

# BIRD CALLS

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## ABC Raises the Stakes on Bird Deaths at Mining Claim Sites

**ABC** has alerted regulators and the public to a newly discovered threat to birds posed by mining claim marker stakes in Nevada and other western states. The stakes are PVC or metal pipes placed in the ground at the corners and sometimes along the entire lengths and breadths of claims. The four- to

six-inch diameter pipes extend several feet above ground for easy spotting by claim holders and regulators. Small birds often see the opening of the pipe markers as a hole suitable for nesting. The birds become trapped inside because the pipes are too narrow to allow them to extend their wings and fly out, and the walls are too smooth to allow them to climb up the sides. Death from dehydration or starvation follows.

This threat could already have caused a million or more bird deaths in Nevada alone.

Recent field studies by the Nevada Department of Wildlife recorded 43 bird species killed

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Mountain Bluebird: Dan Casey, ABC

## New Colombian Reserve Protects Endangered Birds

**ABC** and its Colombian partner Fundación ProAves, in partnership with World Land Trust-US, have established a new, 5,000-acre reserve to protect one of the last strongholds for the endangered Gold-ringed Tanager.

Following field surveys in 2008 and 2009, ProAves determined there may be as few as 500 Gold-ringed Tanagers remaining worldwide, all along 150 miles of ridgetop on the Pacific slope of the western Andes of Colombia. A critical population of up to 50 pairs was identified in the



Gold-ringed Tanager: Pete Morris

lush Chocó forest near the town of Carmen de Atrato, and this location became the target area for creating the new reserve. Four properties were

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## Bird Deaths at Mining Claim Sites, from page 1



An uncapped mining claim stake can cause the deaths of many birds. Photo: Nevada Department of Wildlife



These Mountain Bluebirds died after being trapped inside this PVC mining claim stake. Photo: Christy Klinger

by the pipes, including Ash-throated Flycatchers, Mountain Bluebirds, woodpeckers, sparrows, shrikes, kestrels, and owls. In the 854 pipes examined, biologists found 879 birds (as well as 113 reptiles and 20 mammals) – an average of more than one bird mortality per pipe. One pipe had more than 30 dead birds inside. There are more than one million federal mining claims in Nevada alone, each marked by a minimum of four stakes.

This problem extends beyond the borders of Nevada. According to the BLM, in 2010, there were 3,388,400 mining claims of record on BLM-managed lands in the 11 western states and Alaska.

As of 1993, Nevada mining claim holders were prohibited from using open-ended pipes for marking the boundaries of new claims. However, the law did not require that stakes be removed or modified at existing claims. A subsequent 2009 Nevada law invalidated any claim still marked with open-ended pipe. The legislature also included a citizen provision that became effective November 1, 2011, which allows anyone to pull up open pipe markers and lay them on the ground nearby. ABC is encouraging citizens who see any such stakes to do this and prevent further deaths.

Even more troubling is that during the recent field studies, about half of the protective caps that had been put on stakes had become displaced, and were now lying on the ground nearby, re-establishing the threat to birds.

**Mining claimants need to be held accountable for their stakes through federal regulatory action that requires them to remove their hazardous markers or face fines under the Migratory Bird Treaty Act.**

In a letter to BLM Director Bob Abbey, ABC stated: “While there have been some efforts by local, federal, and state agencies to address the problem, these have been wholly inadequate, and have allowed bird deaths to continue to mount up over the last two decades. Given the enormous scale of the issue, a comprehensive, long-term, federal solution is required. Mining claimants need to be held accountable for their stakes through federal regulatory action that requires them to remove their hazardous markers or face fines under the Migratory Bird Treaty Act.”

ABC is continuing to work with BLM and the USDA Forest Service to find solutions to this issue.

## ABC'S VIEWPOINT

## Take Permits: the Path to Sustainability for the Wind Industry (and Others)

One hundred years ago, many of America's birds were in dire straits. The Great Auk had already vanished forever; the Passenger Pigeon was soon to become just another history lesson; and populations of egrets, swans, shorebirds, and duck were in an alarming downward spiral, all casualties of overhunting.

Fortunately, the U.S. government intervened just in time to save all but a handful of bird species by passing the Migratory Bird Treaty Act, which made it illegal to kill any native, migratory bird without a permit.

This must have been quite the upheaval for many Americans. People who had spent their entire lives shooting whatever they wanted, whenever they wanted now had to abide by regulations and pay the government money for licenses. But a combination of law enforcement and education prevailed, and changed the culture to such an extent that today's hunters are among our nation's best conservationists.

The key to the success of the MBTA was the provision to grant permits for continued limited hunting. The species were restricted to those judged by biologists to be able to withstand the "take". Fees paid by the hunters were invested back into conservation, to start and grow our unparalleled wildlife refuge system and fund the permitting scheme itself. As a result, there is not a single bird species today whose continued stability is threatened by over-hunting in the United States.

Unfortunately, other threats to bird survival have appeared. Habitat loss and conversion caused by agriculture, grazing, urbanization, and invasive plant and animal species have affected

bird populations by limiting their productivity. The escalating threat of global climate change may create future challenges. Pesticides, lead poisoning, introduced predators, and collisions with man-made structures reduce survival rates. Each of these issues has its own implications for different bird populations, and its own unique set of potential solutions.

For some forms of human-caused bird mortality, the solution is already available: MBTA take permits.

The MBTA provides a ready framework for requiring take permits in order to allow cooperating industries to remain in operation. The wind industry, for example, cannot operate without killing birds, but the number of those deaths can vary significantly depending on where wind farms are sited and how they are operated.

An MBTA take permit system – such as that proposed by ABC in a recent petition to the Department of the Interior (see article page 9) – would require a cultural shift in the wind industry similar to that made by hunters in the 1920s. It would end the free-for-all currently enjoyed by developers. Instead it would require proposed wind farms to abide by certain siting restrictions and adhere to operational standards. The developers would have to pay for the privilege of being able to build their wind farm – not just for the permit, but also potentially to offset any birds they unavoidably kill.

Although a take permit system would mean that some birds get killed, it also means that wind farms that fail to meet the required standards would be denied permits and not get built. Wind farms that met the requirements

would be guaranteed protection against prosecution when birds do collide with their turbines. This would benefit the wind industry and its investors by providing certainty that they won't face heavy fines.

If we require take permits for wind development, will we also have to get take permits for the windows in our homes or for our cars, in case they kill a bird? This argument, made by some in the wind industry, is a red herring. While killing a bird with your car is unlikely, bird deaths at wind farms are both inevitable and predictable, and as a result, fall under the regulatory authority of the MBTA.

The National Marine Fisheries Service, the federal agency that oversees the fishing industry, has recognized the benefits of the MBTA take permit system, and recently applied for a permit to regulate the loss of seabirds to Hawaiian fishing vessels (see article page 16). If granted, this will limit the number of seabirds that are killed on longline hooks. ABC has recommended that fishermen who comply with the conditions of the permit also receive some protection against prosecution when they take birds. This would be a win-win for the fishing industry and conservation, and would provide a roadmap for the wind industry to follow.

To prove viable, each industry must demonstrate sustainability, and mitigate for any detrimental environmental impacts it makes. For those industries where migratory bird mortality is a concern, such as the wind industry, take permits are a straightforward, workable answer.



*New Colombian Preserve Protects Endangered Birds, from page 1*

immediately acquired, followed by the purchase of 11 more properties soon after to create La Reserva Las Tangaras—the Tanagers Reserve.

“This new reserve will likely also safeguard many as yet undiscovered biodiversity gems,” said Sara Lara, ABC Vice President for International Programs. “The Gold-ringed Tanager and red-eyed harlequin frog, which is also protected by the reserve, were only relatively recently described themselves. The area is certainly expected to hold other surprises. On a recent ABC expedition, three Golden-winged Warblers were observed and photographed, a first for the reserve. Look for new discoveries coming soon!”

The reserve, owned and operated by ProAves, is expected to attract visiting birdwatchers, ornithologists, and nature tourists. The area boasts remarkable opportunities for birding (over 250 species documented at the reserve so far) in a country that is home to the greatest avian diversity on the planet. A spacious, eight-bedroom lodge was recently constructed, as well as a house for staff. Plans have been approved for a restaurant that will feature a balcony overlooking the nearby river.

“Birders will be astounded how easy it is to see over two dozen endemic species. We hope people will come from all over to visit and appreciate what Colombia has to offer, be they from nearby Medellin or from Washington or London,” commented Lina Daza, Executive Director of ProAves.

Other important species found in the reserve include the endangered Chocó Vireo, and the vulnerable Black-and-Gold Tanager and Cloud-forest Pygmy-owl.



The Black-and-Gold Tanager is a vulnerable species found at the new reserve. Photo: Fundación ProAves, [www.proaves.org](http://www.proaves.org)

The Chocó area of western Colombia is renowned for its boundless, lush, humid forests. Unfortunately, more people are colonizing the area and logging huge swaths of land. The reserve is located alongside the main thoroughfare to Medellin from the coast.

“The Tanagers Reserve will protect forest along several miles of a road that is soon to be paved. The increased access to the area will bring continued habitat loss in years to come, making the reserve particularly important for the conservation of plants and animals,” stated Paul Salaman of World Land Trust-US.

The Tanagers Reserve, showing prime habitat for Gold-ringed Tanager (background) and the new visitor center (inset). Photos: Benjamin Skolnik, ABC



## Iowa Legislature Takes Another Shot at Lead Ban

It appears likely that in this spring's session, the Iowa state legislature will again take up the controversial issue of banning the use of lead shot for dove hunting. Lawmakers received considerable media attention last year when first they passed legislation authorizing the first dove hunting season in 90 years in the state, and then reversed a decision by the Iowa Natural Resources Commission to prohibit the use of lead shot for the hunt.

**A lead-free decision is not anti-hunting; it is pro-wildlife and pro-environment. A lead ban would mean hunters could still engage in a pastime that has been part of our culture for hundreds of years.**

*George Fenwick, President, ABC*

While this meant that hunters were free to use lead shot last dove season, the legislature must formally act on the ban in the next session to prevent the no-lead rule from becoming active this season, which starts on September 1<sup>st</sup>. News reports indicate that State Senator Dick Dearden, (Des Moines), who introduced the bill authorizing the dove hunting season, will seek a vote allowing the use of lead shot for dove hunting.

"Over 500 scientific studies attest to the fact that lead ammunition is harmful to wildlife. Millions of doves and other birds die slow, agonizing deaths after mistakenly ingesting spent lead shot they find on the ground. A Mourning Dove that ingests a single lead pellet is essentially a dead dove. I urge Iowa lawmakers to allow the no-lead rule to stand," said ABC President George Fenwick.

"A lead-free decision is not anti-hunting; it is pro-wildlife and pro-environment. A lead ban would mean hunters could still engage in a pastime that has been part of our culture for hundreds of years. The only change is that they would use non-toxic ammunition that doesn't needlessly kill non-target wildlife," said Fenwick.

Lead shot has been banned use in for waterfowl hunting in Iowa since 1987, and nationally since 1991. As a result, the price of steel shotgun ammunition has fallen and can even be lower than that of lead shot.



Mourning Doves: Gary Smyle

## Birds Relatively Unscathed in 2012 Funding

Conservationists breathed a sigh of relief last December, when Congress finally wrapped up the year by passing a \$1 trillion spending package that included funding for programs supporting bird conservation run by the Department of the Interior and the Environmental Protection Agency.

The Neotropical Migratory Bird Conservation Act (NMBCA), which was zeroed out in the House funding bill, was restored to \$3.792 million. The Act is the only federal U.S. grants program specifically dedicated to the conservation of our migrant birds

throughout the Americas. Funding for State Wildlife Grants, the nation's core program for preventing birds and wildlife from becoming endangered, in addition to supporting strategic conservation investments in every state and territory, received \$61.4 million, a major boost over the \$22 million originally approved in the House bill. Similarly the North American Wetlands Conservation Act, which provides funding for conservation projects that benefit wetland birds, received \$35.5 million, which was higher than the \$20 million allocated in the House bill.

Efforts by ABC's advocacy staff were supported by concerned members of the public who used ABC's website Action Center to email their Senators and Representatives, and by others who wrote, called, or visited lawmakers in person, encouraging them to preserve funding for bird and wildlife programs at the highest possible levels. Given the difficult anti-spending political climate and the threatened elimination of NMBCA, we believe your voices were heard and made a critical difference. Thanks again for all your efforts.



## Insects to Control Strawberry Guava in Hawai'i

The state of Hawai'i will soon begin a program to curb one of the archipelago's most environmentally damaging, invasive plants – strawberry guava – using a non-native species, the Brazilian scale insect. The decision follows an assessment that found no significant negative impacts would result from such measures.

The assessment took into account more than 15 years of studies by the USDA Forest Service on potential insect controls of the plant that has already overtaken hundreds of thousands of acres in Hawai'i. The studies ultimately determined that the Brazilian scale insect could provide some degree of natural control while posing no threat to native vegetation. Over 100 plants were tested for hosting compatibility with the insect, and all tested negative.

Strawberry guava was introduced to Hawai'i in 1825, and has since spread throughout native forests. It grows very quickly, forms dense thickets up to 30 feet high, crowds out native plants, and can grow in the shade. It produces large amounts of fruit with many seeds that are spread

by animals, and sprouts prolifically from stumps and cut branches. Mechanical and herbicide control methods have been used on it for decades, with minimal success.

A University of Hawai'i study shows that strawberry guava is detrimental to Hawai'i's watersheds, with affected forests losing 27% more water than native 'ōhi'a forests. The U.S. Department of Agriculture also reports that the millions of pounds of fruit produced by the plant are a primary food for oriental fruit flies, which invade agriculture crops and cost Hawai'i millions of dollars annually in quarantine treatment and control efforts.

“Strawberry guava is one the worst threats to Hawai'i's unique biodiversity, and without this action we will continue to lose our endemic birds and their habitats. We hope that this biological control will give the native forests a chance to recover,” said Chris Farmer, Hawai'i Science Coordinator at ABC.

## FWS Considers Listing the 'I'iwi

On January 24, the U.S. Fish and Wildlife Service (FWS) initiated a Status Review of the 'I'iwi. The review is the first step by the agency in potentially listing this stunning, red Hawaiian honeycreeper under the Endangered Species Act (ESA).

FWS announced their decision in response to a 2010 petition from the Center for Biological Diversity and Life Net. FWS concluded that the petition had merit and that the 'I'iwi may qualify for protection.

Since human settlement, at least 71 bird species have gone extinct from the Hawaiian Islands, including at least 35 Hawaiian honeycreepers. Of the remaining 24 honeycreepers, 17 are listed under the ESA, but seven of these may already be extinct. Although the 'I'iwi is one of the most widespread of the remaining honeycreepers, it is now extinct on Lana'i, and relict populations of probably fewer than 50 individuals each remain on O'ahu and Moloka'i. It is rapidly disappearing on Kaua'i, and seems to be declining on Maui and the Big Island except in managed areas such as Hanawi Natural Area Reserve on Maui and Hakalau Forest National Wildlife Refuge on the Big Island.

Like other native Hawaiian birds, the 'I'iwi is threatened by habitat destruction and degradation by non-native

grazing mammals, such as pigs and goats, and non-native predators, such as cats and rats. It is very susceptible to avian malaria which is spread by introduced mosquitos. Once bitten by an infected mosquito, most 'I'iwi will die in a matter of days.

Rising temperatures caused by climate change are reducing the amount of high-elevation forest where mosquitos cannot survive, leaving the 'I'iwi with fewer refuges from this disease. 'I'iwi are highly nomadic nectar-feeders, flying long distances to find nectar sources at different elevations. These movements may increase exposure to disease if their foraging trips take them into areas where mosquitos and disease are prevalent.

See [www.regulations.gov](http://www.regulations.gov) for the FWS 90-day petition finding and initiation of status review documentation. The public comment period closes March 26, 2012.



'I'iwi are particularly susceptible to avian malaria borne by introduced mosquitos Photo: Jack Jeffrey

## Hawaiian Seabirds Off-Limits to Predators Thanks to New Fence

The first predator-proof wildlife protection fence in the United States is producing dramatic results that may lead to a resurgence in Hawai'i's seabird populations. The Wedge-tailed Shearwater, which nests in the coastal dunes on the now-fenced Ka'ena Point at the northwestern tip of O'ahu, produced the highest number of chicks since the annual survey began in 1994 thanks to the protection provided by the new fence.



Wedge-tailed Shearwater in nest burrow: Tom Grey

Two thousand and forty feet of the marine grade, 6.5-foot-high, stainless steel fence was installed to create a 59-acre area enclosure at Ka'ena Point Natural Area Reserve. Although this is the first time a fence of this kind has been used in the United States, the design has been used successfully in New Zealand on coastal and forest projects. "This is extraordinary news. It has been only eight months since the predator-proof fence was installed and already we are seeing results. This

year's chick count of 1,775 is a 14% increase over the previous high count in 2007, and the highest number ever recorded at the point. So far, the fence has done a great job of preventing bird predation by rats, cats, mongoose, dogs, and even mice," said George Wallace, Vice President for Oceans and Islands at ABC.

The project has been a cooperative effort involving Hawai'i's Department

Ground-nesting seabirds in the area, which also include the Laysan Albatross, have been heavily preyed upon by introduced mammals, with up to 15% of chicks killed each year. Cats, dogs, rats, and other predators commonly take young birds before they can fly, but also eat seabird eggs and even attack adult birds. Elsewhere in Hawai'i these predators still pose a major threat to the survival of native species. Full moon nights in October

**It has been only eight months since the predator-proof fence was installed and already we are seeing results. This year's chick count of 1,775 is a 14% increase over the previous high count in 2007, and the highest number ever recorded at the point.**

*Dr. George Wallace, Vice President for Oceans and Islands at ABC*

of Land and Natural Resources, the U.S. Fish and Wildlife Service, the Hawai'i chapter of The Wildlife Society, and local communities.

"We are very excited to be moving into the next phase of the project now that the birds are able to exist without predation pressure and we can begin active restoration of the shearwater. We hope this is the first of many projects like this in Hawai'i," said Lindsay Young, the project coordinator with Pacific Rim Conservation.

and November often bring particularly devastating attacks on the Wedge-tailed Shearwater chicks as they leave their burrows for the first time.

The fence provides a combination of features including a rolled hood at the top, fine mesh between the fence posts, and a skirt buried underground, to prevent animals from jumping or climbing over, squeezing through, or digging their way under the fence and into the protected area.

Predator-proof fence at Ka'ena Point, Oahu.  
Photo: George Wallace, ABC

## Millerbirds Thriving on Laysan Island

In the last issue of *Bird Calls* (Vol. 15, No. 3), we reported on the historic return of the Millerbirds to Laysan, the first time these endangered birds had been on this island in the Hawaiian chain since the early 1900s. A collaborative effort of the U.S. Fish and Wildlife Service, ABC, and others moved 24 Millerbirds from tiny Nihoa Island where only about 775 birds survive. The translocation was the first phase of what the partners hope will be the creation of a new population and a reduction in the risk of the species' extinction.

After the initial success of the translocation, two biologists remained on Laysan to monitor the birds in their new home. All of the birds were banded with a unique combination of colored leg bands, allowing them to be identified individually in the field. In addition, 12 of the 24 birds were affixed with radio transmitters, which enabled the biologists to track their movements in detail for up to three weeks until the transmitter batteries expired.

Tracking the Millerbirds has been a challenge. At over 1,025 acres, Laysan is much larger than 155-acre Nihoa, and although the birds have mostly remained in the

northern portion of the island where they were originally released, two birds have made visits to the far southern end of the island, one and a half miles away. One bird has made the round trip several times.

If they are not singing, Millerbirds can be mouse-like, staying hidden in dense vegetation, making it difficult to account for all of the birds. So far, the team believes that overwinter survivorship on Laysan has been good

The translocated Millerbirds attempted breeding almost immediately after arriving on Laysan. The birds built eight nests; three had eggs, and two chicks hatched from one clutch. Unfortunately, all of these nesting attempts failed. The loss of two of the nests may have been due to depredation by Laysan Finches.

Recently, biologists on Laysan have observed some of the Millerbirds carrying nesting materials and also building a nest, a hopeful sign of coming breeding success. For up-to-the-minute information on the Millerbirds, see ABC's blog: <http://abcbirds.wordpress.com>.

## Conservation Computer Model Yields Surprising Results

The loss and degradation of habitat is the major culprit behind most bird species' population declines. To better assess the potential effects of habitat conservation efforts on bird populations across large landscapes, research scientists at the University of Missouri-Columbia have developed state-of-the-art mathematical models of habitat quality and population viability. These models have produced some surprising results.

The newly developed models and maps indicate where and how much reforestation and habitat management would be needed to reach population goals within the 74-million-acre Central Hardwoods Bird Conservation Region.

"You would think that conserving habitat would always benefit birds, but this model is telling us that this premise is not always true," said Jane Fitzgerald, ABC's Central Hardwoods Joint Venture Coordinator. "In fact, the models predict that efforts to improve habitat in more fragmented landscapes that have only isolated patches of remaining forest could actually result in population declines!"

This is because improving the quality of these small forest patches would attract more birds to areas with relatively

high concentrations of predators and nest parasites that kill birds. These areas become "population sinks" – conservation dead ends. The same resources applied to different areas would have very different results.

Models have already been created for three species of forest-breeding birds – the Wood Thrush, Worm-eating Warbler and Prairie Warbler – and more are being developed.

"This model tells us where best to put our conservation dollars for habitat restoration that will yield the greatest return. It has broad implications for conservation efforts across the United States," Fitzgerald said.



Worm-eating Warbler: Greg Lavaty



## ABC Files Landmark Petition to Protect Migratory Birds at Wind Farms

In December 2011, ABC formally petitioned the U.S. Department of the Interior (DOI) to protect millions of birds from the negative impacts of wind energy by developing regulations that will safeguard wildlife and reward responsible wind energy development.

The 100-plus-page petition, prepared by ABC and the public-interest law firm Meyer Glitzenstein & Crystal, urges the government to issue regulations establishing a mandatory permitting system for the operation of wind energy projects under the Migratory Bird Treaty Act (MBTA) that would both limit and mitigate for the impacts of wind farms on migratory birds. In addition to protecting birds, the proposal would provide the wind industry with certainty that developers in compliance with a permit would not be subject to legal penalties for violation of the Act.

Properly sited and operated wind energy projects may be an important part of the solution to climate change, a phenomenon that poses an unprecedented threat to many bird species and ecosystems.

ABC filed the petition because the government's voluntary approach – in place since 2003 – has proven ineffective. Preventable bird deaths at wind farms keep occurring, and new wind projects continue to be built in areas that are high-risk to birds.

One highlight of the petition is a map that shows important bird areas and bird migration corridors throughout the United States, overlaid with the locations of proposed and already operating wind turbines. The map demonstrates that many planned and existing wind turbines are in areas where they pose significant threats to

birds, a practice that can and should be avoided.

The federal government is legally required to respond to the petition within a “reasonable” period of time. Although reasonable is not defined, it is often considered to be about a year. In the meantime, ABC has asked DOI to open a public comment period so that other organizations and individuals can offer their opinions on the petition. Often, DOI has a public comment period when it is considering writing new rules, so ABC's



Part of the NedPower/Mount Storm wind facility in West Virginia. Photo: Bruce Halgren

request is in line with the government's well-established practice.

You can help ABC get regulations to protect birds at wind farms by endorsing ABC's wind petition. Learn more at [www.abcbirds.org](http://www.abcbirds.org)

### WV Bird Kills Highlight Need to Regulate Wind Industry

The need for mandatory regulations to protect birds at wind farms was demonstrated again this fall at two wind projects in the Allegheny Mountains of West Virginia.

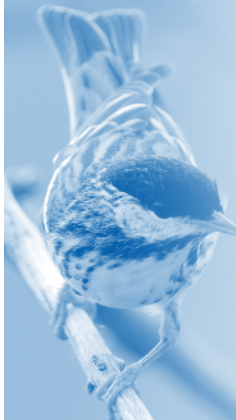
At the Laurel Mountain facility, almost 500 songbirds, including Blackpoll and Connecticut Warblers, were reportedly killed after lights were left on at a battery storage unit and electrical substation associated with the wind project. The deaths are said to have occurred not from collisions with the turbines themselves, but from a combination of collisions with the substation and apparent exhaustion as birds caught in the light's glare circled in mass confusion.

Less than a month earlier, at the NedPower Mount Storm facility, 59 birds and two bats were killed. Thirty of the dead

birds were found near a single wind turbine that was reported to have had internal lighting left on overnight.

There were three critical circumstances that tragically aligned in each of the West Virginia events to kill these birds. Each occurred during bird migration season, during low visibility weather conditions, and with the addition of a deadly triggering element—an artificial light source. Steady-burning lights have been shown to attract and disorient birds, particularly night-migrating songbirds that navigate by starlight, and especially during nights where visibility is low, such as in fog or inclement weather. Circling birds collide with structures or each other, or drop to the ground from exhaustion.

These incidents were all the more disturbing because minimizing outdoor lighting at wind facilities is a well-known operating standard. However, it is currently voluntary. The model regulation in ABC's wind petition would allow the federal government to require it.



Blackpoll Warbler: Greg Lavaty

## Endangered Short-tailed Albatross Hatches in U.S. for Second Year

An endangered Short-tailed Albatross has nested in the United States and produced a chick for the second consecutive year. The recent discovery at Midway Atoll National Wildlife Refuge, over 1,300 miles northwest of Honolulu, follows the fledging of the first U.S.-born chick last year at the same site to the same parents.

“We may be seeing the very early stages of the formation of a new population,” said George Wallace, Vice President for Oceans and Islands at ABC. “This would be a significant conservation development because it would reduce the likelihood that a catastrophic event on its main breeding island (Torishima, Japan) would wipe out the species.”

The Short-tailed Albatross was once the most abundant of the North Pacific albatross species, numbering more than a million birds. It was decimated by feather hunting at the turn of the 20<sup>th</sup> Century, and by the late 1940s was thought to be extinct. In the early 1950s, ten pairs were discovered breeding on the volcanic island of Torishima, Japan. The population has now reached 3,000 individuals, with most on Torishima, but conservationists fear an eruption there could spell disaster. For the last five years, the Short-tailed Albatross Recovery Team, an international group of collaborators, has been working on establishing a new colony on Mukojima Island, also in Japan, which is safe from volcanic activity.



Short-tailed Albatross on nest on Midway Atoll, 2011. This species has nested on Midway again in 2012, and has successfully hatched another chick. Scientists hope that this behavior indicates the start of a new population of the species. Photo: USFWS

Fifty-five miles from Midway, another Short-tailed Albatross pair is attempting breeding on Kure Atoll, the northernmost coral atoll in the world, where an apparent female-female pair nested last year. The State of Hawai'i and the Kure Atoll Conservancy have been working to restore the island so that it offers even higher quality habitat for nesting seabirds. Both Midway and Kure are part of the Papahānaumokuākea Marine National Monument designated by President George W. Bush in 2006.

A single Short-tailed Albatross was also observed on Laysan Island this winter, and over the years, individuals have made appearances on French Frigate Shoals, and Pearl and Hermes Atoll, also in the Northwestern Hawaiian Islands.

## ABC Publishes Landmark Bird-Friendly Building Guide

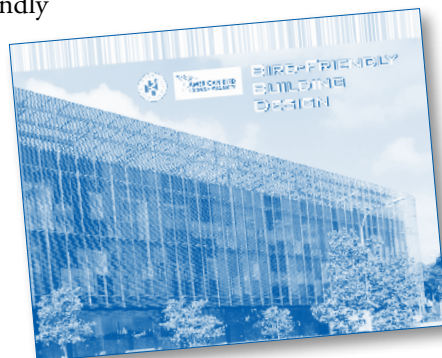
ABC recently published the new guide *Bird-friendly Building Design* ([www.abcbirds.org/newsandreports/BirdFriendlyBuildingDesign.pdf](http://www.abcbirds.org/newsandreports/BirdFriendlyBuildingDesign.pdf)), targeting architects, planners, building owners, and regulators.

This attractive 58-page publication provides a comprehensive review of the problem of bird mortality from collisions with buildings and the solutions. It is packed with colorful photographs of existing bird-friendly buildings of architectural merit, designed by internationally recognized architects and small, local firms alike.

“This guide clearly demonstrates that bird-friendly design need not inhibit architectural creativity or increase a building’s budget,” said

Chris Sheppard, ABC’s Collisions Program Manager. “It also complements ABC’s continuing education classes for members of the American Institute of Architects, which are now available at a number of schools.”

The new publication will be distributed to architectural schools, city planning departments, local, state and federal officials, environmental organizations, and others.



To order a printed copy of the guide, visit ABC’s website, [www.abcbirds.org](http://www.abcbirds.org). For information on ABC’s continuing education classes for architects, contact Chris Sheppard, ABC, [csheppard@abcbirds.org](mailto:csheppard@abcbirds.org).



## ABC Calls for Halt to Guadeloupe Shorebird Slaughter

The killing last fall of two Whimbrels that were part of a multi-organization satellite tracking study (*Bird Calls* Vol. 15, No. 3) brought to light the unregulated and unmonitored shooting of shorebirds on the French-owned island of Guadeloupe in the Caribbean. In response to this discovery, ABC sent a letter to the French Government's Ministry of Ecology calling for hunting controls in all French departments in the Americas.

The first Whimbrel was shot at Port Louis Swamp; the other was killed at Pointe Allègre. The birds were likely

exhausted after navigating through severe weather and were forced to land in Guadeloupe, an area they had avoided in previous recorded migrations.

Guadeloupe has several isolated mangrove swamps where migrating shorebirds concentrate. An estimated 3,000 hunters take part in unregulated shorebird hunting at these sites every year. ABC charged in its letter that the unrestrained sport killing of migrating birds threatens these species and must be stopped. The practice is not only untenable from a wildlife conservation perspective, but it also robs these nations of the potential economic benefits from wildlife tourism.

ABC requested the Ministry of Ecology to forbid hunting during periods of reproduction, dependence, and migration, as well as during certain extreme weather events that force migrating birds to land

in Guadeloupe and Martinique; to update the status of species of game, notably shorebirds, according to their conservation needs; and to completely prohibit the hunting of the Red Knot, a species soon to be listed under the U.S. Endangered Species Act.

ABC also requested limits on the number of hunting days, maximum bag limits, notably for declining or excessively hunted species, and a ban on the use of lead in hunting ammunition. Similar requests were sent by other organizations, including the Society for the Conservation and Study of Caribbean Birds.

The French Government has since indicated it is considering a ban on the hunting of Red Knot and Whimbrel on Guadeloupe, and putting bag limits on three other species. If implemented, these changes could go into effect as early as the next hunting season which begins in July. View ABC's letter at [www.abcbirds.org/PDFs/ABCWhimbrelLetterGFENG100511.pdf](http://www.abcbirds.org/PDFs/ABCWhimbrelLetterGFENG100511.pdf).



Whimbrel: Tom Grey

## FCC Enacts Stronger Rules to Protect Birds at Tall Towers

In December, 2011, the Federal Communication Commission (FCC) agreed on interim changes to their system for approving applications for new telecommunication towers. The changes were based on recommendations submitted by ABC, Defenders of Wildlife, National Audubon Society, and telecommunications industry leaders.

These changes were the outcome of a successful lawsuit by ABC, which resulted in the federal court of appeals ordering the Commission to carefully evaluate the potential adverse effects of communications towers on migratory

bird populations in the Gulf Coast region during their tower licensing process.

"For the first time, members of the public will have an opportunity to comment on the environmental effects of proposed antenna structures," said Darin Schroeder, ABC's Vice President of Conservation Advocacy. "As an interim measure, the FCC now requires that an Environmental Assessment be prepared for any proposed tower over 450 feet in height. Science has shown that this is a threshold height above which there is an exponential increase in bird mortality."

In addition, the FCC will now maintain a public website where information on tower registrations will be posted for 30 days. Anyone may file a request for environmental review of a proposed tower within 30 days of notification of the tower application appearing on the FCC website. The request must state why the interested person or entity believes that the proposed new antenna structure or modification to an existing structure may have a significant impact.

The full ruling can be found at: [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-11-181A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-11-181A1.pdf)

## Threatened Florida Scrub-Jay Continues to Decline

**A**n extensive new study on the health of the Florida Scrub-Jay, the only bird endemic to that state, has found that despite significant efforts to protect the species, populations have dropped significantly in the last 18 years. In managed study areas, populations have fallen by as much as 25%, but it is likely that the total species' population throughout the state may have dropped as much as 35-40%. Other sources estimate the total scrub-jay population to be around 4,000 pairs, down from 10,000 in 1993.



Florida Scrub-Jay. Photo: Larry Master, [www.masterimages.org](http://www.masterimages.org)

The Florida Scrub-Jay has been listed as Threatened by the U.S. Fish and Wildlife Service since 1987. It is a cooperative breeder, forming family groups that defend territories. Its oak scrub habitat is highly dependent on naturally occurring fires, which have been largely suppressed in recent decades.

The study, by the Avian Ecology Program of the Archbold Biological Station, compared numbers at 178 sites between the 1992-3 season and the 2009-10 season. Results showed declines at 95 of the sites, and an overall population decrease of 25%. Many of the medium- and larger-sized populations have experienced reductions of 50% or greater. The authors conclude that if managed sites are experiencing such population declines, populations at non-managed sites (such as suburban properties and other land facing development pressures) are likely suffering even worse losses.

Of the 95 sites experiencing declines, the largest occurred at Merritt Island National Wildlife Refuge, which lost 109 groups. Other notable decreases occurred at Avon Park Air Force Range, which dropped from 98 to 57 groups, and the Carter Creek Tract of the Lake Wales Ridge Wildlife and Environmental Area, which dropped from 35 groups to three. A total of 54 managed areas at which at least one Florida Scrub-Jay group occurred in 1992-1993 lost all groups by 2009-2010.

However, there was also some good news – new populations of Florida Scrub-Jays were recorded in 2009-2010 at 15 managed sites where none had previously existed. The report also indicated that the sites

could, with proper management, support as many as 3,094 groups of jays.

State-funded acquisition of about 280,000 acres of scrub habitat over the last 20 years has been extremely important for scrub-jay conservation, and supports earlier studies that suggest the greatest threat to Florida Scrub-Jays comes from fire suppression, although habitat loss also remains a major concern. The authors cited trends from the Lake Wales Ridge where populations are increasing at sites where fire is managed appropriately, but declining at sites where fire management is insufficient.

### ABC BirdTape Now Available!

Birds cannot see glass. As a result, hundreds of millions die each year in collisions with windows, particularly home windows.

Tape is a cost-effective way to make windows safe for birds, and is a quick way to treat large areas of glass.

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Learn more and order your  
**ABC BirdTape today at**  
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## New Program to Raise Awareness of Gulf's Beach-nesting Birds

A new program will increase protection and public awareness of beach-nesting birds such as Least Terns and Black Skimmers affected by the Deepwater Horizon spill along the Gulf of Mexico. ABC is managing the project under a grant from the National Fish and Wildlife Foundation using monies provided by the BP Recovered Oil Fund. Partnering with ABC are Houston Audubon, Texas Audubon, Gulf Coast Bird Observatory (GCBO), Texas Mid-Coast National Wildlife Refuge Complex, Coastal Bend Bays and Estuaries Program, National Audubon Society, Barataria-Terrebonne National Estuary Program (BTNEP), and Florida state agencies.

Partners will post signs and erect fences to protect sensitive nesting areas, print guides to beach-nesting birds, and provide educational kiosks at critical nesting sites such as Bolivar Flats – an ABC-designated Globally Important Bird Area. The effort will also implement community-based outreach programs and establish colony monitoring protocols at these locations.

“Beach-nesting birds in the Gulf suffered not only from the oil spill itself, but from the poorly executed beach

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**Beach-nesting birds in the Gulf suffered not only from the oil spill itself, but from the poorly executed beach cleanup efforts that followed. This project will help protect key bird populations from disturbance during critical nesting periods and increase awareness of these at-risk species.**

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*Kacy Ray, Conservation Project Officer, ABC*

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cleanup efforts that followed. This project will help protect key bird populations from disturbance during critical nesting periods and increase awareness of these at-risk species,” said Kacy Ray, ABC’s Beach-nesting Bird Conservation Project Officer, who is coordinating the project.

Country singer Gary Nunn has donated his services for a television public service announcement asking fishermen and recreational boaters to “Fish, Swim, and Play from 50 Yards Away” from nesting islands that will air in Texas from March through

August. Additionally, GCBO will post up to ten previously unposted nesting colonies on islands off the Texas Coast, and the partners will distribute a bird guide to coastal fishermen and recreational boaters.

In Louisiana, the National Audubon Society and BTNEP are teaming up with ABC to launch a community-based outreach and protection program for Least Terns in Grand Isle, one of the areas most heavily impacted by the Deepwater Horizon oil spill. The program is supported by private landowners, Grand Isle State Park, The Nature Conservancy of Louisiana, and Mayor David Camardelle and his Town Council.

In Florida, ABC and the state Park Service will perform colony monitoring and educational outreach at state parks across the panhandle. ABC is also working with the Florida Fish and Wildlife Conservation Commission and the Department of Environmental Protection to funnel funds for extra law enforcement on busy 2012 holidays at Honeymoon Island State Park, Indian Shores, and Big Marco Pass Critical Wildlife Management Area.

Black Skimmers: Owen Deutsch



## 1,500 Grebes Killed in Incident at Utah Walmart

Officials in Utah are estimating that about 1,500 Eared Grebes were killed in one night last December during a storm, possibly as a result of confusing a Walmart parking lot in Cedar City, Utah with a body of water. An additional 3,500 live grebes were rounded up through the night by volunteers and staff of the Utah Division of Wildlife Resources, and eventually released into a nearby lake.

Grebes are only able to land and take off from water, so a rain-slicked parking lot on a stormy night may have looked like a natural landing area. The Eared Grebe carries out the latest fall migration of any bird species in North America, putting it in the way of this storm at a time when other migrating birds likely had already arrived south. The Eared Grebe only migrates at night, which increases the risk of the bird getting confused by city lighting and cloud cover.

“We will probably never know for sure exactly what happened. Night-flying birds use dim light from the moon and stars and the earth’s magnetic field for navigation. Adverse conditions on that night may have caused the same kind of disorientation that can afflict pilots in fog – the birds may have flown directly into the ground, not realizing they were descending. Urban lights attract and confuse birds, so when you bring the storm into play, I think this is a serious possibility,” said Dr. Christine Sheppard, Bird Collision Program Director for ABC.



Eared Grebe: Alan Wilson

“Large kills of night-migrating birds are unfortunately not unusual, and are generally related to man-made light sources—from spotlights to communications towers. Even light from office windows, street lights, and decorative exterior lighting can attract birds to land in cities, where they are at high risk of colliding with glass on buildings as they try to feed the next day. Reducing unnecessary lighting can limit this type of mortality, but in the case of the grebes, we simply don’t know whether they mistook tarmac for a body of water or lost orientation,” Sheppard said.

## Nation’s Mayors Asked to Stop Spread of Feral Cats

ABC has called on the mayors of U.S. cities to stop the spread of feral cats that threaten the nation’s bird populations as well as other wildlife. Letters were mailed to mayors of 50 cities in the United States, including New York, Chicago, and Los Angeles, urging them to support responsible pet ownership and oppose Trap-Neuter-Release (TNR) programs that promote the feeding of outdoor cats.

“Cat overpopulation is a human-caused tragedy that affects the health and well-being of cats, our native wildlife, and the public,” said Darin Schroeder, Vice President for Conservation Advocacy for ABC, in the letter. “Numerous published, scientific studies have shown that trap, neuter, re-abandon programs do not reduce feral cat populations, and that outdoor cats, even well-fed ones, kill hundreds of millions of wild birds and other animals each year in the U.S., including endangered species. Birds that nest or feed on the ground are especially vulnerable to cat attacks.”

“What few people seem to understand is that the domestic cat is an extremely effective predator that has been introduced by modern man into an environment whose species have evolved few, if any natural defenses. Healthy, well-fed, cats versus defenseless prey is about as fair in the world of nature as the proverbial shooting fish in a barrel,” he said.

Studies indicate that there are some 95 million outdoor and feral cats in the United States that kill at least 532 million birds, and possibly many more. Given the well-documented impacts of cat predation on wildlife, ABC urged the mayors to oppose TNR programs and the outdoor feeding of cats as a feral cat management option. Specifically, ABC asked the mayors to issue a policy directive opposing TNR, and to halt city funding for the practice if any currently exists. The ABC letter pointed out that dog overpopulation problems aren’t solved by turning unwanted dogs loose onto the streets; the same should be true for cats. Ensuring responsible pet ownership is at the core of any long-term solution to the cat overpopulation problem.



## Hawaiian Goose Recovery a Honking Success

The endangered Nēnē, also known as the Hawaiian Goose, has been making a remarkable comeback thanks to decades of captive breeding programs, predator control, and habitat management. The improving population trend was documented recently in a study by Dr. Steven Hess of the U.S. Geological Survey's Pacific Islands Ecosystems Research Center in Hawai'i, who estimates the current population to be around 2,000 birds.

The five-pound, 25-inch long Nēnē is the state bird of Hawai'i. Hunting, habitat loss, and introduced predators such as rats, dogs, cats, and mongoose, took their toll. By the early 1950s, the wild population had shrunk to a mere 20-30 birds.

Concern about dwindling Nēnē numbers prompted a modest captive breeding program in 1949. In 1960, the



Nēnē (Hawaiian Geese). Photo: Jack Jeffrey

first captive-raised birds were released into the wild at Keauhou Bird Sanctuary on the Big Island. Until recently, what little was known about the movements of the recovering population was based on observations of banded birds and counts of birds made regularly along well-known flight paths.

However, in a three-year period from 2009-2011, 11 birds were fitted with 45-gram, solar-powered satellite transmitters that provided valuable

information on feeding, roosting, and breeding sites, including data on over 10,500 locations visited by the birds.

Despite the successes, there are still many challenges to overcome. The strength of wild Nēnē populations is due in significant part to predator control, and without continued vigilance, it remains questionable whether many Nēnē populations will persist. Continued development and other human activities leave the Nēnē vulnerable to predation by dogs and exposure to toxoplasmosis from cats.

On Kaua'i, where populations have skyrocketed, safety officials are concerned about the increased chances of an airstrike with planes at the island's airport that will likely result in significant numbers of birds being relocated to the Big Island.

## Protection Plan Offers Hope for Sage-Grouse Recovery

The Bureau of Land Management (BLM) and USDA Forest Service are developing a new range-wide conservation strategy for the imperiled Greater Sage-Grouse affecting nearly 50 million acres of public lands. The initiative was prompted by a 2009 determination that the species warrants listing under the Endangered Species Act (see article on page 26).

"This process offers concerned citizens a real opportunity to address the extensive habitat impacts of oil and gas drilling, wind energy development, and livestock grazing across a vast region," said Steve Holmer, Senior Policy Advisor for ABC.

The proposal will affect BLM and Forest Service land management in portions of ten western states. It begins a multi-year process that will update

environmental impact statements and land management plans across the region with sage-grouse conservation measures.

The agency's announcement follows requests by ABC and other conservation organizations, the U.S. Fish and Wildlife Service, and directors of four western state fish and wildlife agencies for BLM to develop new and improved regulatory mechanisms to conserve and restore sage-grouse populations and sagebrush habitat.

BLM has issued temporary guidance on how to manage grouse habitat until this planning process is complete. Some conservation organizations have expressed concern that the interim guidance is only advisory, while oil industry representatives have expressed fears that uncertainly will halt a new drilling process pending completion of the planning process.



Greater Sage-Grouse: FWS

In some hopeful signs for the sage-grouse, more than 40,000 acres of habitat was removed from a Nevada oil and gas lease sale last month. BLM has also added restrictive language to several draft resource management plans for the Kremmling and Colorado River Valley districts in Colorado.

## Proposed Permit May Let Hawaiian Seabirds Off the Hook

The U.S. Fish and Wildlife Service has proposed issuing a permit for the Hawaiian longline fleet to kill a limited number of seabirds under the Migratory Bird Treaty Act (MBTA). This is the first time America's foremost law protecting migratory bird species has been invoked to protect seabirds in federal waters and on the high seas. Previously, the National Marine Fisheries Service, which applied for the permit, had asserted that seabirds in federal waters are out of the jurisdiction of the MBTA, meaning that species such as the Laysan and Black-footed Albatrosses were not specifically protected by regulations to restrict bycatch. The Endangered Species Act had been used to prevent deaths of the endangered Short-tailed Albatross with ancillary benefits for other species.

"This proposed permit would set a legal precedent for limiting seabird bycatch in U.S. fisheries, so it is important to get it right. If this permit does what it should, and protects the birds that are affected by longlines, then it is a welcome step in the right direction," said Jessica Hardesty-Norris, Seabird Program Director for ABC. "ABC will be reviewing the proposed permit and will support alternatives that will limit or reduce incidental mortality, and seek just compensation for unavoidable seabird mortality if necessary."

The Hawaiian fishery targets primarily swordfish and operates in both international and U.S. waters. The migratory birds incidentally taken are mostly Laysan and Black-footed Albatrosses. The endangered Short-tailed Albatross occurs in the area and has been observed from Hawai'i-based longline fishing vessels, but no take of this species has been reported.

The purpose of an MBTA take permit is not to authorize the unlimited killing of migratory birds or to enable an applicant to operate with impunity. Rather it serves to place restrictions on an applicant and allow it to continue its activities with a limited number of incidental bird kills only if it abides by the conditions set forth in the permit. In the case of longline fishing, these conditions may include technical modifications to fishing gear that can reduce bird deaths, restrictions on when boats can set lines, and protocols for saving birds that may become snagged on fishing hooks. Further, the permit process could provide a mechanism for compensation for any killed birds, which would go to improving conservation efforts for those species and other threatened seabirds.



Black-footed Albatross: Tom Grey

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**ABC supports the use of all appropriate techniques to prevent seabird mortality, including a permitting system that would control and compensate for unavoidable bycatch. Such a system would review fisheries, put measures in place to avoid bycatch in those fisheries, set limits on take, and potentially establish compensation for unavoidable take.**

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"We know these industrial fishing operations accidentally kill seabirds, but the proposed permit would mean that the bycatch is regulated," Hardesty Norris said. "ABC supports the use of all appropriate techniques to prevent seabird mortality, including a permitting system that would control and compensate for unavoidable bycatch. Such a system would review fisheries, put measures in place to avoid bycatch in those fisheries, set limits on take, and potentially establish compensation for unavoidable take."

The U.S. has dramatically reduced the deaths of seabirds on longliners operating in federal waters in recent years, thanks in part to advocacy efforts by ABC and other groups. An MBTA take-permit system would be the next step in the protection of these birds.



## Conservationist Celebrate 15 Years for Arizona's Condors Back in Wild

Conservationists are celebrating a significant milestone this month: the 15th anniversary of the first release of endangered California Condors back into the wild into Arizona after the species had been absent from the state for nearly 100 years.

The California Condor was added to the federal endangered species list in 1967 due to continuing population declines. In 1982 the last remaining 22 birds were captured by the U.S. Fish and Wildlife Service (FWS) in a last-ditch effort to save the species, and a recovery program was begun. Thanks to the efforts of FWS and many conservation groups, there are now 209 California Condors flying free, with 113 in California, 73 Arizona, and 23 in Baja California, Mexico.

Several threats to the Arizona condor population have been identified, chief among them, lead poisoning and predation. Of 42 known condor mortalities in Arizona since the first releases in 1996, 12 were due to predation and 19 were caused by lead (see article below). In May 2011, six California condors found in Arizona tested positive for toxic levels of lead in their bodies. Three later died.

In response to the lead threat, a voluntary non-lead ammunition program was begun in Arizona in 2005 for hunting in the condor's core range. In 2010, as the population of condors expanded into southern Utah, a non-lead program was also implemented in that state.

Two California Condor chicks that hatched in Arizona in the wild in

2011 have now fledged, but a third chick was found dead below its nest in the Grand Canyon. It was determined to have had broken a wing, indicating it may have fallen from its nest, but due to the condition of the carcass, examiners were unable to pinpoint a cause of death.

Despite this setback, the three young chicks set a record for the greatest number hatched in the wild in Arizona in one breeding season since the recovery effort began.



California Condor and chick in nest cave. Photo: Joseph Brandt, USFWS

## Suit Threatened to End Lead Poisoning of Condors and Other Wildlife

In September 2011, the Pacific Environmental Advocacy Center filed a notice of intent to sue the USDA Forest Service for violations of the Resource Conservation and Recovery Act and the Endangered Species Act. The suit, brought on behalf of Defenders of Wildlife, Sierra Club, and the Grand Canyon Wildlands Council, alleges that large quantities of ammunition left behind by hunters in the six National Forests in Arizona pose a threat to wildlife including Bald Eagles, Northern Goshawks, Ferruginous Hawks, Turkey Vultures, and the endangered California Condor.

The notice also cites a number of Endangered Species Act violations, including failure to consult with the

U.S. Fish and Wildlife Service on the impact of lead on condors, and failure to have a meaningful conservation program in place for the condor.

A 2011 study found lead ammunition as a primary factor limiting the survival and recovery of the California Condor, one of the country's most imperiled birds. Despite substantial management efforts to reduce lead



California Condor: Susan Haig

exposure risk, including a lead ammunition ban in parts of California and a voluntary program to use alternatives in Arizona, California Condors continue to be poisoned by lead bullet fragments on a regular basis.

The Forest Service has 90 days from the date that the notice was filed to reduce the threat posed by lead ammunition in the Condor's Arizona range if they are to avoid a lawsuit.

# Ecuador Land Acquisition Will Help Conserve Rare Parakeet

A 318-acre parcel of land in southwestern Ecuador has been added to the Buenaventura Reserve, an area critical for the protection of the globally endangered El Oro Parakeet – a bird that appears to number fewer than 1,000 individuals in the wild.

The new acquisition, called the Dianita property, has become part of the 4,000-acre private reserve that is owned and managed by Fundación Jocotoco, ABC’s partner and the leading bird conservation organization in Ecuador. The purchase was made possible by support from ABC, Robert Wilson, World Land Trust, World Land Trust-US, and the Danish Ornithological Society. The Reserve protects no fewer than 15 globally threatened species, and is the most important single site for the endemic parakeet and the Ecuadorian Tapaculo.

“The reserve is home to about one-fifth of all the El Oro Parakeets in the wild. Fortunately, those numbers have been steadily increasing as a result of a successful conservation campaign that includes the provision of nest boxes to supplement the scarcity of suitable nest-trees,” said Benjamin Skolnik, International Program Officer at ABC.

In addition to the El Oro Parakeet and Ecuadorian Tapaculo, the reserve also protects a stronghold site for the endangered Gray-backed Hawk. Other threatened



El Oro Parakeet: Fundación Jocotoco

species of interest include the Rufous-headed Chachalaca, Long-wattled Umbrellabird, Red-masked Parakeet, and Pacific Royal Flycatcher. More than 330 species of birds have been recorded at Buenaventura, of which at least 12 are classified as globally threatened, and another 34 species are local endemics.

The Buenaventura Reserve protects the largest remnant patch of a unique ecosystem that combines elements of tropical wet and dry forests. As little as 5% of this forest, which once spanned northern Peru and parts of the Ecuadorian Coast, may now remain.

What is left is threatened by ongoing land conversion to agriculture and cattle pasture, making the reserve vital for the conservation of the rare, endemic birds of the region. The Reserve had been separated into two parts, but these are now connected by the Dianita property, making this an extremely important purchase.

The newly acquired land is 70% cattle pasture, and will need to be restored. Fortunately, Fundación Jocotoco, with help from ABC, World Land Trust, the U.S. Fish and Wildlife Service, and other partners, has become adept at reforestation of degraded habitat. In the last three years, Jocotoco has planted more than 40,000 trees in the Buenaventura Reserve alone, and over 600,000 plants in their network of eight private reserves.

**Ecuador**

**Buenaventura Reserve**

Jose Ianes, Tropical Birding

Benjamin Skolnik, ABC

Other threatened birds species at Buenaventura include the Gray-backed Hawk (above) and the Rufous-headed Chachalaca (right).



## Studies Recognize Winning Conservation Formula in Peru

A new study published in the journal *Ecological Economics* has found that, contrary to some critical earlier studies, community conservation programs, when done properly, can produce demonstrable changes in local community behavior and lead to improved environmental conservation.

The study by Mathew Cranford and Susana Mourato of the London School of Economics and Political Science evaluated the outcomes of community conservation efforts by Asociación Ecosistemas Andinos (ECOAN), ABC's International Network partner in Peru. ECOAN's community conservation efforts have focused on *Polylepis* forests, one of the world's most threatened neotropical ecosystems, which provide habitat for a variety of unique, often threatened, bird species.

The study was based on interviews with families at Abra Malaga, where ECOAN and ABC began working in 2000, and have since established a 175-acre reserve for *Polylepis* forests, conducted a reforestation campaign, and developed trails, a visitor center, and restrooms for tourists. The study assessed the communities' behavioral changes — in particular, whether they had increased, decreased, or maintained their level of harmful activities, such as cutting forest wood for fuel, grazing livestock in the forest,

transforming woodland for agriculture, and burning grassland for regeneration of grasses.

The evidence is persuasive: of respondents that reported carrying out forest-degrading activities prior to working with ECOAN, 81% said they had reduced forest fuel wood use; 71% had reduced livestock grazing in the forest; 73% had reduced conversion of forest land for agriculture; and 89%

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**ABC has partnered with ECOAN on many conservation projects, including establishing 12 new bird conservation reserves protecting almost 50,000 acres of important bird habitat, and planting over 1.5 million trees.**

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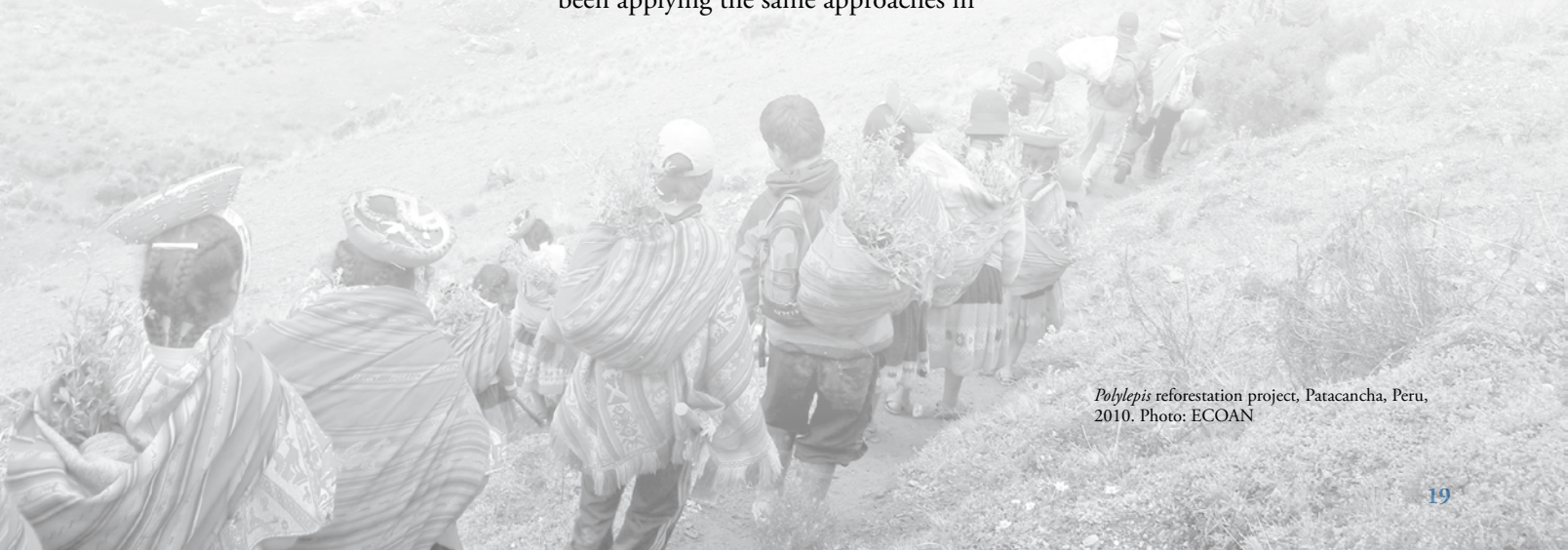
had reduced the burning of nearby grasslands for agriculture. When the study looked specifically for the causes for those behavioral changes, they found that almost 70% were either the direct or indirect result of efforts by ECOAN.

“We are excited that the study validates our success of more than a decade of efforts we have made to protect vital *Polylepis* forests. We have been applying the same approaches in

many other environmental projects with local communities across Peru, and are seeing similar positive changes in resource management by local people that are benefitting conservation,” said Constantino Auca Chutas, President of ECOAN.

ABC has partnered with ECOAN on many conservation projects, including establishing 12 new bird conservation reserves protecting almost 50,000 acres of important bird habitat, and planting over 1.5 million trees.

A second study published in the *Public Library of Science* online has also found that ecotourism in Peru is providing numerous opportunities for the advancement of conservation programs. The study by Liisa Puhakka and colleagues at the University of Turku, Finland looked at birding tourism in Peru, interviewing representatives from ecotourism companies, experts in Peruvian ornithology, and birding tour guides working in the country. Surveys were also obtained from 47 birdwatchers. Despite limitations on birding ecotourism identified in the survey that included national infrastructure, security, and geographical conditions, several factors were identified as strengths, including the rich diversity of bird species, ecotourism facilities, and opportunities to combine birding with visits to cultural attractions.



*Polylepis* reforestation project, Patacancha, Peru, 2010. Photo: ECOAN



## Proposed Washington Wind Farm Blown Off Over Bird Concerns

Plans to build a 32-turbine wind farm near the coast of Washington in a key breeding area for the threatened Marbled Murrelet have been halted. The decision was based on a softening of the wind power market and operating conditions that might have been suggested by the U.S. Fish and Wildlife Service to ensure protection of the murrelet.

The 80-megawatt wind farm would have been located in Pacific County in the southwest part of the state, and would have impacted a narrow swath of forest more than four miles long. The turbines would have extended to a height of about 430 feet from base to turbine tip in a ridged area with an elevation ranging between 1,000 and 1,900 feet.

While there is no mature or old-growth forest in the footprint of the proposed project, there are 89 occupied Marbled Murrelet nests within 30 miles. Some birds would have had to fly through the wind farm area to go between nesting and foraging areas at sea. The northwest end of the project is within 1,800 feet of the border of the South Nemah Natural Resources Conservation Area, which



Marbled Murrelet chick: U.S. Forest Service

features the highest nesting concentration of Marbled Murrelets in the state.

Marbled Murrelet numbers along the west coast of the lower 48 states have been declining at an average of about 4% per year over the last decade, and about 7% per year in Washington.

“The Fish and Wildlife Service did the right thing. They warned the developers that there would be serious obstacles to siting a wind farm in extremely sensitive bird habitat. They proposed a series of conservation measures that would be needed to protect a federally-listed, threatened bird. This was predictable and shouldn’t have surprised anyone. Our congratulations to Seattle Audubon for their leadership in raising awareness about this threat and on their effective advocacy for the murrelet’s protection.” said Darin Schroeder, Vice President for Conservation Advocacy at ABC.

## First State of the Birds Report Issued for San Francisco Bay

The first State of the Birds Report for San Francisco Bay was issued in October 2011 by PRBO Conservation Science and the San Francisco Joint Venture. It summarizes the current state of knowledge of the Bay’s bird populations, and details actions needed to keep birds and their habitats thriving as sea levels rise and extreme storm events increase due to global climate change.

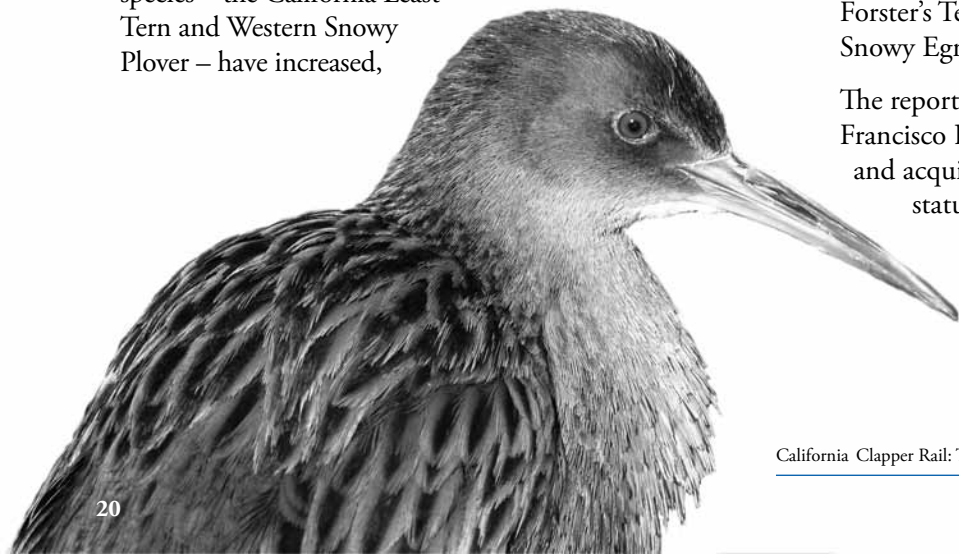
The report finds that while most bird populations are stable, some are still struggling. Riparian birds and two endangered species – the California Least Tern and Western Snowy Plover – have increased,

but grassland and coastal scrub birds are declining due to loss and alteration of habitat.

The state-listed California Clapper Rail, which inhabits the Bay’s tidal marshes, still struggles to survive ongoing habitat loss, predation, and invasive species. Sea level rise and more frequent strong storms associated with global warming push rails into marginal, exposed habitats, and will make it increasingly difficult for the birds to survive.

Other species at risk include the Western Sandpiper, Forster’s Tern, Caspian Tern, Black-crowned Night-Heron, Snowy Egret, Canvasback, and Northern Pintail.

The report aims to enhance bird conservation in San Francisco Bay by guiding habitat restoration, management, and acquisition; increasing knowledge of the population status of San Francisco Bay’s birds and the threats to their habitats; and influencing public policy and public awareness of bird and ecosystem conservation needs.



California Clapper Rail: Tom Grey

## Massive Land Purchase Will Safeguard Birds in Ecuador

A large, coordinated series of land acquisitions has resulted in a huge boon to Ecuador's protected area network and the drinking water supply for the nation's capital, thanks in large part to ABC's network partner in Ecuador, Fundación Jocotoco. Jocotoco's interest in acquiring key private properties within the Antisana Ecological Reserve stimulated the national government to action. The large protected area is now fully state-owned following acquisition of all remaining privately held lands within the vast 240,000-acre reserve by the government of Ecuador.

Several large private farms bordering the western edge of the reserve were purchased by the Quito Water Authority, including the 17,700-acre Hacienda Antisana and 980-acre Contadero Grande in September 2011. Most recently, Jocotoco themselves purchased the 5,600-acre Hacienda Sunfohuayco to complete this series of contiguous land protections within Antisana.

Standing over 18,700 feet high, Antisana harbors one of the few remaining true mountain wilderness areas in the tropical Andes. Surrounding

the volcano are paramo grasslands (a neotropical, high-elevation ecosystem typically containing wet grasslands intermingled with shrublands and forest patches). These unique grasslands give way to tropical forests that descend into the Amazon basin. The area's lakes, marshes, and bogs provide important habitat for both resident and migratory shorebirds and waterfowl, including the Silvery Grebe and Black-faced Ibis.

Antisana is considered an Alliance for Zero Extinction (AZE) site due to the presence of three species of endangered frogs found nowhere else. There are also populations of rare mammals such as the spectacled bear, puma, and Andean wolf.

Antisana is connected to two other large protected areas: the Cayambe-Coca Ecological Reserve to the north and the Gran Sumaco National Park to the East. Together with Antisana, this conservation area now safeguards 1.8 million acres of critical and biologically diverse Andean and Amazonian ecosystems.

This enormous but undeveloped area attracted the attention of

conservationists in the 1980s, and the Ecuadorian government declared it an ecological reserve in 1993. Despite this designation, over 80% of the 296,000-acre reserve was still privately owned and managed for cattle. This resulted in conflicts between the actual management of the area and conservation objectives, threatening a number of important species, including the Andean Condor, the national bird of Ecuador. For years, conservationists, farm owners, and the Ecuadorian government wanted to resolve these conflicts, but were stalled by the scale of the project.

Nearly six years ago, after witnessing the tragic destruction of a nesting colony of Silvery Grebes, Francisco "Pancho" Sornoza, Jocotoco's Director of Conservation, proposed that the organization should actively investigate the possibility of safeguarding Antisana. Jocotoco then partnered with World Land Trust-US, and began a six-year effort to protect the land.

In addition to the efforts of the Ecuadorian Government, Jocotoco, and World Land Trust-US, other organizations that helped make the purchase possible included The Paul G. Allen Family Foundation, the Bobolink Foundation, the Blue Moon Fund, and several other private donors.



Antisana's lakes, marshes, and bogs provide important habitat for both resident and migratory shorebirds and waterfowl including the Silvery Grebe and Black-faced Ibis. Photo: Jaime Carlosama



Black-faced Ibis: Luke Seitz

## Concerns Mount Over Texas Drought Impacts to Whooping Cranes

The continuing drought in Texas may have severe consequences for the last remaining natural population of the endangered Whooping Crane now wintering on the Texas Coast. 2011 was the second-hottest and driest year on record. Despite recent rains and even some localized flooding, as of publication, most of the state is still in drought condition.

The lack of freshwater flowing to the coast has made the water too salty for the blue crabs and wolfberries that provide the major food resources for the Whooping Cranes. Twenty-three cranes died during the last drought in 2009.

According to the Aransas Project, the impacts of the drought are being exacerbated by water management policies in the state. The group is suing the Texas Commission on Environmental Quality in an attempt to force them to consider Whooping Cranes in their water management plans.

Meanwhile, managers at the Aransas National Wildlife Refuge are doing what they can to provide wintering habitat for these birds. The 115,000-acre refuge is the traditional winter home for cranes.

At least two family groups totaling four adults and two juveniles have spent the winter 200 miles north of the coast at Granger Lake. This lake falls along the traditional migration route in central Texas.

At least one of these family groups is known to have flown first to the coast and then turned back to spend the winter at Granger. This is the first time this behavior has been recorded.



Whooping Cranes populations are losing ground in Texas due to the prolonged drought. Photo: Laura Erickson

Like most lakes in Texas during this drought, the water level at Granger is down, exposing more shoreline and some mudflats in the middle of the lake. The wintering cranes have been seen foraging around the lake and in the surrounding agricultural fields.

On the population's breeding grounds in Canada, a much happier story was reported, with a record 75 nests located and 279 adults counted. In 1941, only 15 Whooping Cranes remained, and many people thought the extinction of the species was inevitable.

### First Photo Taken of an Active Black-capped Petrel Nest



Black-capped Petrel chick: James E. Goetz, The Cornell Lab of Ornithology

ABC partner Grupo Jaragua led a field team that discovered a new nesting location for the Black-capped Petrel in Haiti and documented that find with the first-ever photograph of an active nest of the globally threatened species (listed as Endangered on the IUCN Red List in 2011). There are an estimated 1,000 breeding pairs of the species, although records at-sea suggest that over 5,000 individuals may exist. The only known breeding sites are at Loma del Toro in south-west Dominican Republic and at La Visite and Macaya in Haiti. The discovery was made possible by the efforts of over a dozen groups and individuals, including ABC.

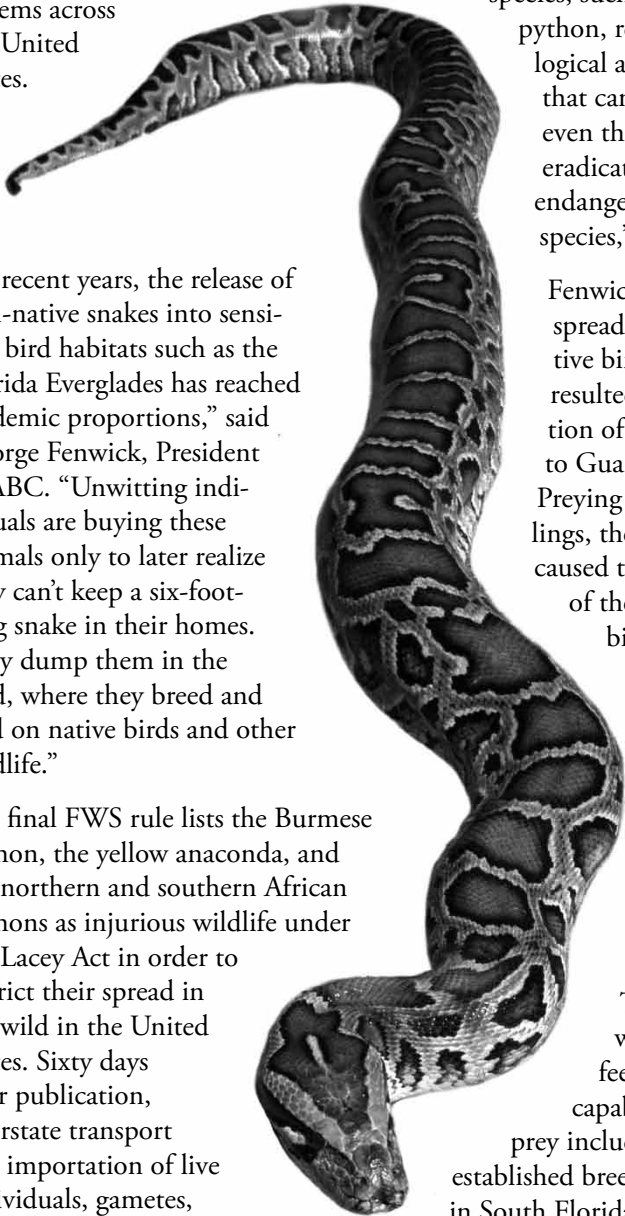


## Birds to Benefit from Exotic Snake Ban

The U.S. Fish and Wildlife Service (FWS) has banned the importation and interstate transportation of four non-native constrictor snakes. Release of snakes into the wild is threatening birds and other animals in the Everglades and other sensitive ecosystems across the United States.

“In recent years, the release of non-native snakes into sensitive bird habitats such as the Florida Everglades has reached epidemic proportions,” said George Fenwick, President of ABC. “Unwitting individuals are buying these animals only to later realize they can’t keep a six-foot-long snake in their homes. They dump them in the wild, where they breed and feed on native birds and other wildlife.”

The final FWS rule lists the Burmese python, the yellow anaconda, and the northern and southern African pythons as injurious wildlife under the Lacey Act in order to restrict their spread in the wild in the United States. Sixty days after publication, interstate transport and importation of live individuals, gametes, viable eggs, or hybrids of the four snakes into the United States will be prohibited.



Burmese python: Florida Fish and Wildlife Conservation Commission

The action is supported by wildlife conservation organizations, including ABC, which had sent a letter to FWS in April 2008 calling for the ban.

“This was a decision that had to be made. Populations of long-lived and reproductively prolific invasive snake species, such as the Burmese python, represent an ecological and economic disaster that can quickly overtake even the most far-reaching eradication efforts to protect endangered and declining species,” Fenwick said.

Fenwick cited the widespread devastation of native bird populations that resulted from the introduction of the brown tree snake to Guam after World War II. Preying on eggs and hatchlings, the brown tree snake caused the extinction of nine of the eleven native land bird species on Guam.

“Its predation of native birds has been so complete that the brown tree snake now survives by feeding almost exclusively on the island’s lizard species,” he said.

The Burmese python, which averages twelve feet in length and is capable of eating large prey including even deer, has established breeding populations in South Florida’s Everglades, causing significant damage to wildlife. It continues to pose a great risk to many native birds, including threatened and



Wood Stork: Bill Hubick

**The Burmese python continues to pose a great risk to many native birds, including threatened and endangered species such as the Wood Stork.**

endangered species such as the Wood Stork.

According to a recent study of the intestines of 56 captured Burmese pythons in or adjacent to Everglades National Park, 50 were found to have eaten multiple bird species, including White Ibis, Limpkin, and King and Clapper Rails. In the last decade, the National Park Service has removed over 1,600 pythons from within or adjacent to Everglades National Park.

## Western Snowy Plover Critical Habitat Proposal Reopened for Comment

The U.S. Fish and Wildlife Service (FWS) reopened the public comment period on their proposed revision of Critical Habitat for the Pacific Coast population of the Western Snowy Plover, first published in March 2011. Several changes were proposed after FWS received new information on this subspecies.

Compared to the existing 2005 Critical Habitat designation, the 2011 proposed revision includes more than twice as many total acres and more Critical Habitat units, partly to offset anticipated adverse effects of rising sea level due to climate change, and to reflect current policy that encourages greater consideration of the role that unoccupied habitat can provide in the conserving species.

“This proposal represents the kind of proactive conservation planning that needs to occur for many coastal species to survive in the face of projected sea-level rise due to climate change,” said Casey Lott, ABC’s Coastal and Waterways Conservation Program Coordinator. “A similar approach could be taken for many high priority beach-nesting birds, not just those on the Endangered Species List.”

Based on new information about Snowy Plover habitat use in Bolsa Chica State Beach and Bolsa Chica Ecological

Reserve in Orange County, California, FWS is proposing to replace some Critical Habitat designations that are no longer occupied by the

Western Snowy Plover with other areas that are occupied by the species and are essential to its conservation. FWS also proposes to add a new two-acre area in the tidal basin of Bolsa Chica Ecological Reserve because it is a nesting and foraging area used by the plover. These changes would result in about 35 fewer acres being designated as Critical Habitat compared to the original proposal.

This number may change depending on the outcome of decisions relating to Vandenberg Air Force Base. At the time FWS published the proposed Critical Habitat rule, the base did not have an Integrated Natural Resource Management Plan in place. This plan has since been completed, and if FWS determines that it provides a benefit to the Western Snowy Plover, the base will be exempted from the revised final Critical Habitat designation, resulting in about 1,100 fewer acres being designated as Critical Habitat.



Western Snowy Plover chicks: Tom LeValley

## The Keystone XL Project – Trouble Remains in the Pipeline

A proposed pipeline that would transport 900,000 barrels of tar sands oil each day from western Canada to refineries in Texas has been put on hold for now, but may yet go ahead. This pipeline, known as the Keystone XL line, would pass through Montana, South Dakota, Nebraska, Kansas, and Oklahoma. Conservationists are concerned that any accident or spill along its length could impact agricultural lands, rivers, aquifers, fisheries, and bird habitat.

The federal government has already approved two dedicated tar sands pipelines: Canadian company Enbridge has completed a pipeline from the U.S.-Canadian border in North Dakota across Minnesota to Wisconsin (this pipeline has already had at least one significant spill, see *Bird Calls* Vol. 14, No. 3); TransCanada’s Keystone I pipeline, which the State Department approved in 2009, runs from Alberta to Illinois and on to Oklahoma. The Keystone XL line would be an extension of the existing project.

Tar sands extraction in Canada has already caused significant loss of Boreal Forest and wetland habitat.

Construction of the XL pipeline would increase tar sands oil production, further harming these forests, and the hundreds of migratory species that nest there, including the Olive-sided Flycatcher, Evening Grosbeak, Whooping Crane, and Canada, Bay-breasted, and Blackpoll Warblers.

The tar sands oil production also results in the release of as much as three times the greenhouse gas emissions per barrel as conventional oil. This method of energy extraction also produces huge lakes of toxic waste that have been responsible for the deaths of thousands of waterfowl (*Bird Calls* Vol. 15, No. 1).

The pipeline has become a political hot potato. Despite industry pressure to approve the project, President Obama denied it a permit in January, claiming there had been insufficient time for proper environmental review.

TransCanada plans to reapply for a pipeline along an alternative route, making another showdown over the issue between the White House and the House of Representatives likely. The project remains a very real possibility.



## Golden-winged Warbler Reaping Benefits of Conservation Efforts

While the U.S. Fish & Wildlife Service (FWS) conducts its 12-month finding to determine whether the Golden-winged Warbler should be listed under the Endangered Species Act, ABC and its partners in the Appalachian Mountains Joint Venture (AMJV) are developing and implementing a number of strategies to increase their population, focusing on habitat improvements, research, and on-the-ground activities throughout the species' range.

The end of 2011 marked the completion of two very important projects, and the beginning of a third. First, the Golden-winged Warbler Working Group ([www.gwwa.org](http://www.gwwa.org) – a collaboration that includes ABC and the AMJV) finished a conservation plan for the entire breeding range of the species, which identifies the highest priority conservation strategies, outlines research needs and a monitoring plan for breeding grounds, and maps core focal areas to target habitat restoration efforts.

AMJV partners also published *Golden-winged Warbler Habitat Best Management Practices for Forestlands in Maryland and Pennsylvania*, a science-based document developed by ABC, the AMJV, Indiana University of Pennsylvania, Pennsylvania Game Commission, and the Maryland Department of Natural Resources to guide land managers in creating good habitat conditions for the warbler. The publication was made possible through funding from the National Fish and Wildlife Foundation, matching funds provided by partners, and contributions from private donors. The publication can be found at [www.amjv.org/library](http://www.amjv.org/library).

Finally, in November, ABC, working with the AMJV and partners in the Upper Great Lakes region, was awarded a grant from the National Fish and Wildlife Foundation to create or enhance over 30,000 acres of high quality Golden-winged Warbler habitat in Tennessee, Pennsylvania, and Wisconsin. Most of this work will occur on public lands, but partners will also conduct workshops open to private landowners and forestry associations to incorporate



Golden-winged Warbler: Barth Schorre

management recommendations into current or planned projects. The early-successional habitat created will also benefit other priority species, including the American Woodcock.

### Wildlife Fly-In to Washington March 27-29

You can help make sure birds have a voice with this Congress! This March, American Bird Conservancy and a coalition of partners are inviting you to Washington D.C. to speak out on behalf of birds and other wildlife to ensure they continue to be a priority for this country.

This will be an opportunity for you to tell your members of Congress, and officials from the Obama Administration how important it is that they continue to fund programs that protect our nation's birds and other wildlife.

Beginning on March 27 you will have an opportunity to participate in an advocacy training and then use those skills in meetings with your elected members of Congress on the 28<sup>th</sup> and 29<sup>th</sup>. This is a great opportunity to make your voice heard and learn how to be a more effective advocate.

Go to [www.abcbirds.org/membership/fly-in\\_registration.cfm](http://www.abcbirds.org/membership/fly-in_registration.cfm) to register.





## Birds In Brief

### Increased Protections for Sage-grouse Rejected

A federal judge has rejected a challenge from environmental groups seeking to force the federal government to take action to increase protections for the Greater Sage-grouse.

Listing the species as Endangered would slow energy development in sage-grouse habitat throughout the West, and so is vehemently opposed by industry and state governments.

The species remains on the Candidate List as “warranted but precluded” from listing due to “other priorities”, acknowledgment that the bird needs federal protections but that other species are in even worse shape.

The Interior Department is under a separate federal court order to decide by the end of 2015 whether this bird and other species classified as warranted but precluded, should receive Endangered Species Act protection.

### ABC Banks on Fighting Extinction

The International Finance Corporation (IFC), the private sector lending arm of the World Bank Group that manages \$2.4 billion in development loans, will now require its loan clients to avoid harming Alliance for Zero Extinction (AZE) sites as part of its Natural Habitats Policy.

“IFC’s recognition of the importance of Alliance for Zero Extinction sites is another significant milestone towards their conservation,” said ABC Vice President Mike Parr.

ABC currently acts as Chair of AZE, which consists of 80 groups worldwide working together to identify and save sites that are the last remaining places on earth for one or

more endangered species. ABC staff met with specialists from IFC to help with development of the policy.

The IFC’s standards are followed by 77 other commercial banks through the Equator Principles, a set of voluntary standards that defer to IFC’s policy for private-sector lending. This means that this policy to safeguard AZE sites will have a reach far beyond IFC’s direct lending portfolio.

See [www.zeroextinction.org](http://www.zeroextinction.org) for more information on AZE.

USEFWS



### Judge Orders New Review of Arizona Bald Eagle Status

The eight-year legal battle over whether the Arizona population of the Bald Eagle constitutes a distinct population segment (DPS) under the Endangered Species Act and would therefore merit special protections (see *Bird Calls*, February 2011) will continue. Federal Judge David Campbell found that the February 2011 decision by the U.S. Fish and Wildlife Service (FWS) that the bird did not constitute a DPS “is not in accordance with law and not founded on a rational connection between facts found and choices made.”

The Center for Biological Diversity has led the DPS legal effort on the Arizona Bald Eagle since 2004. A decision has not been made on the Arizona Bald Eagle’s status while FWS begins a 12-month finding.

### Colombian Reserve Important to Rare Parrot

Fundación ProAves, ABC’s partner in Colombia, recently conducted the first radio-tracking study of the Rusty-faced Parrot at the Colibrí del Sol Reserve. With additional funding from Fundación Loro Parque, two individuals were tracked over a huge area encompassing 2,686 acres. They foraged for fruit in cloud forest, foraged and roosted in oak forest, and used salt licks in open moorlands. This study confirmed that the ABC-sponsored reserve provides important habitats used by these parrots. The Rusty-faced Parrot is listed as Vulnerable because its small population consists of very small, scattered sub-populations likely to be undergoing continuing declines owing to widespread habitat loss.



Fundación ProAves, www.proaves.org

### Government Creates Everglades Headwaters NWR

FWS has established a new national wildlife refuge and conservation area in the Kissimmee River Valley south of Orlando, Florida to preserve one of the last remaining grassland and longleaf pine savanna landscapes in eastern North America. The new refuge creates one of the largest federal refuge and conservation areas in the state, and provides added protections for birds such as the Audubon’s Crested Caracara, the Florida Scrub-Jay,

Florida Grasshopper, Sparrow, Red-cockaded Woodpecker, Snail Kite, and Wood Stork.

One hundred thousand acres of the Everglades Headwaters National Wildlife Refuge and Conservation Area will be protected through conservation easements purchased from willing sellers. Private landowners will retain ownership of their land, as well as the right to work the land to raise cattle or crops. The easements ensures the land could not be developed.

FWS will purchase up to 50,000 additional acres outright from willing sellers to create the proposed national wildlife refuge where visitors could hunt, fish, hike, and view wildlife.

### Lawsuit May Force Wood Stork Downlisting

In January, the Pacific Legal Foundation (PLF), on behalf of the Florida Homebuilders' Association, warned federal officials that they will be sued if they do not immediately downlist the Wood Stork under the U.S. Endangered Species Act (ESA).

In a letter to FWS, PLF attorneys charged that the federal government's own scientific findings concluded that the current Endangered classification for the species is no longer warranted. The letter constitutes the 60-day notice that prospective plaintiffs must provide before suing the



Dave Palmer

federal government to challenge ESA regulations.

The ESA requires the government to review the status of all species listed as Endangered or Threatened at least every five years. A federal court in 2007 rejected government explanations for delays in species reviews in Florida, and ordered all listed species in the state to be reviewed within the following three years. Among the first reviewed after that ruling was the Wood Stork in 2008. That review found that the species was no longer in need of being classified as Endangered. However, the agency has yet to act on that finding.

In the 1930s, the Wood Stork, which is found throughout Central and South Florida, numbered some 20,000 pairs, but had declined to just 5,000 by the late 1970s because of draining and development of wetlands; it was declared an endangered species in 1984. Wetland preservation and restoration, protection of nesting areas, and management of water flows began with the approval of the stork's first recovery plan in 1986.

A revised 1997 Wood Stork plan called for downlisting of the species to Threatened when it reached 6,000 nesting pairs, with a strong, multi-year record of successful reproduction. The population had grown to 12,000 pairs by 2009.

### Court Halts U.S. Projects that Could Jeopardize Mexican Spotted Owl

A federal judge has issued a preliminary injunction halting two logging projects in Arizona and one in New Mexico, citing the USDA Forest Service's failure to monitor populations of the threatened Mexican

Spotted Owl in national forests in the two states.

The January ruling resulted from an Endangered Species Act lawsuit filed in 2010 by WildEarth Guardians charging that the Forest Service failed to follow a requirement from the U.S. Fish and Wildlife Service (FWS) to monitor populations of the Mexican Spotted Owl, while continuing to approve logging, grazing, and other activities that impact its habitat.

The Forest Service issued a report in 2008 admitting it had not done the monitoring. The agency also found that it might have exceeded its permitted take of some species, including the Mexican Spotted Owl.

"The Forest Service promised it would count the numbers of the Mexican Spotted Owl and it hasn't," said Bryan Bird of WildEarth Guardians. "But the agency continued business as usual with no idea how this imperiled bird is faring. It took a federal lawsuit to give the owl some much-needed attention."

The ruling prevents the Forest Service from implementing several large-scale forest projects that could have a negative impact on the Mexican Spotted Owl until FWS reviews and approves a new plan for protecting the bird.



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## Help the Palkachupa Cotinga



Benjamin Skolnik, ABC

**The Palkachupa Cotinga numbers fewer than 800 birds. It has a very small range in the cloud forest of Bolivia, and 80% percent of its forest habitat has been destroyed.**

**T**he highly threatened Palkachupa Cotinga numbers fewer than 800 birds. It has a very small range in the cloud forest of the Aten area in Bolivia, and 80% of its forest has been destroyed through agricultural clearings, burnings and firewood collection.

ABC's Bolivian partner Armonía is working feverishly to protect this beautiful bird at the Palkachupa Nature Reserve, but **we need your help** for reserve management. Armonía has extensively surveyed the species, and undertaken community outreach to help protect this bird. Planned protective measures include boundary fencing to prevent cattle grazing, planting trees preferred by the species to improve nesting habitat, and protecting existing trees outside the reserve.

The cotinga had not been seen in 98 years when it was rediscovered in 2000 near La Paz. It was only recently declared a separate species from a Brazilian counterpart, is likely to have been in decline for years, and **action is urgently needed**. Less than two years ago Armonía acquired the first property to establish the reserve, but destruction of its already severely fragmented and degraded habitat is ongoing, making the development of the reserve crucial for the viability of the species. Researchers have returned to small pockets of forest where the Palkachupa Cotinga had been documented – only to find the land completely deforested.

**Help ABC protect the Palkachupa Cotinga by donating today using the enclosed envelope, or online at [www.abcbirds.org](http://www.abcbirds.org).**