.

Gunnison Sage-Grouse, is predicted to more than double by 2050.

These human population increases typically bring increases in power line installation, which can cause a significant increase in grouse predation by Golden Eagles, who use the power lines as perches to spot and prey on grouse. In one study, Golden Eagle predation on sage-grouse increased from by nearly 50 percent of the total predation after completion of a transmission line within 220 yards of an active lek (an area where these

birds gather during breeding season for courtship displays) in northeastern Utah. The lek was eventually abandoned.

“Adding the Gunnison Sage-Grouse to the list of endangered species marks an important turning point for this amazing bird,” said Steve Holmer, Senior Policy Advisor at ABC. “With ongoing development pressure and a growing human population, firm protection measures for its remaining habitat are urgently needed.”

Colorado Landowners Cooperate to Help Endangered Birds

In southern Colorado, ranchers, farmers, and government officials have agreed to work together to protect two endangered bird species –the Yellow-billed Cuckoo and the Southwestern Willow Flycatcher. The flycatcher was formally declared Endangered by the federal government in 1995. The cuckoo is a candidate for Endangered Species listing, which is expected to take place sometime this year.

Both birds nest in willows and small cottonwoods found near streams and wetlands in the San Luis Valley. In the past, that vegetation was routinely cleared to make way for more crops and cattle. Now, farmers and ranchers will protect these key nesting areas and create some new ones.

In return, these landowners will be largely exempted from a part of the Endangered Species Act that requires them to obtain federal permits before building fences, clearing ditches and performing other acts of “routine maintenance.”

The driving force behind this new agreement was the Rio Grande Water District, which controls the valley’s sparse water supplies. After it was finalized, the new plan drew high praise from Noreen Walsh, an acting U.S. Fish and Wildlife Service Regional Director.

“This plan will allow people to sustain their rich tradition of working the fertile landscape of the (San Luis) valley, while contributing to the conservation of fish and wildlife in their own backyards,” said Walsh.



Yellow-billed Cuckoos in Colorado should benefit from new agreements to protect and restore their riparian habitat in that state. Photo: Owen Deutsch



Although the Southwestern Willow Flycatcher was added to the Endangered Species list in 1995, it still needs conservation attention. The recent expansion of its critical breeding habitat by FWS is another step towards full recovery of this subspecies. Photo: Tom Grey

FWS Expands Critical Habitat for Southwestern Willow Flycatcher

FWS has decided to expand the critical habitat of the Endangered Southwestern Willow Flycatcher, adding 490 stream miles and 88,149 acres of land to this bird’s western range. This flycatcher nests in vegetation near rivers, streams, and wetlands. It was added to the federal Endangered Species List in 1995; since that time its habitat has been protected by the Endangered Species Act.

The Southwestern Willow Flycatcher is also on the ABC WatchList, which identifies bird species and subspecies in greatest need of immediate conservation attention.

“This decision constitutes about a 65 percent increase in stream miles designated as critical habitat for this flycatcher, and about a 75 percent increase in protected acreage,” said Steve Holmer, Senior Policy Advisor at ABC. “It’s a major step towards the recovery of the species.”

A critical habitat designation does not affect land ownership or establish a refuge or preserve, and in general has no impact on private landowners taking actions on their land that do not require federal funding or permits. The new designation becomes effective on February 4, 2013.

Native Wildlife Rebounding After Rat Eradication on Palmyra Atoll

Palmyra Atoll, a 580-acre collection of islets located about 1,000 miles south of Hawai'i, has been given a rat-free bill of health one year after about 30,000 rats were eradicated as part of a major effort to remove these introduced predators.

Non-native black rats were likely introduced to the atoll during World War II, and the population rapidly. The invasive rodents ate eggs and chicks of ground and tree-nesting birds, particularly Sooty and White Terns, land crabs, and the seeds and seedlings of native trees.

In June 2011, project partners including the U.S. Fish and Wildlife Service, The Nature Conservancy, and Island Conservation began removing rats from Palmyra using brodifacoum, a rodenticide that has been successfully used in similar projects on other islands.

This project was the result of more than seven years of planning to ensure that native species were not harmed during the removal, and was the first step in a longer-term effort to restore the atoll's ecological balance.

"The collaborators did an outstanding job. The science on these efforts has been evolving, and while there have been some learning experiences along the way, the Palmyra effort stands out as a great example of how to do it right and get rid of destructive invasive species while still protecting the native wildlife," said George Wallace, Vice President for Oceans and Islands at ABC.

"With the atoll free of rats, we are already seeing a dramatic increase in many things that rats preyed upon: nesting and migratory birds, native tree seedlings, and small invertebrates.

The island is truly rebounding," said Gregg Howald, North America Regional Director at Island Conservation.

The removal of introduced species is an effective conservation tool that has been successful on numerous islands across the globe, including the Galapagos (see sidebar this page), the Channel Islands off the coast of California, and Hawadax Island

(formerly 'Rat Island') of the Aleutian Island chain in the Alaska Maritime National Wildlife Refuge (*Bird Calls* Vol. 13, No. 1).

Although Palmyra is rat-free today, the threat of reintroducing invasive species is present anytime a boat or airplane travels to the atoll. A detailed biosecurity plan is in place to minimize the threat of non-native species being introduced to the atoll.

Saving Native Species by Removing Rats from the Galapagos

Lava lizards, marine iguanas, and the finches with the famous beaks — thanks to Charles Darwin, the endemic plants and animals found on the Galapagos Islands have a place in scientific history.

Unfortunately, many of those plants and animals may now be headed toward extinction, due in part to a plague of introduced rats that feed on eggs, small animals, and native vegetation. By most accounts, rats first came to the Galapagos when they jumped off sailing ships 400 years ago. Now, hundreds of millions of the rodents infest the 19-island archipelago.

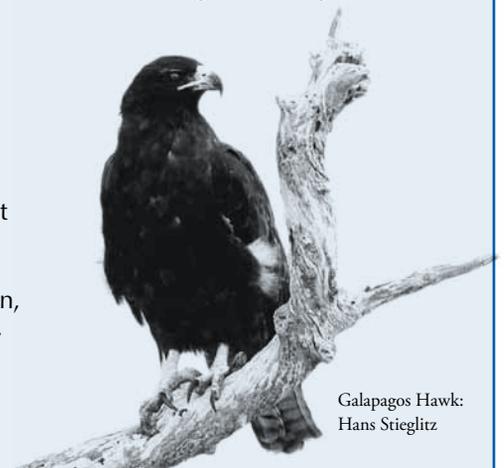
A massive rat eradication effort was launched about a year ago, when helicopters started dropping tons of poison pellets onto three of the smaller islands in the Galapagos chain. These pellets, developed by Bell Laboratories, an American company, were designed to attract rodents and repel other animals.

Spokesmen for Island Conservation, a leading collaborator in the eradication effort, say the three small islands are now rat-free — good

news for Galapagos Penguins and some extremely rare plants. Snails and geckos thought to be extinct have started reappearing as well.

A more ambitious effort to eradicate invasive rats was launched last fall, when helicopters dropped about ten tons of rat poison onto the Pinzon and Plaza Sur islands.

Before the poison pellets were dropped, fifty Galapagos Hawks were captured and moved to a holding center. The birds will be released after the carcasses of all the poisoned rats have decomposed. Researchers will spend at least a year checking the islands for signs of living rodents.



Galapagos Hawk:
Hans Stieglitz

Restoration Plans and Further Punishment For BP

In the Gulf of Mexico, the company responsible for the gigantic Deepwater Horizon oil spill is moving forward with agreements to help affected wildlife, even as it struggles to respond to a ban on new federal contracts.

The oil firm has promised to deliver several hundred million dollars for environmental restoration efforts, to be overseen by representative of affected states and federal agencies. Some of that money will be spent to rebuild badly oiled beaches, marshes and barrier islands. Other funds will go to wildlife conservation projects and to protection of especially sensitive wildlife areas.

The first phase of the Early Restoration Plan includes projects that address coastal habitat damages in four Gulf states and restoration efforts for oyster beds, reefs, dunes and recreational boating routes.

The second phase of the Early Restoration Plan will feature efforts to restore the habitats needed by beach-nesting sea turtles and birds. Kacy Ray, ABC's Beach-nesting Bird Conservation Officer, said those efforts were essential.

"The millions set aside to protect beach-nesting birds throughout the Florida Panhandle and into Alabama and Mississippi could do much more than help these birds recover," said Ray. "It could help them thrive in the future." (*Bird Calls*, Vol. 15, No. 3).

BP has now spent billions to repair the damage done by the Deepwater Horizon oil spill, and has paid a \$4 billion dollar federal fine. Now, a further punishment has been administered by the Environmental Protection Agency (EPA), which has told BP that it's been blocked from new federal grants and contracts until

the company demonstrates that it can meet federal environmental standards.

BP has appealed to the EPA, asking the agency to reconsider what the company has done to help clean up the catastrophic spill. Spokesmen say they've made great improvements to their operations since the spill, pointing to new drilling standard that reportedly exceed federal standards.

Meanwhile, BP has been bracing for another ruling from the federal government that could hit them with big fines related to the civil damage section of the federal Clean Water Act. The maximum penalty could be as high as \$50 billion.

So far, BP says it has spent \$24 billion on clean-up, restoration, and compensation related to the oil spill. The company anticipates that it will spend another \$7.8 billion to settle outstanding claims.

Key Bird Law Put At Risk by Unproductive Congress

When the 112th Congress came to a close on January 3, 2013, it was quickly branded as one of the least productive Congresses in modern political history.

Unfortunately, this lack of productivity threatens some important bird conservation programs. For example, the failure of the Congress to pass Senator Jon Tester's (D-Montana) S. 3525 "Sportsmen's Act of 2012" means a number of conservation programs important for birds will expire or run the risk of losing future federal funding.

Bird conservation programs stuck inside in this unpassed bill include the Joint Ventures program, the North American Wetlands Conservation Act (NAWCA), the federal Duck Stamp program and, perhaps most critically, the Neotropical Migratory Bird Conservation Act (NMBCA). This is the law that created the NMBCA grants program, the only federal U.S. grants program specifically dedicated to the conservation of migrant birds throughout

the Americas. Those grants have advanced conservation efforts for declining migratory species such as the Cerulean Warbler, and for many popular American backyard birds.

The NMBCA grants program is at risk of being zeroed out because of the Congress's lack of action. So is NAWCA, which restores wetland habitats beneficial for wildfowl and other birds. Over the course of the last 22 years it has helped restore approximately 25 million acres of wetlands.

The Sportsman's Bill drew wide bipartisan support in the Senate, but encountered problems linked to a language that would have barred the EPA from regulating lead in bullets and fishing tackle, and a provision that would have allowed the importation of polar bear trophies into the United States. Senator Barbara Boxer (D-California) objected to this language and the bill was eventually pulled. Now it falls to the new Congress to protect these key bird conservation programs.

BLM Cuts Annual Bird Deaths in Oil and Gas Fields by Half

Migratory bird deaths at oil and gas operation waste pits have been reduced by 50-75 percent in the last 15 years, saving an estimated 1-1.5 million birds from grisly deaths caused by their landing in chemical-laden waste water pits at oil and gas operations. The policy document, recently released by the Interior Department's Bureau of Land Management (BLM), states that bird mortality has been reduced from about two million per year in 1997 to between 500,000 and 1 million per year today.

"Seeing this downward trend in bird mortality is great news. Enforcement of the Migratory Bird Treaty Act by dedicated staff of the FWS and implementation of Best Management Practices by BLM is obviously making a difference. The willingness of the Department of Justice to prosecute offenses clearly provides the needed incentive to make sure the industry shows diligence in following the law," said George Fenwick, President of ABC.



Dead bird in oil pit: Pedro Ramirez, FWS.

Fenwick added, "I have every reason to believe that with continued persistence by the federal government, this downward trend in mortality caused by the oil and gas industry will continue."

Python-Hunting Contest Targets Lurking Threat to Florida's Native Wildlife

There's a new development in the fight to stop spread of Burmese pythons through the Florida Everglades: a state-sponsored python hunting contest, with cash prizes for the winners.

The "Python Challenge" will pay \$1,500 each to the amateur and state-licensed snake hunters who catch the most pythons between January 12 and February 10, 2013. The amateur and licensed hunters who bag the biggest Burmese python will be paid \$1,000.



Burmese python: Lori Oberhofer, FWS.

"There's a need to raise the sense of urgency here," said Darin Schroeder, Vice President of Conservation Advocacy at ABC. "These snakes multiply quickly, are highly adaptable to new environments, and consume a wide variety of prey, including mammals, amphibians, lizards, and threatened and endangered bird species."

Schroeder noted that the new competition follows a Congressional hearing held on November 29 on H.R. 511, a bill to ban imports of other constrictor snakes that pose a major threat to native wildlife (*Bird Calls*, Vol. 16, No. 1). The change, which was supported by ABC in a letter to the House Natural Resources Committee, would make importing or transporting these snakes over state lines a federal offense.

Long-lived constrictor snakes have done tremendous ecological damage in Florida, where people who originally bought the snakes as pets often release

them into the wild when they become too large to keep.

In a recent study, scientists collected more than 300 Burmese pythons in Everglades National Park and found that birds, from the five-inch-long House Wren to the four-foot-long Great Blue Heron accounted for 25 percent of the python's diet in the Everglades.

Burmese pythons can grow up to 20 feet long. The biggest python ever captured in the Everglades – taken last August – was 17 feet, 7 inches long and pregnant with 87 eggs. Last year, a different python made national headlines when it killed and ate a white-tailed deer.

The contest was developed by the Florida Fish and Wildlife Conservation Commission with help from University of Florida, the Nature Conservancy, the Wildlife Foundation of Florida, and ZooMiami.

BIRDS IN BRIEF

Two New Frog Species Described From Peru

Save the habitats of high-profile birds and you may end up saving creatures that the world has never seen before. That's a lesson researchers with ABC and other groups have learned many times, and now it's happened again. The latest example was announced in the journal *Zootaxa*, in an article describing two previously unknown species of frogs found in 2009 in Central Peru. The frogs were discovered by researchers doing survey work in two new reserves in the area: the Monte Portreo Municipal Conservation Area and the San Marcos Private Conservation Area. ABC worked with Asociación Ecosistemas Andinos (ECOAN) to create the new reserves.



Anahí Oróz, ECOAN

"These discoveries demonstrate that we still have much to discover in this part of Peru," said Anahí Oróz of ECOAN. The establishment of these important conservation areas was funded in part by the Gordon & Betty Moore Foundation.

Honduran Emerald Proposed for Listing

The U.S. Fish and Wildlife Service has proposed listing the Honduran Emerald, a hummingbird endemic to five small valleys in the Honduras, as Endangered under the Endangered Species Act. This hummingbird's population is estimated to be fewer than 1,500 and decreasing.



Greg Homel, Natural Elements Productions

The biggest factor threatening the continued survival of this species is a significant loss of habitat (90 percent) over the past approximately 100 years due to land conversion for plantations, agriculture, and cattle pastures. Much of the Honduran Emerald's habitat is now on privately owned land and is often planted with non-native grasses for cattle foraging.

On a positive note, the Honduran Emerald Habitat Management Area has been expanded by about 2,060 acres and was reclassified as the Honduran Emerald Wildlife Refuge by the Honduran Government in 2011.

Short-tailed Albatross Nesting Attempt on Mukojima Island

A milestone has been passed in the long-term effort to conserve endangered Short-tailed Albatrosses in Japan. In mid-November of 2012, Japan's Environment Ministry and the Yamashina Institute for Ornithology reported that a Short-tailed breeding pair had laid an egg on Mukojima Island, in the Ogasawara (Bonin) Islands of Japan.

Researchers had started moving Short-tailed Albatross chicks from Torishima Island (where nearly all of the world's Short-tailed Albatrosses nest) to Mukojima in 2008 to

establish a second colony in a safe location (Torishima is an active volcano). The translocated chicks were hand-fed on Mukojima until they fledged.

A total of 70 Short-tailed Albatross chicks have been translocated since 2008; all but one of these fledged successfully from Mukojima. The egg in this first nest on Mukojima belongs to a four-year-old male translocated from Torishima as a chick and an unbanded female. Unfortunately, the egg did not hatch successfully. However, it is not uncommon for first nesting efforts by young albatross pairs to fail. Spokesmen for the Yamashina Institute say they're optimistic that this nesting attempt bodes well for the effort to establish a new population on Mukojima.



First Short-Tailed Albatross egg laid on Mukojima. Photo: NHK

Land Manager Guides Now Available

ABC, in cooperation with other environmental groups, has published several guides designed to help western landowners conserve birds in sagebrush/grassland, ponderosa pine forest, and oak ecosystems. The guides provide conservation management methods for threatened bird species, and for "surrogate" or "focal" birds that are representative of particular habitats.

Bob Altman, ABC's Pacific Northwest Conservation Officer, said the books are aimed at "hands-on" managers of these ecosystems. "Our job was to tell

them in a user-friendly way what they can do to help the target birds thrive.”

The guides can be accessed at www.abcbirds.org/newsandreports/specialreports.html

Note to Builders of New Minnesota Stadium: Make It Bird-Friendly

Last May, the Minnesota legislature and the Minneapolis City Council agreed to fund construction of a new professional football stadium to replace the aging Metrodome. While this is good news for fans of the Minnesota Vikings, it could be very bad news for the region's birds.

Conceptual drawings for the new stadium have raised concerns that it could cause significant mortality to birds from collisions with glass (http://www.twincities.com/sports/ci_21651983/vikings-stadium-architect-be-announced).

Minnesota's Department of Natural Resources (DNR) has already called attention this potential problem. In October 2012, the DNR requested further study of potential bird collisions, citing *ABC's Bird-friendly Building Design* as one of its resources.

That request has been passed on to HSK Sports and Entertainment Group, the company chosen to design and build the stadium.

ABC Launches Bird Collision Website

The problem of bird deaths caused by collisions with glass is receiving more attention as a major source of bird mortality: new research and greater media coverage are two of the reasons for this increased awareness.

To further spread awareness, ABC has created a new bird collision website, located at <http://collisions.abcbirds.org>. ABC's *Bird-friendly Building Design* publication and home windows

flyer can be downloaded or ordered in hard copy at the site.

The website also features a slideshow of bird-friendly buildings, case studies, links to bird-friendly legislation in North America, and information about research on bird-friendly glass.

Managed Deer Hunt Features Non-lead-Ammo

A managed deer hunt with a twist was held last fall for hunters with disabilities at the Lost Mound Unit of the Upper Mississippi River National Wildlife & Fish Refuge. The twist was that each of hunters was given a free box of non-lead shotgun slugs and encouraged to use them on a voluntary basis. The shells were provided by ABC, FWS, and Saving Our Avian Resources (Project SOAR).

The non-lead shells were provided as part of an effort to reduce lead poisoning in eagles scavenging on offal (gut piles) left in the field by hunters. Research has shown that lead bullets leave small pieces of lead scattered through carcasses and gut piles. These lead fragments are a deadly poison to eagles and other scavenging birds.

John Schultz, Non-lead Campaign Manager at ABC, said he hoped to see more of these voluntary non-lead hunts take place in the near future. “Hunting and the money generated by hunters helps support important wildlife management programs all over the country,” he said. “We need to find ways to get the lead out of those gut piles without painting hunters in a negative light.”

Feds Processing Requests to Turn Off Tower Lights

When research showed that birds are more likely to strike communication towers lit with steady-burning lights, ABC, other conservation groups, and representatives of the communication industry asked the Federal Aviation



Bald Eagle: FWS

Administration (FAA) to conduct a study of its own. Specifically, the coalition asked the FAA to find out how human pilots would be affected if steady-burning red obstruction sidelights were to be replaced by more bird-friendly white flashing lights.

The FAA has now conducted those studies (*Bird Calls* Vol. 13, No. 1), and concluded that ability of pilots to see towers would not be affected by the elimination of the steady-burning lights. Now, in conjunction with the Federal Communications Commission (FCC), the FAA is taking applications from tower owners who want to turn off these lights, which could save millions of birds while simultaneously cutting energy and maintenance costs.

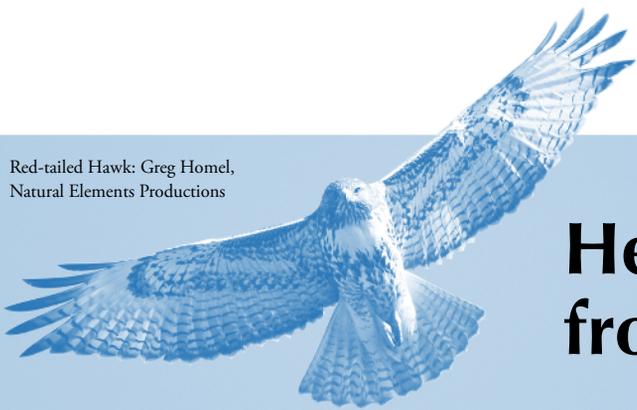
If you have questions or want more information on our articles, contact Bob Johns at 202-234-7181, x210, or e-mail bjohns@abcbirds.org

***Bird Calls* is the newsletter of American Bird Conservancy and is produced for members of ABC and the Bird Conservation Alliance.**

Editors: George Fenwick, Steve Holmer, Bob Johns, Jack Morrison, Merrie Morrison, John Nielson, Mike Parr, Gemma Radko, George Wallace.

AMERICAN BIRD CONSERVANCY
1731 Connecticut Ave, NW, 3rd Floor
Washington, DC 20009
202-234-7181/fax 202-234-7182
abc@abcbirds.org/www.abcbirds.org
Bird Conservation Alliance
www.birdconservationalliance.org

Red-tailed Hawk: Greg Homel,
Natural Elements Productions



Help ABC Protect Birds from Dangerous Pesticides!

You have read in this issue's editorial that certain dangerous rodenticides are killing raptors, poisoning house pets, and sickening children. The Environmental Protection Agency (EPA) is trying to ban the use of these super-toxic rat poisons. One of the world's biggest household products companies has refused to comply, instead choosing to tie up the agency in years of administrative and judicial proceedings while their products continue to poison.

ABC and its National Pesticide Reform Coalition partners have helped dramatically reduce bird deaths from pesticides over the past 16 years, and continue to work on a number of fronts to remove dangerous pesticides from the consumer market. **Your support today will help us:**

- ✓ Work with the EPA to restrict the 12 rodenticide formulations that pose extreme risk to children, raptors, and other wildlife.

- ✓ Continue to apply pressure to galvanize supporters in fighting for cancellations and restrictions of organophosphates and other pesticides which are deadly to songbirds, raptors, and waterfowl.
- ✓ Educate the public and policy makers about the potentially devastating effects of neonicotinoid insecticides on birds, and provide input to the EPA on those under review.

Pesticides don't just kill pests.

Please donate today using the enclosed envelope or online at www.abcbirds.org — not only will you be helping to protect birds and other wildlife, but you will also help make our shared environment safer.