AMERICAN BIRD CONSERVANCY

BIRD CALLS

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Historic Millerbird Translocation Provides a New Start for the Species

In a historic collaboration to save a species from extinction, 24 critically endangered Nihoa Millerbirds were moved from Nihoa to Laysan, 650 miles north, to hopefully establish a new breeding population there. This release was the result of many years of research and planning by biologists and resource managers, led by a partnership between the U.S. Fish and Wildlife Service (FWS) and ABC.

Millerbirds have been absent from Laysan for nearly 100 years after a closely related subspecies went extinct in the early 20th Century.

The Nihoa Millerbird has recently been reintroeduced to Laysan Island in hopes of establishing a new population of the species on an island where it had historically been present. Photo: Robby Kohley

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New San Francisco Building Standards a Boost for Bird Safety

ABC and Golden Gate Audubon hailed the passage by the San Francisco Board of Supervisors of new Bird Safe Building Standards. The standards will greatly reduce bird deaths and injuries resulting from collisions with buildings in the city. Toronto and Highland Park, Illinois also have bird-friendly provisions in their building codes. The San Francisco Board of Supervisors unanimously passed the Standards at their September meeting. It will now go to the Mayor's office to be signed into law.

ABC and Golden Gate Audubon provided substantial assistance and expertise in the development of the 38-page "Standards for Bird Safe Buildings", which includes sections on safer windows, night lighting, and the construction of wind turbines in the urban environment.

For example, windows can be made safer for birds by the use of fritted glass (ceramic lines or dots sandwiched between the panels). If fritting is applied in particular patterns, it increases the visibility of the window to birds and reduces the likelihood

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

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Millerbird Reintroduction, *from page 1*

"This project, which restores Millerbirds to Laysan Island, will reduce the chances that catastrophic events such as hurricanes or the introduction of invasive predators will cause the species to go extinct, since there will be independent populations of Millerbirds on two islands, 650 miles apart," said Loyal Mehrhoff, Field Supervisor for the Pacific Islands Fish and Wildlife Office.

"It is thrilling to see Millerbirds back on Laysan once more, not simply because they have been a missing piece of the island's native ecosystem for so long, but also because this marks a potential turning point in the recovery of the species," said George Wallace, ABC's Vice President for Oceans and Islands. "After release, we have resighted all of the radio-tagged birds on Laysan and several of the others; all are looking healthy and behaving normally—a very encouraging sign for the future," he said.

Biologists from FWS and ABC, avian husbandry experts, and a wildlife veterinarian took special care to ensure the safe transport and arrival of the Millerbirds at Laysan after their three-day voyage from Nihoa. The birds were kept in specially designed cages for six days between their capture on Nihoa and their release on Laysan. Biologists will remain on Laysan for the next year to monitor the birds' movements and behaviors, including, the team hopes, their first nesting attempts.

On Laysan, the Millerbird joins other endangered species, such as the Laysan Finch, Laysan Duck, Hawaiian monk seal, and several plant species, as well as millions of nesting seabirds.

Nihoa Millerbird: Jack Jeffrey

Biologists will remain on Laysan for the next year to monitor the birds' movements and behaviors, including, the team hopes, their first nesting attempts.

Laysan Island: FWS

ABC'S VIEWPOINT

Time for Hunters to Bite the (Lead) Bullet

The subject of hunting has recently grown to encompass the use of lead as a component of ammunition.

Before the debilitating effects that ingesting even tiny amounts of lead can have on birds were understood, lead provided an effective and relatively inexpensive ammunition component with no known downside. Today, however, we have hundreds of peer-reviewed studies that show just how hazardous lead can be for humans and wildlife, and many photographs and videos of lead-poisoned birds that demonstrate this in graphic form. Birds that mistake lead shot on the ground for grit, or scavenge minute bullet fragments left behind in carcasses or gut piles in the field die slow and painful deaths. Today we also have available many non-toxic alternatives such as steel, copper, and bismuth that are just as accurate and effective without the poisonous qualities of lead. And so we might wonder why it is still possible to buy lead shot and bullets, and why many hunters continue to use lead in the face of such compelling evidence against it.

Part of the reason may be that a few powerful, extreme gun advocacy groups and individuals simply don't want change for any reason. Perhaps some just don't care about the horrifying effect that lead has on birds. If so, we believe that these are a very small, if vocal, minority. Hunters have, in fact, been at the forefront of bird conservation efforts for decades, and contribute significant funds to habitat preservation and restoration through the purchase of duck stamps and taxes on equipment. And most hunters recognize that wildlife lost to poisoning is also lost to hunting. Hunting has also been a sport open to change, including the development of new ammunition and equipment, and the switch from lead shot to lead-free alternatives for waterfowl hunting.

Please help us spread the word about the toxic effects of lead and the availability of alternatives.

Instead, it may be more likely that we in positions of conservation leadership have not yet been able to effectively reach the vast majority of ethical sportsmen to educate them of the dangers of lead and persuade them of the efficacy of lead-free alternatives. Extreme gun rights advocates with direct media access have managed to block our efforts and falsely painted us as anti-gun. They even used our petition to the Environmental Protection Agency for a ban on lead in hunting ammunition to suggest a backdoor attempt to end all hunting, despite clear wording on the petition itself and several public statements of our true intent.

Despite EPA's denial of the petition, the agency does have explicit authority granted by Congress to ban lead in bullets and shot, but their decision stands and we are now focusing our campaign on working with hunters and building consensus and momentum to change the sport from within. As bird conservationists, we need your help.

The Thanksgiving-Christmas season is nearly upon us, a traditional time of year for many to go out hunting turkey, goose, or deer. It may cost you a little more initially (we expect costs to come down as more is produced with greater demand), but we hope that if you are hunting, you will choose to use non-lead alternatives and push your friends to do the same. A word from a fellow hunter will resonate more than anything we can say. And if you contribute to hunting message boards, chat rooms, or listserves, or write letters, articles, opinions, or editorials for sporting publications, you are in a position of influence. Please help us spread the word about the toxic effects of lead and the availability of alternatives. You will find a great deal of information to help you on our website, www.abcbirds.org.

The winds of change are beginning to shift on the lead debate. More and more informed sportsmen are telling us to keep campaigning for an end to lead. We believe it is only a matter of time before lead ammunition becomes a thing of the past. You now have the opportunity to be at the forefront of a new bird conservation paradigm, and we hope you will seize that opportunity enthusiastically. With a little self-sacrifice, we can put our concern for birds into practice and all do something to help.

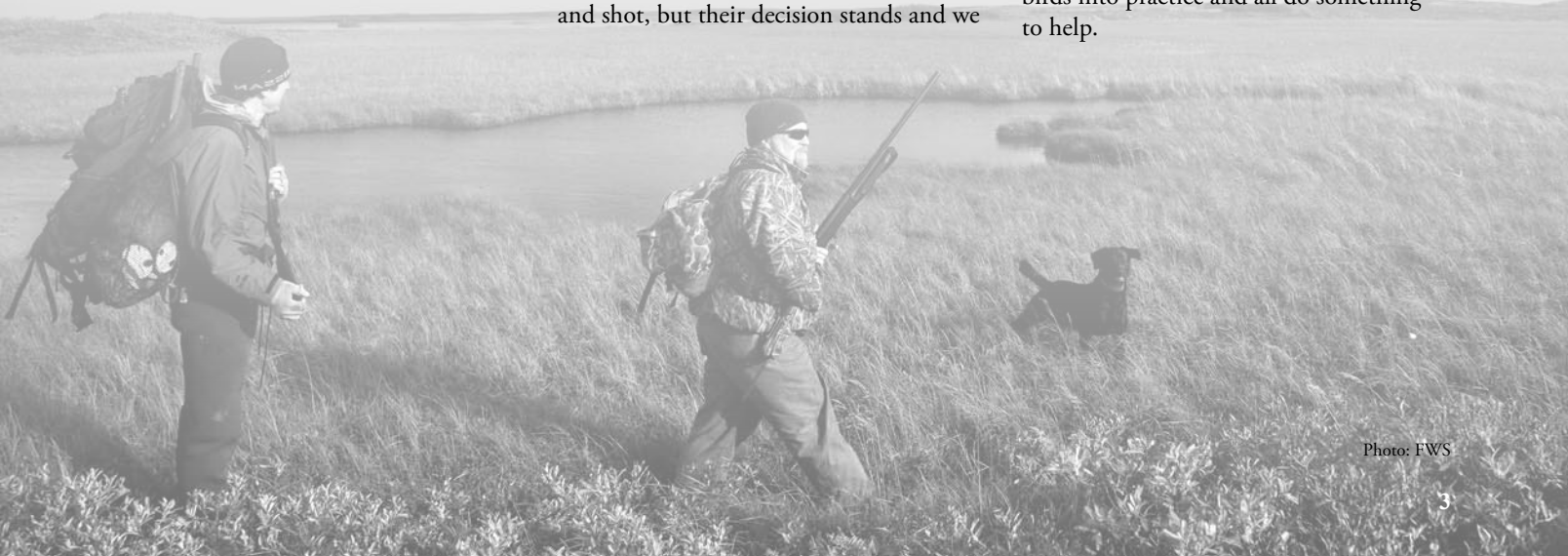

Photo: FWS

New Bird-Safe Building Standards, *from page 1*

of bird collisions while having little impact on the view for people looking out from inside the building.

The guidelines would also reduce unnecessary interior and exterior lighting during the bird migration seasons, further reducing risks to birds. Light pollution can confound birds' ability to navigate by the stars during nighttime migration. Birds are drawn in to the lights in, on, and around buildings and other structures, resulting in exhaustion, injury, or death for millions every year.

San Francisco's de Young museum is a fine example of bird-safe architecture; its textured copper facade is non-reflective and blends nicely with the natural environment surrounding it. Photo: Bryan Chang

"The new San Francisco bird-safe standards mark a significant step forward in city planning for wildlife needs, and demonstrate leadership by the city in caring for its resident and migratory birds. We hope other cities around the nation will use San Francisco as a model for similar legislation and help reduce the millions of bird deaths that occur every year in downtown urban areas," said Christine Sheppard, Director of ABC's Collisions Program.

Measures to improve bird safety also often have direct benefits for building owners and operators. For example, fritted glass reduces heat gain through windows and decreases cooling costs. Turning off unnecessary lights can save owners and operators thousands of dollars per year while greatly reducing risks to birds.

The guidelines split San Francisco into "Blue" and "Green" zones, depending on the degree of risk new projects in those areas pose to birds. Compliance with the guidelines will be mandatory in Blue Zones, which are located near bird nesting and feeding sites, in fog-prone areas that are at increased risk for bird collisions due to low visibility, along migration paths and resting areas, or in districts that are zoned to allow tall buildings. In lower-risk Green Zones, the guidelines will provide voluntary options for reducing risks to birds.

Bird Deaths at Wind Farm Take New Turn

The U.S. Fish and Wildlife Service (FWS) says it is investigating the deaths of Golden Eagles and other migratory birds protected by federal law at the Pine Tree wind project in southern California. If the investigation leads to prosecution, it will be the first known enforcement of wildlife laws that protect birds at a U.S. wind energy facility. Other energy producers such as oil companies and electric utilities have been prosecuted for the deaths of legally protected birds, but so far the wind energy industry seems to have been exempt.

Prosecution, if it occurs, would be an important first step in creating a level playing field for wind developers, who are currently free to site projects in areas that pose severe risk to birds and other wildlife, even if FWS raises concerns. While conscientious developers may avoid sites that are red-flagged, not all do.

The threat of prosecution for badly sited wind projects that kill legally protected birds will be necessary to ensure that wind developers heed forthcoming FWS wind guidelines. Disappointingly, FWS has only proposed voluntary guidelines rather than mandatory standards for wind projects, and these have been systematically weakened following pressure from the wind industry and some politicians. The industry-dominated Federal Advisory Committee on Wind Power continues to propose yet more weakening of the guidelines, and as of mid-September 2011, no one knows whether FWS will agree. The final version of the voluntary wind guidelines is expected by the end of 2011.

Ultimately, mandatory standards will save the lives of far more birds than voluntary guidelines, and we will continue to work to get them. More than 60 conservation groups, scientific societies, and businesses agree with ABC on the need for mandatory standards, including the American Birding Association, Cornell Lab of Ornithology, Center for Biological Diversity, and many independent Audubon Societies.

ABC supports wind power when it is bird-smart.
To learn more, visit www.abcbirds.org/abcprograms/policy/collisions/wind_farms.html.

U.S. Judge Orders Better Protections for Endangered Species in California Forests

The California Condor and California Gnatcatcher are two birds that will benefit from a decision by a U.S. District Court judge ordering three federal agencies to provide better protections for 40 endangered species in four southern California national forests.

The California Condor (above) and California Gnatcatcher (center) will benefit from improvements to their habitat along the southern California coast. Photos: California Condor: FWS; California Gnatcatcher: Glen Tepke

Judge Marilyn Hall Patel's decision was targeted at the U.S. Fish and Wildlife Service (FWS), the U.S.D.A. Forest Service (USFS), and the National Marine Fisheries Service (NMFS). The forests subject to the decision are the Angeles, Cleveland, Los Padres, and San Bernardino.

The judge's order responds to a lawsuit by five conservation groups -- the Center for Biological Diversity, Los Padres ForestWatch, Sierra Club, Defenders of Wildlife, and the California Native Plant Society. According to the judge, management plans for these four national forests revised in 2005 failed to include required protective measures to minimize harm to already-imperiled plants and animals. The agencies also failed to include any mechanism to track the level of harm to endangered species, and did not establish limits on the amount of harm each species could withstand before wildlife agencies would be required to undergo consultations mandated by the Endangered Species Act.

The court asked for answers to 11 specific questions related to management of the forests, covering such topics as planned actions or projects for the forests, land use data, harm to endangered species, and environmental analyses.

The judge also ordered FWS and NMFS to prepare incidental take statements that address specific issues raised by the court, including actions for which incidental take is permitted or exempted, the effect of ongoing activities on the forests that may result in habitat loss or degradation, and an estimate of the number of individual species likely to be taken.

No Ducking Bird Deaths for Oil Companies

The United States Attorney in North Dakota has charged seven oil companies in seven separate cases with violation of the Migratory Bird Treaty Act for the illegal killing of 28 migratory birds of 12 different species between May 4 and June 20, 2011.

The birds allegedly died after landing in oil waste pits associated with the companies' oil and gas extraction facilities in North Dakota. Birds land in oil pits believing they are ponds and can become poisoned or drown as a result. Court records show that all seven companies have previously been charged with similar violations.

The statutory maximum sentence for violation of the Migratory Bird Treaty Act is six months in federal prison and a $15,000 fine.

"I commend the Fish and Wildlife Service and the Justice Department for enforcing the law in these cases. Oil pits are a known hazard to birds and the solutions to prevent these bird deaths are easy to implement," stated ABC President George Fenwick.

The dead birds were mostly waterfowl, including Mallards, Gadwall, Northern Pintails, a Northern Shoveler, Blue-winged Teal, Common Goldeneye, Redhead, and a Ring-necked Duck, but also a Solitary Sandpiper and a Say's Phoebe.

Northern Pintail flock: FWS

Tricolored Blackbird Population in Free-fall

A comprehensive survey of Tricolored Blackbirds in California has confirmed that the population of the species has declined nearly 35% in the last three years.

The 2011 survey, conducted by Audubon California with the help of more than 100 volunteers, estimated the population to be about 259,000 birds, down from approximately 395,000 in 2008. Historic populations once numbered in the millions.

The survey across 29 counties confirmed that the Tricolored Blackbird still resides almost entirely in California's San Joaquin Valley, with 89% of the surveyed birds found there. The survey also confirmed that the bird continues to struggle in southern California. Once the most common bird in San Diego County, only about 5,000 individuals now remain in this part of the state.

Public agencies, conservation groups, and agricultural representatives formed the Tricolored Blackbird Working Group (TBWG) in 2005, which has brought diverse parties together to conserve the state's struggling Tricolored Blackbird population. Since then, a number of agreements have been negotiated to protect large breeding colonies on private farms, and strategies to create new breeding habitat on public and private lands are being developed.

Despite these efforts, numbers continue to decline. High among the reasons is the destruction of nests in wheat fields by combine harvesters when farmers cut their fields before the young have fledged. Nest predation by Cattle Egrets can also destroy the entire annual productivity of a colony.

The Tricolored Blackbird forms the largest colonies of any North American landbird, historically breeding in groups of tens of thousands of individuals. Loss of a single colony, therefore, can have a significant impact on the total population. Tricolors also suffer generally low reproductive success at several major colonies.

Peter LaTourrette

The Tricolored Blackbird forms the largest colonies of any North American landbird, historically breeding in groups of tens of thousands of individuals.

Scientists with the TBWG say that some of the recent decline in blackbird numbers could be explained to some degree by natural fluctuations in population size. Variations in climate could be partially responsible for higher numbers in the late 1990s followed by a dip, then a spike in 2008, and then another dip this year.

Despite the ongoing declines, the TBWG has been successful on several fronts, particularly in raising awareness among farmers and land managers to the plight of the Tricolored Blackbird and how their management practices can help or harm the species. It has also engaged in key colony protection and enhancement projects with funding from the U.S. Fish and Wildlife Service and California Department of Fish and Game.

Blackbird flock: Wikipedia.com

ABC Protects Laguna Madre Birds Impacted by the Gulf Oil Spill

ABC is launching a new project to protect and improve important bird habitat in the Gulf of Mexico in the wake of the Deepwater Horizon oil spill. This project will take place in the northeastern Mexican state of Tamaulipas in the Laguna Madre lagoon complex, and will focus on ensuring safe breeding and wintering grounds for a host of bird species including shorebirds, herons, and ducks affected by the spill.

Laguna Madre is formed by a series of barrier islands that enclose a lagoon more than 100 miles long and as much as 15 miles wide, although it is usually much narrower. The lagoon is often hyper-saline, with some bays at times reaching salinity levels that are 150% of sea water. There are many bays and inlets where streams enter the lagoon, and many, usually very low, sand islands.

Large numbers of shorebirds and ducks winter in the lagoon and on its shores and the barrier island, including hundreds of thousands of Redheads – more than two-thirds of their total population. The lagoon and its islands also serve as important breeding areas for Snowy and Wilson's Plovers, and as many as 10,000 pairs of colonial water birds, including hundreds of Reddish Egrets, Gull-billed Terns, and Black Skimmers, all on the U.S. WatchList. Endangered Piping Plovers have also been recorded here.

Redhead: Greg Lavaty

ABC will work with Mexican partner ProNatura Noreste on a comprehensive three-phase project. Each phase will address the needs of focal species in different ways. Initially, partners will start a live-trapping program to remove feral cats, dogs, and pigs from 20 of these barrier islands to protect nesting birds and their offspring.

The second phase of the project will further protect nesting beaches and migratory bird congregation sites through the construction of six miles of fencing to keep out predators as well as goats and cattle that destroy vegetation needed by nesting birds, such as Reddish Egrets.

The final phase will support the protection and improvement of habitat for ducks, which need freshwater ponds to bathe in after spending time feeding in the hyper-salty Laguna Madre. ProNatura Noreste is working to secure a 20-year conservation easement on a private ranch of 12,500 acres along the shores at the south end of Laguna Madre. This property includes wetlands, ponds, and marshes that, if improved, would be used by ducks as fresh water sources. Three 50-acre ponds will be dredged to remove silt and other infill, returning them to their natural condition for use by ducks and other birds.

Egret chick in nest, Laguna Madre: Pronatura Noreste

Gull-billed Tern: Greg Lavaty

"While shorebirds, waterbirds, and ducks have been and will continue to be affected by the Deepwater Horizon oil spill, we believe that eliminating threats to these species at Laguna Madre is an important step in mitigating for this disaster," said Andrew Rothman, International Conservation Officer.

This project is supported by BP Exploration and Production, Inc. and the National Fish and Wildlife Foundation.

Thousands of ducks winter in Laguna Madre's coves.
Photo: Joel Hernández Peña

Cuts in Environmental Spending May Be Devastating to Birds

An environmental spending bill considered by the House of Representatives before the August recess is one of the worst assaults on birds and other wildlife ever to come before Congress. H.R. 2584, which funds the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Interior for Fiscal Year 2012, is loaded with devastating funding cuts and anti-environmental provisions.

Birds will be particularly hard hit by this bill should it pass. The Neotropical Migratory Bird Conservation Act, the only federal U.S. grants program specifically dedicated to the conservation of our migratory birds throughout the Americas, will be completely eliminated. State Wildlife Grants, the nation's core program for preventing birds and wildlife from becoming endangered that also supports strategic conservation investments in every state and territory, would be reduced by over 64%. The North American Wetlands Conservation Act, which provides funding for conservation projects that benefit wetland birds, would be reduced by over 40%.

These programs are crucial to maintaining healthy and abundant bird populations throughout the United States, and have proven track records of success.

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The bill also includes language that guts the Endangered Species Act (ESA) by preventing the U.S. Fish and Wildlife Service from listing new species, designating critical habitat which is vital to a species' survival, or assisting law enforcement to protect species. Thankfully, the House voted for an amendment offered by Rep. Norm Dicks (D-Wash) that stripped this provision from the spending bill. Rep. Dicks' effort to strike the endangered species language was supported by 37 Republicans, demonstrating bipartisan support for the ESA, however, attacks on the act continue with an amendment that may be offered to block ESA listing of other species like the Lesser Prairie-Chicken.

After Congress reconvened in September, it started work on a Continuing Resolution for Fiscal Year (FY) 2012 that would fund the federal government at FY 2011 levels with a 1.5% across the board cut until all spending legislation for Fiscal Year 2012 was enacted. The resolution would expire at midnight on November 18th.

Controversial Old-Growth Logging Plan To Be Pulped

The threatened Northern Spotted Owl, Marbled Murrelet, and many other wildlife species may benefit from a "legal error" in the Bureau of Land Management's (BLM) controversial plan for managing Western Oregon forests. BLM has now admitted in a court filing that the plan is legally flawed and should be set aside, and a new planning process developed. A federal judge must now decide the plan's fate, but given that both the plaintiff and the government agree that the plan is flawed, it seems likely that the court will agree to scrap it.

The Western Oregon Plan Revisions (WOPR) was approved by BLM in 2008, but experts at the U.S. Fish and Wildlife Service and National Marine Fisheries Service were never given the opportunity to consult on the plan's impacts on endangered species, as mandated by Section 7 of the Endangered Species Act. In 2009, Department of the Interior Secretary Ken Salazar announced that the WOPR was legally indefensible and must be withdrawn.

The plan would quadruple old-growth logging on BLM-managed forests in Oregon, eliminating an estimated 680 known Spotted Owl sites and 600 Marbled Murrelet sites, along with significantly more old-growth habitat needed for young owls to safely disperse. ABC and other members of the Bird Conservation Alliance, a coalition of more than 200 conservation and bird groups, weighed in with a series of letters to the Obama Administration urging that the WOPR be withdrawn.

"This is an important step forward toward conserving wildlife and assuring the integrity of forest management in the Pacific Northwest," said Steve Holmer, Senior Policy Analyst at ABC. "The low-elevation forests of western Oregon managed by BLM provide irreplaceable habitat linking large blocks of forest in the Coast, Cascade, and Klamath mountains."

Spotted Owls: Greg Lavaty

FWS Gives Thumbs Down on Snowy Plover Listing

The U.S. Fish and Wildlife Service (FWS) has rejected a September 5, 2000 petition from Robert Reid Jr. on behalf of the Alabama Audubon Council to list the Snowy Plover as endangered or threatened under the Endangered Species Act (ESA), and to designate Critical Habitat accordingly.

Budget cuts and a worsening backlog of ESA-related activities meant that it took FWS ten years to issue a "90-day finding" on the petition. FWS ruled that the petition failed to present substantial scientific or commercial information to warrant the requested actions, and determined that proceeding further was not warranted. However, FWS was legally unable to consider any information not presented in the original listing petition or not readily available in house at the time the petition was received. Consequently, this 90-day finding falls short of addressing current conservation concerns for Snowy Plover across the Gulf Coast.

In 1957, two subspecies of Snowy Plover were recognized as nesting in North America: the Western Snowy Plover and the Cuban, or Southeastern, Snowy Plover. FWS says that it is not clear which of these was intended for the petition request because no scientific name was provided. Since 2000, Snowy Plovers in the continental United States have all been classified as one subspecies—*Charadrius nivosus nivosus*. Consequently, the Pacific Coast Snowy Plover population has been re-classified under the ESA as a Distinct Population Segment (DPS). Future petitions or listing actions to provide federal protection for the Snowy Plover along the Gulf of Mexico would have to consider listing either the DPS or the entire subspecies throughout the United States.

Although the 2000 listing petition was denied, the petitioned status still had a positive impact. In Florida, FWS and many federal and state partners within the Florida Shorebird Alliance have collaborated to actively protect Snowy Plover nesting habitat, and regularly census breeding and wintering populations. ABC has worked with FWS to address concerns about the effects of coastal engineering and heavy beach use on Snowy Plover reproduction that have resulted in outstanding studies by the University of Florida and Boise State University. Still, more work remains to be done.

"This 90-day finding was a procedural decision, in response to an incomplete petition," said Casey Lott, Coastal and Waterways Program Coordinator for ABC. "What we need now is a more proactive approach to the conservation of the Snowy Plover on a larger scale, with continued involvement by FWS and the many partners that manage Snowy Plover nesting habitat on the Gulf Coast. We need to build on successful efforts in Florida to support additional Snowy Plover conservation across the Gulf Coast, particularly Texas, where threats are currently acute and likely to worsen."

Additional conservation efforts for Snowy Plovers on the Gulf Coast will very likely have benefits for several other species of high-priority beach-nesting birds such as the Least Tern, Black Skimmer, and Wilson's Plover.

"We need to build on successful efforts in Florida to support additional Snowy Plover conservation across the Gulf Coast, particularly Texas, where threats are currently acute and likely to worsen."

Casey Lott, Coastal and Waterways Program Coordinator, ABC

Greg Lavaty

Black Skimmer colony: Owen Deutsch

Toxic Rat Poisons Must Go, Says EPA

The Environmental Protection Agency (EPA) has cancelled the registrations of the most dangerous rat poisons following the refusal by the manufacturers to market their products in approved child- and pet-resistant packaging. This action follows a request from ABC and ten other groups to EPA that rodent poisons failing to meet new EPA packaging guidelines be withdrawn from retail shelves.

The EPA order states that all "second-generation" anticoagulant rat poisons have been cancelled for the consumer market, and stocks on retail shelves must be limited to those shipped prior to June 4. These include brodifacoum (commonly sold under the brand name d-Con), bromodialone, difethialone, and difenicoum. A nerve toxin, bromethalin, has also been taken off the consumer market.

EPA began its evaluation of rodenticides in 1998. A lawsuit brought by Natural Resources Defense Council over child poisonings, along with the threat of action by ABC and Defenders of Wildlife over poisoning of birds and San Joaquin kit foxes, convinced EPA to develop a mitigation plan to protect both ecological resources and children in 2008.

A key impetus for the new requirements was the more than 10,000 annual calls to poison control centers, concerning children who had eaten rat poison. Additionally, these rodenticides had been causing the secondary poisoning of birds and mammals that scavenge on dead or dying rodents, including Golden Eagles, ravens, San Joaquin kit foxes, and mountain lions.

The regulations took effect June 4, 2011 for ten rodenticides. The EPA-mandated changes to household mouse or rat bait products included switching products to tamper- and weather-resistant bait stations, limiting the amount of bait sold to residential consumers, and restricting the use of all of the most toxic second-generation active ingredients.

A handful of the manufacturers of these chemicals initially accepted the mitigation order, but then refused to comply and brought a lawsuit to keep their products on the market. Consequently, EPA announced their intention in June to initiate cancellation proceedings under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) against non-compliant products marketed by the following companies: Reckitt Benckiser Inc. (makers of d-Con, Fleeject, and Mimas rodent control products); Woodstream Inc. (makers of Victor rodent control products); Spectrum Group (makers of Hot Shot rodent control products); and Liphatech Inc. (makers of Generation, Maki, and Rozol products).

Unfortunately, cancellation can take years if the manufacturers choose to fight the proceedings, during which time the products can remain on the market. Therefore, in a May 16, 2011 letter, ABC and ten other groups requested that EPA begin proceedings for the immediate removal of the non-compliant products from the market because they pose an imminent hazard to children and wildlife.

Common Raven: Tom Grey

Marbled Murrelet Habitat Still on the Chopping Block

Researchers for the U.S.D.A Forest Service have found that Marbled Murrelet population size is strongly tied to the amount of available nesting habitat, and have suggested that conservation of remaining nesting habitat and restoration of potential habitat is key to murrelet recovery.

Of the estimated 490,000 acres of nesting habitat lost in the study period, the overwhelming majority (409,600 acres) was due to logging. Of that, 394,300 acres were logged on non-federal (state and private) lands, while 15,300 acres were cut down on federal lands. The overall rate of loss on non-federal lands during the 12-year study was nearly ten times greater than that on federal lands.

Because non-federal land is generally higher-quality habitat and significantly more abundant than available federal lands along the California coast, working with the state and coastal landowners to protect this habitat is essential.

"Since the Northwest Forest Plan was put into effect, over 15,000 acres of the old-growth nesting habitat for the murrelet have been cut down. The Obama Administration must order a halt to this practice immediately," said Holmer. "FWS can also take steps to ensure better conservation of murrelet habitat by ensuring state Habitat Conservation Plans are being followed, and that murrelet conservation is fully considered when consulting on logging plans and energy development projects."

Western Bluebird Reintroduction a Success!

A five-year cooperative effort involving several organizations has succeeded in returning the Western Bluebird to Washington's San Juan Islands. The bluebird had historically inhabited the islands, but changing land use practices and a scarcity of nesting sites meant the species had not nested there for over 40 years.

Over the course of the project, biologists with the Western Bluebird Reintroduction Project captured and translocated 45 breeding pairs of Western Bluebirds from nearby mainland areas to the islands. One pair of translocated birds nested in the first year, and in each succeeding year, the nesting population increased. Over the five years, 212 fledglings were produced. Some of those fledged birds have returned each year and are now part of the breeding population, giving hope that it will be able to sustain itself into the future.

"It is gratifying to have the hard work of so many people bear fruit—now we see these birds coming back to an area they had once called home. This year, 15 breeding pairs of Western Bluebirds fledged 74 chicks on the island," said Bob Altman, project leader with ABC. "There is more to do to achieve our goal of a self-sustaining population, but we are very optimistic about the future," he said.

Tom Grey

"There is more to do to achieve our goal of a self-sustaining population, but we are very optimistic about the future."

Bob Altman, Northern Pacific Rainforest Bird Conservation Region (BCR) Coordinator

The project is now moving into a two-year monitoring phase to determine the stability and growth of the population, and any need for future population management.

In tandem with the translocations, project partners also are working to conserve the oak-prairie ecosystem on which the birds depend. Toward that end, the San Juan Preservation Trust made a key prairie-oak land acquisition – 120 acres in the center of the San Juan Valley, which hosts two nesting pairs of bluebirds and is a primary location at which flocks of bluebirds congregate during the post-breeding season. In addition, approximately 600 nest boxes have been put up on the islands to provide additional nesting opportunities for the returning bluebirds.

Juvenile Western Bluebirds: Tom Grey

Project collaborators included ABC, Fort Lewis Military Installation, Ecostudies Institute, San Juan Preservation Trust, San Juan Islands Audubon Society, Washington Department of Fish and Wildlife, and The Nature Conservancy of Washington.

ABC would like to thank the following supporters: Disney Worldwide Conservation Fund, The Norcliffe Foundation, Friends of Zoo Boise, The San Juan Preservation Trust, Warren and Cathy Cooke, Frances V.R. Seebe Trust, Horizons Foundation, and numerous private donors.

BCA Meeting
November 15, 2011

Bird Conservation Issues before the U.S. Senate

This fall, the Bird Conservation Alliance holds its annual meeting on November 15 from 2-5:00 p.m. at the offices of the U.S. Senate (Hart Senate Office Building, Room 902) to highlight a number of pending policy issues and discuss opportunities to advance our community's bird conservation priorities.

Senator Ben Cardin (D-MD), Chairman of the Senate Subcommittee on Water and Wildlife will provide the keynote address, and the agenda includes presentations and discussion on generating support for bird conservation programs facing severe budgets cuts, and passing Senator Cardin's bill to reauthorize the Neotropical Migratory Bird Conservation Act. We will also be discussing opportunities to create jobs by restoring important bird habitats.

To register, visit: https://www.abcbirds.org/membership/bca_reg.cfm

Feral Cat Resolution on "Paws" in Hawai'i's Kaua'i County

Advocates for Hawai'i's imperiled native birds are applauding a decision by the Kaua'i County Council to set aside a resolution that would have endorsed a feral cat feeding program and resulted in further bird mortality in a state already known as the bird extinction capital of the world.

A council committee voted 4-3 to recommend approval of a "Trap, Neuter, Release" feral cat program on Kaua'i, but the full County Council voted unanimously not to act on the resolution.

Trap, Neuter, Release (TNR) programs capture feral cats, neuter them, and then return them to the wild. Such programs are supposed to reduce feral cat numbers, but have proven ineffective in numerous studies. The colonies become dumping grounds for unwanted pets, are often poorly managed, and are frequently unsuccessful in capturing enough cats to alleviate the colony's impact.

"Feral cats are invasive animals that wreak deadly havoc on native species. Putting a captured feral cat back in the wild serves as a death sentence for wildlife, including birds. There is no question that a house cat's place is in the home, not in the wild. Returning a captured feral cat to the wild is also very bad for the cat, putting it at far greater risk of disease, attack from other wild animals, and poisoning,

John Honeywell

dramatically shortening its life expectancy," said George Wallace, ABC's Vice President for Oceans and Islands.

ABC has been active on the feral cat issue in the state, and supported the Hawaiian organization Hui Ho'omalu i Ka 'Aina by providing expert testimony at a June hearing.

"Many groups, agencies, and elected officials are doing what they can to turn this bad environmental situation around, and are making headway. With the problems that have existed, and the efforts now underway, a strategy such as TNR that would spell disaster for the island's birds is unconscionable," Wallace said.

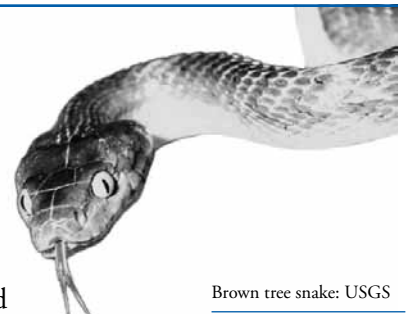
The county is now considering a series of workshops to further investigate the issue of feral cat management on Kaua'i.

New Tax Helps Prevent Invasive Species Entering Hawai'i

In May, Hawai'i passed ABC-endorsed legislation that will help prevent the introduction of invasive species in the state such as the potentially devastating Brown Tree Snake. House Bill 865 increases a tax tied to the weight of imported freight by 50% in order to fund 15 agriculture inspectors that will help prevent entry of invasive species.

The geographical isolation of the Hawaiian Archipelago has resulted in the evolution of unique flora and fauna – particularly birds – that are extremely sensitive to the introduction of alien species from other countries or the mainland United States. The brown tree snake has been particularly devastating in Guam, where it has caused the extinction of ten bird species in only a few decades. If the snake made it to Hawai'i aboard cargo, it would spell disaster for the islands' bird species that are already teetering on the brink.

Currently, Hawai'i's funding for invasive species inspection services comes from State General Funds, and has not risen with the increase in incoming cargo. The bill will increase



Brown tree snake: USGS

Hawai'i's import tax from 50 cents to 75 cents for every 1,000 pounds of freight to fund the agriculture program, generating between $4.5 million and $5.25 million per year. This increased revenue will pay for the Hawai'i Department of Agriculture's increased inspection of cargo and expand the list of items subject to inspection to include all incoming air and sea cargo.

In a letter, ABC urged Hawaii's Governor Abercrombie to sign the bill into law stating, "The vast majority of all extant Hawaiian threatened and endangered species are imperiled because of threats they face from exotic, invasive species. While steps have been taken to improve biosecurity in Hawai'i, the state lags far behind where it needs to be on the measures needed to prevent new introductions." This new legislation will help remedy that shortcoming.

Efforts to Root Out Invasive Plants Begin on Midway's Eastern Island

Building on years of technical and financial support from the National Fish and Wildlife Foundation, ABC, and Friends of Midway, the U.S. Fish and Wildlife Service recently made a five-year, $1.8 million commitment to eradicate an aggressive, introduced plant on Eastern Island. This plant, golden crownbeard, threatens the largest breeding colony of Laysan Albatross, Black Noddy, White Tern, and Red-tailed Tropicbird in the world.

Endangered Laysan Ducks were also successfully translocated from Laysan Island to create a new population on Midway, and a pair of the endangered Short-tailed Albatrosses just nested successfully at Midway for the first time this year (see article on page 15).

The 334-acre Eastern Island is part of Midway Atoll National Wildlife Refuge, located about 1,250 miles northwest of Honolulu.

Birds do not build nests in existing stands of *Verbesina*, which decreases the amount of nesting habitat available. New stands grow rapidly around existing nest sites, preventing parent birds from feeding their chicks. The chicks become trapped and are unable to reach the ocean at fledging, and can die from dehydration and starvation.

Verbesina also shelters aphids, scale insects, and the ants that tend them. These ants may prey on the eggs and chicks of ground-nesting birds. The scale insects and ants are also suspected of transmitting a harmful virus from *Verbesina* to native vegetation.

Verbesina was probably brought to Midway as seeds in the more than 9,000 tons of soil that was imported to grow shade trees, ornamental plants, and food for people who lived on the former military base. It may also have been deliberately introduced as an ornamental plant or via seeds on equipment. Among the 225 non-native plants on Midway, *Verbesina* is the most invasive, spreading quickly and presenting numerous challenges to remove.

Can you find the albatross chick in the *Verbesina*? This invasive plant grows so quickly that it can keep adult birds from reaching their chicks to feed them. Some chicks even starve to death. Photo: Christy Finlaysan

Birds do not build nests in existing stands of *Verbesina*, decreasing available nesting habitat. New stands...grow rapidly around existing nest sites, preventing parent birds from feeding their chicks.

"While *Verbesina* removal can be difficult and requires multiple steps in order to succeed, there is no question that the benefits to seabirds will be substantial and worth the effort," said George Wallace, ABC's Vice President for Oceans and Islands.

Eradication steps include seed head removal, mechanical removal of plants, complete taproot removal, proper disposal of pulled plants to limit or preclude regeneration, and lastly, intensive follow-up to remove new plants that come up from unrecovered roots or from fallen seeds.

Once biologists remove the stands of *Verbesina*, they replant the area with native plants more hospitable to nesting birds. Native plants hold island soil in place, protecting dunes and preserving and enhancing the island's biological diversity.

After the first stage of *Verbesina* removal last year, Midway biologists recorded 482,000 pairs of Laysan Albatross at the refuge – the second highest number of breeding birds ever.

Birds to Benefit from Palmyra Island Rat Eradication

Palmyra, a remote tropical atoll known for its diverse and abundant seabird populations, may soon be free of invasive, non-native rats that have destroyed birds and their habitats there.

In June, a team of about 40 staff from five organizations – Island Conservation, U.S. Fish & Wildlife Service (FWS), The Nature Conservancy, the U.S. Department of Agriculture, and the U.S. Geological Survey – launched an effort to protect and restore Palmyra by removing all black rats from the 25 islets that comprise the atoll.

Rats have severely degraded the ecosystem of this important site by preying on seabird eggs and chicks and native land crabs, and by directly competing with native species for limited food resources. Rats also limit native plant growth and disperse the seeds of introduced, invasive plants.

This conservation action is significant because Palmyra is the only moist, tropical atoll ecosystem in the Central Pacific that is well protected. Rats were likely preventing eight seabird species from successfully nesting at Palmyra and pushing some seabird colonies towards total extirpation.

The eradication effort involves the controversial aerial application of rat poison across the atoll. During an official public comment period on the proposed plan, ABC commented in favor of the eradication, but raised concerns over some of the proposed strategies, including the use of the pesticide brodifacoum and some of the application strategies. Palmyra is inhabited by land crabs (including the world's largest land invertebrate, the rare coconut crab), which will consume the bait. Although crabs are immune to the effects of the chemical, any animals, such as shorebirds, that consume the crabs would be at risk, as would birds feeding on dead or dying poisoned rats.

In order to reduce non-target mortality of shorebirds, the effort incorporated several precautionary measures, including: timing the operation when the majority of birds had departed for their northern breeding grounds; placing bait stations accessible to rats but not to shorebirds at key shorebird roosting sites instead of aerially dropping bait; and capturing and holding birds until the rat removal process was finished and they could be safely released back into the wild. This last strategy was particularly significant for the Bristle-thighed Curlew, a rare WatchList species with a global population of only 2,600 pairs.

Coconut crab: FWS

Black Noddy and chick: Glen Fergus, Wikipedia.com

A three-week monitoring effort conducted in August and September failed to detect any signs of rats, so it appears that the removal was successful. In addition, scientists are starting to report early signs of ecosystem response to the rat removal, such as increases in the density of terrestrial invertebrates, and increased seedling recruitment.

Sooty Tern: Greg Lavaty

Species of breeding seabirds that will benefit from the rat removal include the Sooty Tern, Black Noddy, Brown Noddy, White Tern, and Red-tailed and White-tailed Tropicbirds. The rat eradication may also permit recolonization by other species that have been extirpated from Palmyra, including Audubon's, Christmas, and Wedge-tailed Shearwaters, White-throated Storm-Petrel, Bulwer's and Phoenix Petrels, Blue Noddy, and Gray-backed Tern.

First Short-tailed Albatross Born in U.S. Fledges

A Short-tailed Albatross chick has successfully fledged on an island in the Hawaiian archipelago, marking the first time this endangered species has ever been known to breed successfully outside of Japan.

The hatchling broke through its shell in January on Eastern Island, one of three small, flat, coral islands that comprise Midway Atoll National Wildlife Refuge, which lies in the Pacific over 1,300 miles northwest of Honolulu. The parents of the Midway chick first paired up on the refuge four years ago. Their leg bands reveal that the male of the pair was hatched on the island of Torishima, Japan in 1987, while the female hatched there in 2003. Beginning with the 2007-2008 breeding season, the pair had spent an increasing amount of time together. By the third season, they arrived at the Eastern Island breeding colony together and built a nest, but did not lay eggs. This breeding season, one of the pair was observed incubating a freshly laid egg on November 16, 2010.

The egg hatched in January, but in March, the chick was swept off its nest by the tsunami resulting from the catastrophic Japanese earthquake. It survived the ordeal, however, and was banded by FWS biologists on June 8 prior to fledging. It has now left the island and is most likely feeding in the rich and productive waters near Hokkaido, Japan.

On average, Short-tailed Albatrosses begin breeding at six years of age, but often begin prospecting at nesting sites several years earlier. Biologists hope to see it back at the island with a mate in a few years.

The endangered Short-tailed Albatross was once the most abundant of the North Pacific albatross species, numbering more than a million birds. It was wiped out by feather hunting at the turn of the 20th Century, and by the late 1940s was thought to be extinct. In the early 1950s, ten pairs were discovered breeding on Torishima. The population has now reached 3,000 individuals, with some birds on the Senkaku Islands, but most on Torishima.

Conservationists fear an eruption of the active volcano on Torishima could be devastating for the species. Starting in 2008, an international team led by Japan's Yamashina Institute began translocating Short-tailed Albatross chicks to Mukojima Island to create a new "insurance" population. By 2011, 55 chicks had been moved to Mukojima with hopes that they may start breeding there when they are old enough, perhaps 2013.

Short-tailed Albatross fledgling: FWS Pacific

Besides the potential volcano threat on Torishima, the bird is vulnerable to rats and other predators, but the biggest recent mortality threat is bycatch in longline fisheries (see article on page 16).

Whimbrel Deaths Highlight Annual Caribbean Shooting Swamp Slaughter

Unregulated and unmonitored recreational hunting in the Caribbean has claimed perhaps its most notable bird victims, two satellite-tagged Whimbrels. The birds were likely exhausted after navigating through severe weather – one bird named Machi having navigated through Tropical Storm Maria, and the other, named Goshen, through Hurricane Irene – and were forced to land in Guadalupe, an area they had avoided in previous recorded migrations.

Both birds were part of a collaborative tracking project – Machi had been tracked over 27,000 miles through a total of five spring and fall migrations between its breeding grounds in Canada and wintering grounds in Brazil. On seven different occasions, the bird flew nonstop more than 2,000 miles, and in the spring of 2010, it flew more than 3,400 miles directly from Brazil to South Carolina without rest. Goshen was tracked over a total of three migrations beginning in fall 2010.

The Caribbean serves as a critical stopover for many birds on both their fall and spring migrations, especially during inclement weather such as storms or hurricanes. Shooting swamps are wetlands in Guadeloupe, Martinique, and Barbados that are created to artificially attract these migrating shorebirds. They provide the venue for the annual killing of tens of thousands of migrating birds by local hunting clubs. Barbados has the dubious distinction

continued on page 16

Longline Threat Must be Reeled In, Says Study

A new study finds that, despite some efforts by the longline fishing industry to reduce bycatch deaths of seabirds, up to 320,000 birds may still be killed each year. Some species are suffering losses that may be unsustainable and threaten their long-term survival.

The study by scientists by BirdLife International and the Royal Society for the Protection of Birds in the United Kingdom is published in the journal *Endangered Species Research*, and reports on data collected from 68 longline fisheries around the world.

The large number of bycatch deaths being reported by the study is at least partly attributable to the fact that the problem is worldwide, and new data have only recently been published. Over 90,000 bycatch deaths that were previously unknown or unaccounted for were included in this study.

The report suggests that the Spanish longline fleet may be responsible for killing as many as 50,000 seabirds off southwest Ireland each year, mostly shearwaters and fulmars. The Japanese tuna fleet may be taking over 20,000 seabirds each year, with the largest impact on albatrosses. Some data gaps continue even today, for example, ABC has discovered that there is very little data about bycatch in the local fleets operating in Mexico and Ecuador.

Regulatory actions have been helpful. Seabird deaths around parts of South Georgia in the Southern Ocean have declined by 99%, and South Africa achieved a drop of 85% in bycatch. In recent months, Brazil passed a law that will reduce bycatch death in their tuna longline fleets. Reductions were also noted for the USA and New Zealand.

Bycatch of albatrosses from longline fishing: Fabiano Peppes, Projeto Albatroz

Worldwide, at least 64 seabird species are known to have been killed in longline fisheries; 23 of these species, including albatrosses and petrels, are threatened. Seventeen of 22 albatross species are facing extinction, with the leading cause believed to be longline bycatch. Seven species of petrels are similarly at risk.

The report recommends robust observer programs for fisheries to report bycatch; implementation of mandatory best practices designed to reduce bycatch for fisheries that target fish species that live at or near the ocean floor (known as demersal fisheries) and increased research on methods to reduce bycatch in fisheries targeting fish at or near the surface of the ocean.

Shooting Swamps, *from page 15*

of being the place where the last Eskimo Curlew in the world was shot in 1963.

Recent efforts by conservation organizations to reach out to hunters has shown some results as some clubs have stopped shooting American Golden Plovers, stopped using injured birds as live decoys, and have started providing scientists with their hunting registers.

Whimbrel: Tom Grey

"The unrestrained killing of migrating birds for sport at these shooting swamps must be stopped. The practice is not only untenable from a conservation perspective, but also robs communities of the potential economic benefits from wildlife tourism," declared ABC President George Fenwick.

Lisa Sorenson, president of the Society for the Conservation and Study of Caribbean Birds, commented: "This event has raised awareness of the issue in a way not possible previously. We are optimistic that better hunting laws and other shorebird conservation measures will come out of this experience."

Those interested in contacting decision-makers in the Caribbean about this issue can reach Lisa at lsoren@bu.edu.

Murre Chicks Hatch for the First Time in 100 Years on California's Channel Islands

Researchers from the U.S. Geological Survey (USGS) and National Park Service (NPS) recently discovered that Common Murre chicks had hatched on the Channel Islands for the first time since 1912.

The Channel Islands of California are a chain of eight islands located in the Pacific Ocean off the coast of Southern California. Five of the islands make up the Channel Islands National Park.

Murres are medium-sized seabirds capable of both flying and diving underwater to depths of 500 feet. Historically, Common Murres nested on Prince Island, a small islet off San Miguel Island within Channel Islands National Park. This colony disappeared nearly a century ago, likely a result of human disturbance and egg harvesting.

In California, Common Murres are most abundant off central through northern California with tens to hundreds of thousands of birds nesting at the South and North Farallon Islands, Point Reyes, and other rocky seaside cliffs.

"This is an exciting finding — certainly a historic one," says Josh Adams, a seabird ecologist with the USGS Western Ecological Research Center. "The murres appear to have reestablished their former southern range, perhaps benefitting from present ocean conditions."

Common Murres with chick. This species has recently nested on California's Channel Islands for the first time in 100 years. Photo: Dick Daniels, http.carolinabirds.org

This new colony is perched on 100-foot-high sea cliffs, and was spotted during USGS and NPS research trips to this remote windswept island this summer.

During three visits between late June and early July, researchers repeatedly counted some 125 birds and estimated that over half appeared to be incubating or brooding chicks. Several well developed chicks were observed in late July.

For the first two weeks of their lives, murre chicks are fed at the colony by their parents on regurgitated anchovies, sardines, and juvenile rockfishes. At about two weeks of age, the chicks waddle off the cliff edges and plummet to the surf below. They join their fathers, who raise the chicks at sea until they are capable of diving, flying, and feeding on their own.

With this murre colony, Prince Island now hosts 13 species of nesting seabirds, making it one of the most important and biologically diverse nesting habitats on the West Coast of North America. The new colony is situated within Channel Islands National Park, Channel Islands National Marine Sanctuary, and the recently designated Harris Point California Marine Protected Area.

Seabird biologists will continue to evaluate the future of the Common Murre colony at Prince Island.

Partners in this monitoring effort included the Montrose Settlements Restoration Program and the California Institute for Environmental Studies.

Hawaiian Puaiohi Successfully Hatches in Nest Box

There is renewed hope for conservation of the endangered Puaiohi (pronounced Poo-eye-o-hee; also known as the Small Kaua'i Thrush) on the island of Kaua'i, Hawai'i. Nest boxes put up in 2007 by Pacific Rim Conservation and the Kaua'i Forest Bird Recovery Project resulted in the fledging of a chick in June 2011. This is only the second time ever that Puaiohi chicks have fledged from nest boxes in the wild, the first being nearly ten years ago. During checks at the end of the season, fresh nest material was found in three other nest boxes, indicating that Puaiohi have been actively exploring and perhaps using even more nest boxes.

The Puaiohi nests in natural cliff and tree cavities, and like many other native Hawaiian bird species, it is highly vulnerable to nest predation by rats, which prey on eggs, chicks, and even adults. A key to the success of some of these nest boxes, placed in the Na Pali-Kona Forest Reserve and the Alaka'i Wilderness Preserve, is that they provide nest sites that are safer from rats.

The endangered Puaiohi is endemic to a small part of the island of Kaua'i. In addition to the rat problem, pigs destroy native forest understory vegetation where Puaiohi spend much of their time. Non-native plants, such as blackberry, ginger, and strawberry guava also make preferred habitat unsuitable.

Puaiohi: Eric VanderWerf, Pacific Rim Conservation

Puaiohi are also susceptible to avian pox and avian malaria, which are transmitted by introduced mosquitoes. However, it is encouraging that some birds have recently exhibited resistance to malaria.

"When there are only approximately 500 mature individuals of a species left, small successes such as this are reasons to be excited. It looks like the team on Kaua'i may have identified a methodology that, though labor intensive, offers additional hope for preserving this bird in the wild," said George Wallace, Vice President for Oceans and Islands at ABC.

Puaiohi nesting in flowerpot nest box, June 2011. Photo: Eric VanderWerf, Pacific Rim Conservation.

Lisa "Cali" Crampton, Project Leader for the Kaua'i Forest Bird Recovery Project, which is implementing conservation efforts for the Puaiohi said that, "Eventually, the project hopes to expand the range of Puaiohi by providing nest boxes in other areas that lack the natural cliff nest sites preferred by the species."

"Although only a small number of the 34 boxes have been used so far, we're hoping that this is the beginning of an encouraging trend," said Eric VanderWerf of Pacific Rim Conservation.

Recovery efforts for Puaiohi are being led by the Kaua'i Forest Bird Recovery Project, a cooperative project of Hawai'i's Division of Forestry and Wildlife (DOFAW) and the Pacific Cooperative Studies Unit of the University of Hawai'i, and are supported by partners including the Koke'e Resource Conservation Program and the Kaua'i Watershed Alliance. Puaiohi have done relatively well in captivity. The Zoological Society of San Diego, in partnership with DOFAW and the U.S. Fish and Wildlife Service, have bred and released nearly 200 Puaiohi into the wild since 1999, which has likely helped maintain the wild population. In fact, some of the nest boxes were used by captive-bred birds, further bolstering prospects for the species' recovery.

Populations of Three Endangered Hawaiian Waterbirds on the Rise

A recent study published in the journal *Population Ecology* shows increasing populations of three endemic and endangered Hawaiian waterbirds, with two of those birds showing steep increases in recent years. The Hawaiian Common Moorhen, the Hawaiian Coot, and the Hawaiian Black-necked Stilt were the subjects of the study; all have been listed under the Endangered Species Act (ESA) for over 40 years.

The study, which covered the years 1956-2007, was a collaboration between scientists from Tufts University, the University of Connecticut, and the University of Aberdeen. It identified larger population increases on islands where wetlands were being protected – Oah'u and Kaua'i –and little or no population increases on islands containing few wetlands and/or less protection – Hawai'i and Maui.

The study showed that populations of all three waterbirds had increased over the last three decades, with the coot and stilt showing continuing steep increases today, while the moorhen increases had become more modest in recent years. The three species are endemic to Hawai'i's low-elevation wetlands; their populations have been impacted by wetland loss, invasive plants, and introduced predators such as rats, cats, dogs, mongoose, and bullfrogs.

"Where management actions are being implemented for these species, the birds are responding positively. This shows the value and impact the Endangered Species Act can and should have."

George Wallace, Vice President for Oceans and Islands, ABC

"This study reaffirms what all of us would hope for and, indeed, expect. Where management actions are being implemented for these species, the birds are responding positively. This shows the value and impact the Endangered Species Act can and should have," said George Wallace, ABC's Vice President for Oceans and Islands. "We need to elevate this kind of work to conserve Hawai'i's endangered birds to a much bigger scale."

The Hawaiian Common Moorhen ('Alae 'Ula in the native Hawaiian) population is the smallest of the three, numbering as few as 30 in 1970 with total current population estimated to be in the low 100s. The Hawaiian Coot continues to be found on many of the larger islands and with a population estimate of up to 5,000, it is the most abundant of the three birds, but also has the most variable populations year to year. The Hawaiian Black-necked Stilt was common in some locations in the late 1800s but by 1900 had become scarcer. By 1940, only 200 were believed to exist. The most recent survey estimates a population of about 1,500 birds.

Hawaiian Black-necked Stilts: Owen Deutsch

Hawaiian Common Moorhen: Jack Jeffrey

Hawaiian Coot: George Wallace

Endangered Short-tailed Albatross Killed by Longliner

A Short-tailed Albatross was killed by a longline fishing boat off the coast of Oregon in April 2011, according to a report recently released by the Pacific Fisheries Management Council. This is the first bycatch of a Short-tailed Albatross to be observed in the Pacific Northwest. The report was prepared by NOAA Fisheries' Northwest Fisheries Science Center, and is part of a larger risk assessment report currently in preparation on the effects of West Coast groundfish fisheries on endangered seabirds, fish, mammals, and turtles.

As a result of the seabird death, the National Marine Fisheries Service (NMFS) has initiated consultation with the U.S. Fish and Wildlife Service (FWS) under the Endangered Species Act. Section 7 of the Act mandates that any federal entity undertaking actions that may impact endangered species must consult with FWS.

"Given the known occurrence of Short-tailed Albatrosses in Pacific Coast waters, and the documented bycatch of its near relative, the Black-footed Albatross there, we have to ask why this ESA consultation process was not initiated prior to the death of this bird. Lack of consultation left the fisheries vulnerable to prosecution for the illegal take of an endangered species," said Jessica Hardesty-Norris, Director of ABC's Seabird Program.

The commercial U.S. fishing industry has been broadly receptive to new techniques and technologies that reduce the tragic bycatch death of seabirds, such as the use of bird-scaring (tori) lines that keep birds away from baited hooks as they are being set. Fishermen themselves encouraged the introduction of mandatory regulations that resulted in massive reductions in seabird bycatch in Alaska and Hawai'i. By contrast, no such clear guidance or mandatory mitigation measures exist in the Pacific groundfish fishery. Instead, the Pacific Fisheries Management Council has relied on voluntary efforts by the fleets.

Some West Coast fleets have been proactive in trying to avoid albatross bycatch. For instance, the boats of the Fishing Vessel Owners Association (FVOA) have voluntarily implemented bycatch mitigation procedures and technology. FVOA has requested that the Pacific Fishery Management Council implement Alaska-style tori line regulations for the West Coast as soon as possible.

Following ESA consultations, there will likely be mandatory mitigation measures on the fishery, then FWS will issue a take permit for a limited number of Short-tailed Albatrosses in future years. If the allotted observed number under such a take permit is exceeded, the fishery is reviewed and faces modifications, including potential closures.

ABC Urges Congress: Don't End Prairie-Chicken Protections

ABC has urged Members of Congress to oppose House and Senate amendments that seek to prohibit protection of the Lesser Prairie-Chicken under the Endangered Species Act (ESA). ABC asserted the amendments ignore the broad consensus among wildlife biologists and substantial sound scientific evidence that this species is highly imperiled and merits significant, urgent conservation help. ABC recommends that if that help is unsuccessful in recovering this species, ESA listing should follow.

Lesser Prairie-Chicken: Noppadol Paothong

Habitat loss and degradation have reduced the Lesser Prairie-Chickens' range by 92% since the 1800s, and caused its population to plummet to fewer than 32,000 birds. The species is listed as globally vulnerable by the International Union for Conservation of Nature and Natural Resources (IUCN) and is included on the U.S. WatchList as a species of highest concern. Immediate conservation strategies are needed to halt this species' decline.

If immediate actions are not taken and ongoing, voluntary efforts to protect or restore habitat for the species may fail, and it will need ESA protection to ensure its survival.

The ESA has a demonstrated track record of success. ABC's report, *American Birds: An Endangered Species Act Success Story*, found that of the 43 bird species listed under the ESA that breed in the continental United States, 63% have increasing or stable populations, and several have grown more than tenfold since being listed. Fewer than a quarter are declining, and many were added to the list relatively recently, meaning conservation measures have had less time to work. In fact, species that have increased since listing have been on the endangered list an average of ten years longer than those that have decreased, showing that given time, conservation efforts can recover populations.

BLM Takes New Look at Greater Sage-Grouse Conservation

The Bureau of Land Management (BLM) has announced it will develop a new range-wide conservation strategy for the Greater Sage-Grouse in an attempt to avoid listing the imperiled species. Recent agreements require the U.S. Fish and Wildlife Service (FWS) to proceed with listing decisions for 251 Candidate Species, including the Greater Sage-Grouse, over the next five years. The Service must submit either a proposed listing rule or a "not warranted" finding for the Sage-grouse by 2015.

"This plan is a step in the right direction, but we still need to know what BLM intends to do for sage-grouse," said Steve Holmer, Senior Policy Advisor at ABC. "What prescriptions will it include for energy development, livestock grazing, and cheatgrass control?"

The agency's announcement follows requests by conservation organizations including ABC, WildEarth Guardians, Advocates for the West, and Defenders of Wildlife, as well as FWS and directors of four western state fish and wildlife agencies that BLM develop new and improved regulatory mechanisms to conserve and restore sage-grouse and sagebrush habitat. FWS found current BLM resource management plans lacking when it declared the Greater Sage-Grouse a Candidate Species for listing under the Endangered Species Act in March 2010.

"To be successful, BLM must heed the available research that finds that oil and gas drilling, wind energy development, grazing, roads, and utility corridors are hazardous to sage-grouse and there is a need for better habitat management," said Dan Casey, ABC's Northern Rockies BCR Coordinator. "Reserve areas for sage-grouse, and other bird species of conservation concern such as the Sage Thrasher, and Brewer's and Sage Sparrows should also be considered in the plan."

Greater Sage-Grouse: Alan Wilson

"To be successful, BLM must heed the available research that finds that oil and gas drilling, wind energy development, grazing, roads, and utility corridors are hazardous to sage-grouse and there is a need for better habitat management."

Steve Holmer, Senior Policy Advisor, ABC

BLM is now expected to develop two conservation plans, one for the western portion of the species' range and the other for the eastern. The public will have an opportunity to submit comments on the proposals.

As part of a U.S. Department of Agriculture sage-grouse conservation initiative, $21.8 million was recently granted to Wyoming farmers and ranchers. Funds will be used to tear down fences near breeding sites, implement sustainable grazing practices, and hire sixteen new staff to help farmers and ranchers adopt grouse conservation measures.

A recent study found that a variety of human developments from roads to power lines are having a devastating impact on sage-grouse populations. The study concludes the birds avoid tall structures such as drilling rigs and communications towers, and found that abandoned sage-grouse habitat "contained almost 27 times the human density, three times more agriculture, was 60% closer to highways, and had 25% higher density of roads."

Greater Sage-Grouse: Mark Gocke

Birds In Brief

Spotted Owl Gains Additional Habitat Protection

In June, FWS released a final Northern Spotted Owl Recovery Plan that calls for additional habitat protection for the threatened species, a measure requested by ABC and regional conservation partners.

Glen Tepke

The population of the endangered Northern Spotted Owl is now thought to number fewer than 4,000 pairs, and is declining at nearly 3% per year. The Recovery Plan will guide forest management in the region. Critical Habitat for the owl will be designated in the coming year based on the modeling in the Recovery Plan.

The plan also calls for the experimental removal of Barred Owls to determine whether reduced competition for habitat from this larger species will benefit the Spotted Owl. FWS is expected to release a draft Environmental Impact Statement regarding the experimental removal soon. Results of the experiment will be available in three to five years, after which the agency can determine appropriate long-term management strategies.

Wenatchee Forest Plan an Important Test Case for Owl Recovery Plan

The Northern Spotted Owl Recovery Plan will guide the revision of over a dozen forest management plans within the range of the owl. The Wenatchee National Forest in Washington State is the first to be revising its management plan and provides an important opportunity to see how the Owl Recovery Plan will be implemented on the ground.

Unfortunately, instead of increasing habitat protection, the Forest Service is proposing to eliminate the existing system of the forests's reserves. While a percentage of the forest will be managed for the owl's benefit, there is concern that this protection is not guaranteed.

A suite of species associated with ponderosa pine, including White-headed and Lewis's Woodpeckers, Williamson Sapsuckers, and Flammulated Owl, need conservation action including minimum standards for snag retention and limitations on post-fire logging. A 2005 study, *Managing Landbird Populations in Forests of the Pacific Northwest,* found five bird species on the Wenatchee in decline: Warbling Vireo, MacGillivray's Warbler, and Lincoln's Sparrow, and two temperate wintering species, the Song Sparrow and Pine Siskin. ABC submitted a comment letter on the proposed plan urging conservation of these species, and will continue to monitor the process and advocate for increased habitat protection for the owl.

Three Arrested for Illegally Trafficking in Bird Remains

Three Montana men were arraigned in federal court in Billings, Montana on June 14, 2011, following a multi-year investigation into the illegal trafficking of eagle and migratory bird feathers

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and remains. If convicted, they face possible penalties of up to five years in prison and $250,000 in fines. All three pled not guilty to the charges.

The investigation by the U.S. Fish and Wildlife Service took place between March 2008 and February 2011, and focused on the trafficking in migratory birds, primarily Bald and Golden Eagles, in violation of the Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and Lacey Act.

"Bald and Golden Eagles face many threats in our country, including unlawful killing fueled by the illegal trade in their parts," said Steve Oberholtzer, Special Agent in charge of the investigation. "These magnificent animals are important to the American public for a variety of reasons, and we will investigate violations of the statutes that protect them to ensure they receive the protection they need to survive."

Three Condors Hatch in Wilds of Northern Arizona

For the first time, three California Condor chicks have hatched in the wild in Arizona during a breeding season. The third chick was visually confirmed by staff from the Peregrine Fund on September 9, while two other chicks had been observed on August 20 and April 22.

The first chick was confirmed soon after it hatched in April because the nest was located in a place that allowed easier access for monitoring than the

Joseph Brandt, FWS

other two suspected nests. Two of the nests are located on the South Rim of the Grand Canyon and one on the Kaibab Plateau.

The three young condors – now about six months old -- bring to 15 the number of chicks hatched in the wild since condors were first released in Arizona in 1996. The chicks bring the total number of California Condors in the world to 396. Of those, 196 are in the wild, with 67 in the Arizona-Utah population. In the 1980s, the population had plunged to just 22. The parents of the three chicks were produced in captivity at The Peregrine Fund's World Center for Birds of Prey in Boise, Idaho, and the Los Angeles Zoo.

New Bird Species Revealed After 50 Years in Museum Drawer

A bird specimen that sat in a drawer at the Smithsonian for nearly 50 years has been proven to be a new species, the first discovered in the United States for 37 years.

Peter Pyle of the Institute for Bird Populations discovered the true identity of the bird. He realized that the specimen had been misidentified after it was collected in 1963 from Midway Atoll in the Northwestern Hawaiian Islands by biologists with the Pacific Ocean Biological Survey Program.

Differences in measurements and physical appearance compared to similar species were confirmed by DNA analysis, and the bird was given the name Bryan's Shearwater, *Puffinus bryani*. These findings have been published in a paper in the current issue of the scientific journal *The Condor.*

The Bryan's Shearwater becomes the smallest shearwater known to exist. It is black and white with a black or blue-gray bill and blue legs.

Smithsonian Institution

Acid Rain Burns Ovenbird Nesting Success

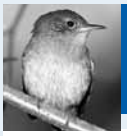
Researchers at Pennsylvania State University recently published a study in The Auk demonstrating that soil calcium may be limiting successful Ovenbird reproduction. Acid rain, caused by burning coal and other fossil fuels, damages forests and reduces calcium in soils and streams, reducing food sources that are essential to the reproductive success of nesting bird species. The negative effects of acid rain on Wood Thrush and Louisiana Waterthrush populations in the northeastern United States have already been documented.

Ovenbird with food: Michael Stubblefield

Researchers set out to determine how forest songbird-habitat quality is related to soil calcium availability by artificially raising soil calcium at test sites using limestone sand. They observed a 1.8-fold increase in Ovenbird territory density, larger clutch sizes, and more nests at the treated sites

Snails are a critical calcium source for many breeding birds, and the researchers suspected that snails were the link between soils and birds because snail abundance increased with liming and was positively correlated with soil calcium.

The researchers concluded that Ovenbird habitat quality is related to soil calcium, and that reduced soil calcium could play an important role in bird declines in acidified forests.



ABC Partners with BirdNote

ABC is delighted to be partnering with the producers of BirdNote®, a daily radio series about birds broadcast on National Public Radio stations around the country. BirdNote shows are two-minute vignettes that incorporate the rich sounds of birds with stories that illustrate the interesting—and in some cases—truly amazing abilities of birds.

ABC-BirdNote stories focus on conservation issues facing birds and what ABC is doing to resolve those issues—ranging from Hawaiian songbirds to Cerulean Warblers to King Rails. You can listen to previous shows or download podcasts at www.birdnote.org. If it doesn't already, ask your NPR station to carry BirdNote!

House Wren: Michael Stubblefield

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QUICK FIXES

for Bird Conservation

Have you ever heard about a bird conservation problem and thought "that doesn't sound too tough to fix, why doesn't somebody just _____?"

Well, you're right. There are "fixes" we can get started on – or finish – right now, and American Bird Conservancy has the partners, solutions, and citizen conservationists to get them done. With your extra help this year, we can knock a lot of those fixes off our conservation "to do" list.

Here's just some of what we can fix if we each contribute an extra $100 or more this year:

- ✔ We can plant 100,000 native trees between now and December 31 to provide future homes, roosts, and migration way-stations for the most threatened bird species in the Americas.
- ✔ We can prevent bird collisions with windows, arguably the biggest killer of birds in the country, by getting the word out about ABC's new window tape (www.abcbirdtape.org) and applying it to problem windows in our own homes and offices.
- ✔ We can prevent illegal activities threatening endangered Lear's Macaws and Long-whiskered Owlets by building ranger stations, supporting forest guards, and strengthening community relations in reserve areas.
- ✔ We can restore critical nesting islands for pelicans and other birds affected by the Deepwater Horizon oil spill in the Gulf last year.

Can we get all this done? **Absolutely**. We can complete some of the fixes quickly – before the end of the year – while others will take more time, but they are all within our reach. Can you please dig deep and help us? Donate today by using the enclosed envelope, or on our website, **www.abcbirds.org**.

Laysan Albatross: FWS; Brown Pelican: ClipArt.com