

**BIRD CONSERVATION COMMITTEE PART II**

**Chair: Gordon Myers, NC Wildlife Resources Commission**

**Vice-Chair: Tony Wilkinson, NY State Department of Environmental Conservation**

**12 September 2018**

**8:00-10:00 am**

**Association of Fish and Wildlife Agencies Annual Meeting**

**Tampa, FL**

*Note: Due to time constraints, Working Group Chairs were asked to present only short, high-level reports to the BCC during this meeting. Expanded reports provided below were prepared and submitted by Working Group leadership or staff.*

**Bird- and Fish-Related Conflicts Working Group Report**

*Written report for these notes prepared by Devin DeMario, AFWA*

Twenty members of the Bird- and Fish- Related Conflict Working Group met Sunday, Sep 9 from 10a – 12p with balanced representation from both disciplines. The founding motion, draft charge, and focus areas were distributed and reviewed by the entire WG. The leadership team (co-chairs and vice co-chairs) gave a brief introduction to the topic and set the stage for what is hoped to be a successful endeavor moving forward.

The WG spent the majority of the meeting reviewing, analyzing and discussing the draft charge, focus areas and goals of the working group. The group had consensus on the language within the draft charge that reads;

“*Federal and State Agency members representing the bird and fisheries management disciplines will develop an adaptive approach to identify opportunities for most efficiently addressing the challenges of managing piscivorous birds and affected fishery resources and promote a common understanding of their interactions. The WG reports to the Fisheries and Water Resource Policy Committee and the Bird Conservation Committee. The WG may advance issues to the FWRPC and BCC from which information and requests can be developed and presented to state directors.”*

As drafted currently, the focus areas and goals can be divided into three categories – Communication, Science Assessments and Needs and Recommendations.

The group discussion was dynamic in nature and stressed the importance of enhancing communications between the bird and fisheries management disciplines as well as important and achievable science needs. With that being said, the conversation repeatedly returned to what is currently focus area 1 (Communication) and Goal C – “*Develop a common understanding for the meaning of population goals for priority birds and fish and how those goals are established*.” This goal presents what is a strongly value-based discussion and will challenge members of the working group to consider, and define, what “success” may look like for each discipline. Additionally, it will require the group evaluate these goals with a number of variables in mind (social, economic, and biological. Moving forward, consideration of value judgements involved in developing these goals should be clear and transparent. As an example, should we manage for a minimum removal of double-crested cormorants to meet fisheries goals, or to maximize economic (i.e., recreational) benefits? We expect this to be a significant focus area for the group.

Craig Bonds (TX) briefly talked about the recent AFWA Fish Chief Survey designed to gather input on the scope and magnitude of bird and fish related conflicts across the nation, from the fisheries perspective. He distributed preliminary results of the survey after the meeting.

To continue progress, the group will work to finalize the draft charge in the coming month and will schedule a date and time to meet virtually to accomplish this task. Further, the group will be investigating the potential for a two day workshop to focus on the goals of this working group.

The working group has no actions to bring to the committee at this time.

**PIF/Shorebird/Waterbird Working Group Report**

*Written report for these notes prepared by Sara Schweitzer, NCWRC*

Twenty-three (23) people attended our meeting representing 8 state agencies, 7 federal agencies, 2 NGOs, the Canadian Wildlife Service, and Nature Conservancy Canada.

First, we discussed the Bird Conservation Initiatives that unite this Work Group: Partners In Flight (landbird), U.S. Shorebird Conservation Partnership, and Waterbirds of the Americas Initiative.

* PIF will have a Steering Committee meeting in mid-October in Michigan and will meet with forest industry representatives to highlight the conservation work done to bring back the population of the Kirtland’s Warbler;
* An Eastern Working Group of PIF is forming to replace the SE and NE Working Groups which have not been active in recent years;
* PIF will have a full day symposium at The Wildlife Society Conference in Cleveland on Oct. 9th
* PIF had a full day meeting and was involved with several other activities at the International Ornithological Congress, Vancouver, CAN, in early August;
* The Western Hemisphere Shorebird Reserve Network’s Hemispheric Council met on September 4 & 5 at the U.S. Forest Service International Programs office to finalize the development of a new Strategic Plan for WHSRN, and to provide strategic guidance that helps strengthen the network, and the capacity of the Executive Office and partners to deliver shorebird conservation.
* The Atlantic Flyway Shorebird Initiative (AFSI), Executive Committee met at the National Audubon Society offices in Washington D.C., September 6 & 7, 2018 to –
  + Receive AFSI Executive input into a short-term fundraising strategy for implementation of the AFSI business plan;
  + Strengthen the capacity of the AFSI Executive to provide guidance and support implementation of the AFSI business plan;
  + Strengthen the ability of AFSI to deliver effective full-life cycle conservation of priority shorebirds and monitor and communicate success.
* The Waterbirds of the Americas Initiative
  + Lack of Coordinator was discussed at the summer NABCI meeting where an Action passed that will have a task group work to acquire funding support for a full-time, term-limited coordinator to activate the Waterbird Council and work on updates to the initiative’s plan.

Second, we discussed threats to bird populations and work initiated in March 2018 to address factors in birds’ “air space” habitat that increase mortality.

* common threats: wind energy, communication towers, solar arrays, meteorological towers, powerlines
* BMPs are available to avoid or reduce impacts, as well as guidance documents
* Will work to produce a summary document of available BMPs and guidelines, including recommendations for further actions to take, for distribution to the WG and BCC.

Third, we reviewed work completed from the March 2018 Avian Conservation Data Management Workshop

* Completed survey of Atlantic coast states to obtain states’ 2013 and 2018 Colonial Waterbird (CWB) breeding survey data, as well as previous years’ data;
* Created a CWB data management website currently hosted by USGS; still mostly under construction;
* Updated CWB data entry spreadsheet complete with data entry and submittal instructions and definitions of data fields;
* Initiated preliminary discussions on pulling data into the AKN; this effort will require additional resources and funding;
* Next will write a prospectus of next steps, including estimated costs for completion;
* Second Workshop will be held before the North American Wildlife and Natural Resources Conference at a site near Denver, CO.

Last, we discussed policies, legislation, and funding initiatives that affect landbird, shorebird, and waterbird protection and restoration:

* Recovering America’s Wildlife Act
* M-opinion
* Proposed changes to the Endangered Species Act under review
* Secretary Zinke’s 10 September 2018 Memorandum – State Fish and Wildlife Management Authority on Department of Interior Lands and Waters

**BCC Grassland Work Group Report**

*Bill White, Private Land Services Division Chief, MO Department of Conservation*

AFWA adopted this Working Group’s proposed Resolution in 2017, and since then this WG has focused on a gap analysis of grassland projects. The analysis was piloted in the Mississippi Flyway, and these results were used to revise the survey and mapping protocols. The next step is to send the survey out nationally. This requires follow-up, and the American Bird Conservancy submitted a Multi-State Conservation Grant proposal under the grassland NCN to hire a coordinator to conduct this broader gap analysis. This Coordinator would also coordinate workshops focused on action items coordinated among states. The WG anticipates that the gap analysis will be complete and it will put forward recommendations within a year.

Proposed Action: The Bird Conservation Committee requests that the AFWA Directors encourage their staff with responsibilities in birds, wildlife diversity, grasslands and private lands to assist with a Tri-national Grassland gap analysis this winter. The gap analysis will consist of a short evaluation questionnaire and mapping service designed to collect information about existing grassland projects and identify gaps that need to be addressed. This information will be used to develop recommendations for a unified framework that addresses declines in the broad suite of grassland birds

The above was put forward as a motion with a second- motion carries.

**Feral and Free-Ranging Cat Work Group Report**

*Judith Scarl, AFWA/NABCI*

Working Group accomplishments include:

* Developed a compilation of regulations and statutes pertaining to F&FRC, or pertaining to feral animals that could potentially be applied to cats; compilation is [available on AFWA website](https://www.fishwildlife.org/application/files/2915/1492/1505/FFRC_Legal-Regulatory_Subgroup_report_2017Sept12.pdf)
* 29 states responded to anonymous survey asking about how much of a problem F&FRC were on state lands in their state, and how they were addressing the problem
* Bibliography of literature relating to F&FRC was compiled (thanks to Grant Sizemore) and is [available on AFWA website](https://www.fishwildlife.org/application/files/2015/1492/1375/Scientific_Literature_-_Cats_-_Fall_2017.pdf)

Next steps: develop Best Management Practices, which will incorporate elements from the legal and policy analyses, as well as from state surveys on cat challenges. Sections will address prevention, management, HD, partnerships, disease control, research, model regulatory language, and legal issues. The group is looking for volunteers to help write different sections of the BMPs.

**Resident Game Bird (RGB) Working Group Report**

*Judith Scarl, AFWA/NABCI*

Translocation of Resident Game Birds: Four Resident Game Bird partnerships/organizations are involved in translocation of birds, or are planning for translocation of birds. The Western Quail group is developing an interstate translocation protocol based on guidelines from Kansas, and aim to have a final draft by January. The National Bobwhite Conservation Initiative prepared synthesis on the science of translocation for bobwhites in 2017, and the National Pheasant Partnership has also developed draft guidelines. The National Wild Turkey Federation has been translocating wild turkeys for many years. The group discussed needs and opportunities for consolidating this translocation information to develop a cohesive document for agencies to consider; this document could include a list of considerations for translocation, or proposed Best Management Practices. The group formed a small sub-team to develop an outline for a national-level document

Considering the Future of Small Game Hunting: Scott Taylor presented an analysis of hunting participation trends and showed that resident game bird hunter numbers are declining more/more rapidly than other hunting groups.  He suggested stabilizing national hunter numbers in general will not be possible without addressing declines in small game hunter participation, and described several potential amendments to the Pittman-Robertson Act that could help address the declines.  The National Wild Pheasant Conservation Plan Management Board is seeking partners interested in further exploring this issue and communicating it within the R3 community.

Rocket Net Propellant: Rocket net propellant can no longer be used for Resident Game Birds, and some states are now going back to using cannon nets.

**Migratory Shore and Upland Game Bird Working Group (MSUGBWG) Report**

*Alicia Hardin, Wildlife Division Administrator, Nebraska Game and Parks Commission*

*Written summary prepared by Alicia Hardin, NE G&P*

**HIP Updates**

Shaun Oldenburger (TX) provided a summary of where the HIP revision is and what was discussed at the HIP subcommittee meeting. Five states have agreed to participate in the proposed effort that was funded (via a multi-state grant) with WMI. There is room for 8 states if others are interested. Implementation will likely be 2020. FWS will be an important partner in this work. The proposal includes getting rid of third party vendors asking HIP questions at the point of sale. Instead states would set up a system for hunters to answer the questions online.

**Woodcock Updates**

Russ Mason (MI) summarized the recommendations that came from the Mississippi Flyway regarding woodcock regulations, including earlier opening date and lowering the liberal/moderate threshold. The SRC denied these changes, and requested the Woodcock Harvest Strategy Working Group be restarted to review these issues. Russ mentioned an increase in days (60-75, etc.), possibility of zoning, and lowering the threshold from 3.25 to 3 as all options that will be explored. The group will get together, and will then come back to the flyways for discussion/review.

There was a discussion about woodcock research and new information, including the importance of mid-latitude stopover sites, success of young forest initiatives, and some of the information that came out of recent telemetry work by Texas, Louisiana, Arkansas and other partners. Regarding the forest initiatives, they are typically run by foresters at the state level, which we typically don’t see at these meetings, so new ways to engage these folks could be explored. The US Forest Service also has interest in engaging in more wildlife friendly work through their good neighbor authority, which could perhaps overlap with woodcock efforts. The Woodcock society offered their assistance with any efforts to coordinate this process. This group could be a good avenue to work through some woodcock habitat issues in the future.

**Priority Needs Documents**

This was initially discussed these at the March meeting. Alicia Hardin (NE) sent out a survey to get an idea of where we are at with these. She had 17 responses, some from all flyways. The survey asked participants to provide their input on what priority needs were completed, in progress/continuing, not started, or don’t know. Alicia provided a powerpoint summary of the results. Overall, the most progress seems to have been made in the cranes and doves, which have already been or are in the process of being updated. Woodcock progress was intermediate. The rails, snipe, coots, and other dove species were all still limited in the amount of progress that has been made.

Rich Schultheis provided an update to the status of the mourning and white-winged dove priority needs update. This was initiated at the National Dove Task Force meeting in October 2017. Dove management units/flyways then had the opportunity to prioritize, add to, and comment on what the task force developed as a long list/starting point. The task force will now try to finalize a list of priority information needs at their meeting in October 2018. One issue that needs to be worked through is how to handle priority information needs that are likely to be addressed by the USFWS and partners vs those that are more likely to be addressed by other researchers.

**NABCI Information**

Judith Scarl (AFWA) provided a document to the group summarizing NABCI bird conservation priorities. This working group has worked quite a bit within the research priority. These priorities are all things to consider for future issues and what the group should consider.

Alicia Hardin (NE) provided a summary of an effort that came out of the private lands stewardship subcommittee as part of NABCI. They are suggesting a private lands staff forum, as a way to ensure well informed field staff interacting with landowners regarding grassland bird issues. The forum could provide training and mentoring, exchange of ideas, and help for private lands staff to effectively deliver farm bill and other conservation programs. There was some HD work done regarding this effort, and the survey work suggests it would be very useful for private lands staff. The issues we run into now is that field staff don’t typically attend meetings like these, so a different type of forum is necessary. Alicia suggested an endorsement of this idea be an action item to carry forward to the BCC, and there was agreement from the group. They are also looking for interested parties to carry this forward. Folks interested could contact Alicia or Todd Fearer. We will also consider these priorities with our work plan for this group

**Webless Research Program Update**

Ken Richkus provided an update on funds for this program. He recognized the concern by many about lack of funding. Since 2017, it has been around $50,000. The good news is It is still a line item in the budget. The bad news is there are not currently any plans to increase the amount of money. Remote infrared sensing of cranes on the Platte River was funded with funds from 2017. In 2018, the $50,000 has not been spent yet. That money is still available, and hopefully there will be another 50K for ‘19, so a total of $100,000 to use next year. As other projects are completed (modernization of HIP, etc), there is potential for more funds to be turned to this program. The question Ken posed to the group was what we do with that money. Do we fund projects, put out an RFP, or what do we use the money for? One option would be to use some of that money to revisit the priority needs. Some input was provided on different options, including taking that question back to the flyway tech committees to see what their purview would be. Mark Seamans is still the point person for the webless program. Mark also has a document that summarized where we are on some of the priority needs updates that Ken can send out, to compliment the survey Alicia did.

**MSUGBWG recommended that the Bird Conservation Committee endorse NABCI’s development of a forum for Farm Bill/Private Lands partner biologists to develop a community of practice and support network. Alicia Hardin moves to endorse, Bob Sargent seconds, motion carries.**

**Waterfowl Working Group Report**

*Jeff ver Steeg, Assistant Director, Colorado Parks and Wildlife*

*The following draft summary was reported by Jeff ver Steeg*

**Legislative/Budget Priorities**

*The Migratory Bird Framework and Hunting Opportunities for Veterans Act (S.2942) -* Jen Mock Schaeffer and Margaret Everson provided an update on two pieces of federal legislation pertaining to waterfowl hunting (S. 2942 *Hyde/Smith* and H.R. 6013 *Bishop*). There is a great desire by sponsors to pass before mid-term elections. Congress is getting too far into the regulations-setting process. Bills are too prescriptive. Permissive is a preferred approach if Congress must act. January 31 framework ending date least contentious portion of bill.

M-opinion

Reviewed pathways document from BCC-I, summarized motion of BCC to work with FWS to encourage avoidance and outreach, to develop model state legislation, and to be prepared to defend against codification of the opinion. Endorsed BCC direction.

**HDWG/PET/R3**

David Cobb reported that the HDWG-PET are more or less operating as one group. Working on a proposal to create a coordinator position and secure funding. USGS with help of FWS providing a 1-year post-doc to help with additional survey analyses. Will continue to explore how to integrate HD information into decision-making.

**2018 NAWMP Update**

Jerome Ford provided update. Considering creating a Integration Coordinator in addition to the coordinator that David Cobb mentioned. May need to fundraise for that position. Canada has signed the NAWMP Update and Jerome will initiate the surname process for the US later this week.

**State Contributions to Canada and Branding**

Dave Kostersky provided a 2-page overview. 41 states contributed nearly $3.5 million and that amount is expected to grow. Nine (9) states significantly increased contributions from 2017. Making progress on branding the program. Working with FWS on consistent guidance for use of PR funds for conservation efforts outside of the US.

**USDA-APHIS-Wildlife Services**

Dionne Mendoza provided an update on Canada goose management efforts across the US.

**New Canadian Provincial (Alberta & Manitoba) Wetland Policies**

Travis Ripley provided an overview of Alberta’s approach to managing impacts to wetlands.

Tim Sopuck (Manitoba Habitat Heritage Corporation) provided an overview of Manitoba’s approach. Manitoba’s approach is similar to Alberta’s, but there are some differences. A $100 million Conservation Trust has been formed in Manitoba and the MHHC will manage the distribution of funds.

**Canadian Wetlands Roundtable**

Pat Kehoe gave an overview of the Roundtable and progress it has made recently. The Roundtable is approaching wetlands as an industry. Canada is home to 25% of the world’s wetlands. They will be launching a website by mid-October.

**American Wildlife Values**

Mike Manfredo provided a slightly more detailed summary of the survey results than he provided to the Bird Conservation Committee on Monday. Society seems to be moving towards mutualism, creating a challenge for many wildlife management agencies. That change is correlated with income and urbanization. National report will be available later this fall (end of September vs. end of October?) Individual state reports are already being distributed.

**Canada’s Nature Legacy**

Basile van Havre updated the group on the Nature Legacy and a couple of other initiatives. Regarding the Nature Fund, the 2018 Canadian federal investment in nature, includes $500 million to be matched by partners to raise a total of $1 billion for conservation action for species and protected areas.

The 2018 Federal budget in Canada provides new funding of $1.3 billion - one of the most significant investments in nature conservation in Canadian history.  Support for species at risk, migratory bird sanctuaries and protected areas as well as opportunities for Indigenous-led conservation efforts are steps toward securing the country's social, economic and ecological prosperity. The Government's new $1-billion Nature Fund, consisting of $500 million in federal funds and $500 million in matching funds from conservation and other partners, shows a strong commitment to collaborative conservation.

In the face of population growth, urbanization, industrial development and global climate change, Canada's protected and conserved areas play an important role in the conservation of biodiversity.  Federal, provincial and territorial Ministers responsible for Parks, Protected Areas, Wildlife, Conservation and Biodiversity, are committed to work together towards Canada's goal to conserve at least 17 percent of Canada's terrestrial areas and inland water by the end of 2020 (currently at 6.6%), and ensure that a network of conserved areas effectively contribute to safeguarding biodiversity.

The Nature Fund is expected to reach $1.3 billion over 5 years ($500M from Government and rest from NGO partners and others). Focus is on *protected areas* and *species*.

* + Quickstart projects – 170 applications to the fund
    - Subscribed to Biodiversity convention of 17% protected area, currently at 6.6%.
    - The quick start projects will hopefully add 2% (equates to the size of MN)

Another initiative is the Indigenous Guardians Program. The government of Canada in its 2018 federal budget included an initial investment of $25 million over 5 years – more or less as a “proof of concept.” Indigenous community members will monitor ecological health, maintain cultural sites and protect sensitive areas and species. The program draws inspiration from a similar program in Australia (“Working on Country” initiative).

Also mentioned a Green Infrastructure Fund. To ensure that Canada's communities are healthy and productive places to live, the 2016 budget included investments of $5 billion over five years towards infrastructure projects that protect communities and support Canada's ongoing transition to a clean growth economy. One focus will be on disaster and climate change. On a related note, the insurance industry views wetland protection and conservation as contributing to its financial bottom line (e.g., reduced flood impacts, low carbon economy, program to reduce carbon, etc.).

**Action Items (internal to working group)**

1. Send out Work Plan for comments, give 2 weeks for response
2. Send reminder for states to provide Dean and Jen information on their existing youth and veteran hunts (see email from Dean dated July 31, 2018)
3. Consensus to support the motion that passed at the BCC-I relative to the M-opinion

**Harvest Information Program Working Group Report**

*Ross Melinchuk, Vice President of Conservation, National Wild Turkey Federation*

The HIP WG is moving forward with a voluntary pilot to test the solutions identified in the report brought forward by this WG. WMI submitted a proposal for funding to conduct this pilot through the HIP Multi-State Conservation Grant, which the Grants Committee approved. 5 states are currently interested in participating- LA, NC, CO, AZ, and MN- and WG is looking for 2 additional states, ideally from the Pacific and Central Flyways. The pilot will likely occur in the 2020-2021 season and the WG would like to carry on its work over the next 18 months.

**Discussion follow-up from BCCI**

Migratory Bird Treaty Act and Incidental Take

Reminder from BCCI: The Bird Conservation Committee discussed the Solicitor’s M-opinion on incidental take of migratory birds and reviewed AFWA’s compilation of state rules and regulations pertaining to incidental take of migratory birds. With only ~25% of states having statutes authorizing incidental take protections for migratory birds, the Committee discussed five potential paths forward to increase protection for migratory birds against incidental take. Based on this discussion, the Committee agreed to work with the US Fish and Wildlife Service to develop and communicate about Best Management Practices for avoiding incidental take of migratory birds, and to develop potential model language or guiding principles for model legislation for states wishing to develop statutes or rules addressing incidental take.

BCCII discussion

Best Management Practices: Alicia Hardin, Jennifer Cipolletti, Gray Anderson (will assign staff member), Bob Sargent, Dave Morrison (will assign staff), San Stiver (will check with Western BCC), Dean Smith (will identify someone within CWS), Dionne Mendoza, and Tammy VerCauteren agreed to help with this part of the BCC’s action.

Judith Scarl will send an email to the Bird Conservation Committee about what is needed regarding Best Management Practices support. She will also send an email to BCC requesting participation in the draft language team, for states that may be interested in legislation. Lane Kisonak will reach out to the Legal Committee with a similar request.

One Committee member mentioned that the end goal of these projects is to put states in a position where they can work around the current interpretation of the MBTA related to incidental take. However, the Bird Conservation Committee has not developed an official position on the MBTA interpretation and where that leaves the bird conservation world, although it seems that the position we have taken is implicit. Participants indicated that most states had not taken individual positions on their own, although 8 states joined a lawsuit suing the DOI over the reinterpretation, and several state-based groups (including MAFWA) have sent letters.