



BIRD CONSERVATION COMMITTEE I

Chair: Gordon Myers (NC)

Vice-Chair: Tony Wilkinson (NY)

11 March 2020, 1-5pm

**North American Wildlife and Natural Resources Conference
Omaha, NE**

This meeting was Chaired by Alicia Hardin from Nebraska Game and Parks Commission.

US Fish & Wildlife Service Migratory Bird Program Updates

Ken Richkus, Chief, Division of Migratory Bird Management

See [Ken's presentation](#) for details.

- 1) Personnel Changes and Hiring (Slides 2-4). Note that Kari Duncan (formerly Grants Branch Chief) is now the Chief of the Division of Bird Habitat Conservation, formerly Sarah Mott's role. Note that each program is allowed to submit priorities for hiring, but priority is given to batch hires (e.g. groups of the same position type).
- 2) Budget (Slide 5)- In the Fiscal Year 2020 enacted budget, there has been a \$6m increase in the Migratory Bird program; this was mostly an increase in NAWCA/NAWMP/Joint Venture funding, but also included a decrease in conservation and monitoring funding.
- 3) Cormorants (slide 6-8) continue to be high priority- Depredation permit limits based on experience. Depredation permit allocation was increased in 2017 from 51,000 to 74,000 birds. Public scoping for advance notice of proposed rulemaking and Notice of Intent to prepare a draft environmental impact statement closed on March 9, 2020. USFWS anticipates a final rule in fall 2020. Follow at fws.gov/regulations/cormorants.
- 4) MBTA (slide 9, and see next presentation). Public comment period on proposed rule clarifying the scope of the MBTA was open through March 19.
- 5) Duck Stamp Regulation (see slide). In 2018, contest rules changed to require artists to require visual elements to their entry to reflect hunting. Proposed rule is permanent change.
- 6) Federal Duck Stamp (slides 10-11) more than \$1b raised since 1934, 6 million acres conserved. Note also proposed permanent change to duck stamp to add hunting element to the stamp to reflect the theme "celebrating our waterfowl hunting heritage."
- 7) Eagles- working to develop streamlined permitting processes for bald and golden eagle incidental take. Permitting process will identify areas where eagle abundance is low, so low risk for wind facilities.
- 8) Black Vultures (slide 13). Black vulture range expansion and population increases causes conflicts with livestock industry. Note pilot project in two states to streamline permitting process for black vulture take.
- 9) Common Ravens (Slide 14- more of an issue out west). Raven populations also expanding in certain areas; conflicts with electric utilities, and may have impacts on desert tortoise and sage grouse.
- 10) Grants and Cooperative agreements (Slide 15)- USFWS/DOI moving to new GrantSolutions program to administer grants. Live on April 17, 2020. The Financial Assistance Interior Regulation (FAIR)

establishes the Department's reporting schedule for land acquired through federal assistance and also defines how rule applies for foreign entities.

- 11) NAWMP and NAWCA updates (slides 16-17)- Hired a coordinator to advance integration of people goals into waterfowl management decisions. NAWCA 30th Anniversary in 2019; see <https://nawmp.org/nawca30>

Overview and discussion of proposed MBTA rule

Ken Richkus, *Chief, Division of Migratory Bird Management*

See <https://www.fws.gov/regulations/mbta/> for public scoping webinars and associated Q&A.

In the MBTA scoping webinars, the Service described and was seeking feedback on four possible alternatives for further an analysis.

1. No action alternative- continue to define the scope of the Migratory Bird Treaty Act consistent with the M-opinion (M-37050), which means the Service would only enforce prohibitions on purposeful actions, where the intent is to take migratory birds.
2. Action Alternative A: Promulgate regulations to define the scope of the MBTA consistent with M-37050. This would essentially codify the M-opinion in regulation and define the MBTA to prohibit intentional actions directed at migratory birds. This action would not change the current implementation or enforcement of the MBTA.
3. Action Alternative B: Develop a permit system to regulate incidental take; this would establish a framework under which permits would be issued to provide legal coverage for the incidental take of migratory birds. This is would involve rescinding M-37050.
4. Action Alternative C: Develop an enforcement system to address incidental take in cases of gross negligence. This would also involve rescinding the M-opinion

Follow this project online: www.fws.gov/regulations/mbta

In addition to feedback on the proposed alternatives, the Service was requesting feedback on specific issues; this is laid out in the public scoping webinars.

Bird Conservation Committee member discussion and response

-Central, Mississippi, and Atlantic Flyways are sending letters. A few states in Pacific and Central Flyways will not sign on to these letters.

-Pacific Flyway is not sending a letter, but states can submit letters on their own.

-In other Flyways, some states are submitting their own letters.

Migratory Bird Protection Act: Overview and Discussion

Jen Mock Schaeffer, AFWA

HR-5552- passed out of House Natural Resources Committee along party lines. The bill contains two parts:

- 1) Clarifies that MBTA includes incidental take
- 2) Creates an extensive permitting system, which would include commercial activity and some state activities on state lands

Jen will provide a condensed bill summary and highlight provisions that states might want to consider. She will provide a list of questions for states to provide feedback. AFWA has not yet taken a position on this bill because we will wait for input from state partners.

Discussion and Questions:

Q: Who are the advocates for this bill?

A: ~65 organizations initially providing support, including American Bird Conservancy, Defenders of Wildlife, Center for Biological Diversity, EarthJustice, and state chapters of NGOs.

Q: There could be concern about some of the permitting language, because USFWS may not have the staffing to handle a complex permitting system. If we get good input from states, can we change the permitting language in the bill so that it works better for states?

A: Not clear.

[See additional AFWA legislative and policy updates.](#)

Canadian Wildlife Service Update

Ryan Zimmerling, Manager, Migratory Birds and Wildlife Health, Canadian Wildlife Service

See [Ryan's presentation](#) for details.

- 1) Canada Nature Fund (Slides 2-4)- Natural Heritage Conservation Program focuses primarily on protected areas and habitat conservation. It will contribute \$100 million over four years to secure 200,000+ hectares of private lands. The Canadian government will also contribute \$10m over 2 years for the North American Waterfowl Management Plan. A Challenge Fund seeks to create new protected areas, including indigenous areas. Priorities are: 1) species at risk; 2) protected areas; 3) conserving land. While these programs are not focused on migratory birds, birds will benefit from much of this work.
- 2) Canada Nature Fund Priority Places- Canada has identified 11 priority places, which are multi-species and multi-stakeholder.
- 3) Priority Sectors- including forestry, agriculture, urban development.
- 4) CWS Transformation and Growing Capacity (Slides 5-6)- CWS now has 6 Directorates within CWS, where formerly there was one. CWS benefited directly from Canada Nature Fund and has doubled in size. The migratory bird program has 4 new biologists working on international issues.
- 5) International work in Central and South America- 78% of Canada's birds spend more than half of their year south of their border. Canada is increasing funding/partnerships for work in the Caribbean, Mexico, Central America, and South America. See infographic slide 8.
- 6) Status of Birds in Canada (slides 10 and 11)- Status and trends for all of Canada's birds published in spring 2019, fed into Canada SOTB by NABCI Canada. Waterfowl doing well, but shorebirds, aerial insectivores, and grassland birds are doing poorly. This analysis fed into the State of Canada's Birds report.
- 7) Loss of 3BB and what this means for Canada. Canada had 3 authors on the 3BB report. The report registered well within their government and encouraged them to continue to consider full life-cycle planning.
- 8) Migratory Bird Regulation modernization initiative has been going on for about a decade. This will include clarification related to the prohibition against killing migratory birds- incidental take is prohibited.

North American Bird Conservation Initiative (NABCI) Updates

Judith Scarl, Bird Conservation Program Manager, AFWA/NABCI Coordinator

See [Judith's presentation](#).

NABCI and many bird conservation organizations are coalescing around the 3 Billion Birds Campaign and the National Bird Conservation Priorities.

3 Billion Birds- Encouraging Action through Connection

A paper last September in the journal Science indicated that we have lost 2.9 billion birds in North America since 1970, and the largest loss has been in grassland birds- 720 million grassland birds lost, or more than half of all grassland birds. This has received incredible attention from the press around the world; a recent estimate says that articles have been picked up by more than 1700 media outlets and seen by 3.8 billion people! NABCI and partners are working to harness this public attention to implement change.

NABCI is developing messaging, aimed at the public and the media, to introduce the idea that birds and bird habitat are positively linked to other human goals. We released a “Why Care About Birds” campaign, with a [PDF](#) and infographics that show how bird habitat supports clean water, birds and their habitat support your health, birds are good for the economy, birds benefit your beverages, and bird habitat boosts property values. These are linked to the 3billionbirds.org/why-birds-matter page (download at bottom).

National Bird Conservation Priorities

NABCI is working to reduce barriers to implementing the Top 10 Priority Actions from the [National Bird Conservation Priorities](#).

- 1) “Field Guide to Partnership Development”- One Priority Action reads: “Leverage government dollars with private dollars to multiply conservation impacts through partnerships including Migratory Bird Joint Ventures, the Regional Conservation Partnership Program, and new programs.” To help partners identify and connect with new partners, we are creating a guide with seven topic areas: overview, types of private funding available, identifying common goals, communication, developing relationships/building trust, lessons learned, and success stories. This should also be a tool to help partners explore creative match for RAWA funding.
- 2) Grassland Policy: One Priority Action reads: “Develop and implement a native grassland policy equivalent to the current ‘no net loss’ policy for wetlands that would preclude federal agencies from providing public subsidies for practices harmful to native grassland habitats.” NABCI is exploring the goals, needs, and logistics of updating a grasslands conservation policy and invites a broad array of partners to collaborate on this.

Responding to the 3 Billion Bird Decline: Next Steps and Expanding Engagement

Tammy VerCauteren, Executive Director, Bird Conservancy of the Rockies

See [Tammy’s presentation](#).

Background:

- Science paper documented loss of ~3 billion birds since 1970 and is receiving global media attention.
- 2019 State of the Birds report used this science to highlight critical role of state wildlife agencies in addressing the bird declines
- Science showed net loss in nearly all habitats, including generalists. Largest loss is in grassland birds, the only habitat to show increase was wetlands.
- AFWA passed a [resolution](#) recognizing the urgency of the bird declines and the need to address these declines
- Now: how do we develop a joint NABCI/AFWA effort?

Existing Opportunities for Engagement Include:

- Sharing the [SOTB report](#), including [insert focused on the Recovering America’s Wildlife Act](#)
- Participate in the opportunities to elevate grasslands (see next presentation)
- Share relevancy work, including “[Why Care About Birds](#),” to engage new audiences
- Participate in the “[7 Simple Actions](#)” campaign

Additional Opportunities for States to Engage (More)

- Continue to play leadership roles on Joint Venture management boards
- Help to ensure alignment between national priorities, state priorities, and JV priorities, where possible
- Use opportunities from RAWA to help set goals for breeding ground investments
- Continue to find opportunities to increase support for our birds on their wintering grounds, including Southern Wings
- Participate in upcoming Central and Mississippi Flyway Grassland Summits, and help to step down regional Roadmap goals to state level

Discussion and Comments

- Pacific Flyway opened up a voluntary assessment for Southern Wings, since some states were having a hard time with the vehicle for providing funding to this program. In 2020 states contributed ~\$23,000 using this method.
- Upcoming Bird Festival season (including World Migratory Bird Day) is an opportunity for coordinated outreach
- A local touch can amplify the value of national messaging at the local scale, and having “Why Care About Birds” based on science is important.
- Multiple states acknowledge that they can use “3 Billion Birds” and “Why Care About Birds” messaging, from doing an RCPP for native prairie enhancement and demonstrating that there is a problem with birds and pollinators, to showing how a state can be part of the solution for grasslands.
- Grassland policy groups should consider not just how policy can be changed in Farm Bill, but beyond this. That can be part of the discussion in the Grassland Summit.

Addressing the Bird Declines: Grassland Initiatives

Jim Giocomo, Coordinator, Oaks and Prairies Joint Venture

Tammy VerCauteren, Executive Director, Bird Conservancy of the Rockies

Grassland Gap Analysis- Jim Giocomo

[See Presentation](#)

The Bird Conservation Committee’s Grassland Working Group is facilitating the evaluation of tri-national grassland habitat and bird conservation efforts through a gap analysis that evaluates grassland conservation efforts on private lands. With funding from a multi-state conservation grant, partners created an online survey of grassland programs, which includes a mapping tool. The 10-question survey collects information about the focal area, species targets, dates and duration, monitoring effort, and key partners involved in each effort. An online map depicts information about each reported program, sorted by focal species (see slide 7). This effort will help to evaluate future needs for coordination and collaboration, and will assist partners in coordinating full annual cycle international grassland conservation efforts.

Discussion:

-Some states are still missing information on the map. Contact information for each state was found according to this process: partner went online to each state’s website to identify a contact, and used Joint Venture contacts to track down additional partners. If your state is missing information, please contact Jim Giocomo (jgiocomo@abcbirds.org).

Mississippi Flyway Grassland Summit- Jim Giocomo (for Jane Fitzgerald)

[See Presentation](#)

Summit will be held 1-3 September 2020 in St. Louis, MO. Goal is to initiate development of an action plan for recovering populations of grassland species of greatest conservation need throughout the flyway. Total attendance will be limited to 100 people. Agenda will address the five themes from the National Bird Conservation Priorities: Land and Water Conservation, Research and Evaluation, Engagement and Partnerships, Addressing Threats, Policy and Funding. See presentation for specific topics within each theme.

Central Grasslands Roadmap Summit- Tammy VerCauteren

[See Presentation](#)

Summit will be held 4-6 August 2020 in Fort Collins, CO. Like the MS Summit, the agenda will address the five themes from the National Bird Conservation Priorities: Land and Water Conservation, Research and Evaluation, Engagement and Partnerships, Addressing Threats, Policy and Funding. This summit will engage both grassland experts and conservation leaders- expected attendance ~275 people. See presentation for partners and sponsors. The Vision of the summit is to create a unified framework to guide and inform grassland conservation efforts over the next 10 years, including the identification of shared priorities and the pledging of resources to support grassland conservation. The Summit will build

on existing grassland conservation efforts, including the AFWA Gap Analysis, the 8-JV effort, and existing grassland plans and documents.

Discussion

-2 Private landowners are on the Central Summit planning team; they represent collaboratives of landowners. Social scientists will attend, as will translators (to make the Summit accessible to Spanish-speakers). Each Flyway self-organized, so if the Atlantic and Pacific Flyways would like to hold similar summits, they are encouraged to do so.

Jeff Ver Steeg moves to endorse the Central Flyway Grassland Roadmap Summit and the Mississippi Flyway Grassland Roadmap Summit, and to encourage states in those Flyways to send at least one person per state to a Summit. Josh Avey seconds, and the motion carries.

Alliance for America's Fish and Wildlife/Recovering America's Wildlife Act

Sean Saville, Alliance for America's Fish and Wildlife Campaign Manager, AFWA

[See Presentation.](#)

Recovering America's Wildlife Act passed through the House Committee for Natural Resources on December 5, 2019, which is the farthest this bill has gotten in the legislative process. The bill has bipartisan support in the House. The next step is a full House floor vote.

See Slide 4 for changes to funding provisions. The main change is the reapportionment numbers for how much funding would be allocated to each state; the formula for these now includes the number of Threatened and Endangered species in addition to the state's human population size and percentage of land and water in the state.

Social media is an effective engagement tool; please use the #RecoverWildlife in posts about RAWA. The Alliance for America's Fish and Wildlife is also selling t-shirts to promote the campaign.

The 3 Billion Birds campaign, and the linked State of the Birds report, generated strong media coverage on birds, which is helpful to promote this legislation.

Next steps include: getting the bill to the floor of the House for a vote, introduce the bill in the Senate and get a hearing in the Environment and Public Works Committee, continue to develop strategic partnerships to advocate, and engage in fly-ins, targeted briefings, letter of support, op-eds, and a social media campaign.

Managing for resilience at biome-scales: approaches and outcomes

Dillon T. Fogarty, Department of Agronomy & Horticulture, University of Nebraska, Lincoln

[See presentation.](#)

The focus of this research is preventing, halting, and reversing undesirable transitions, such as cheatgrass invasion of sagebrush ecosystems or woody encroachment in grasslands. To address these transitions, the first step is understanding where these transitions are occurring. This project's co-authors examined bird communities in the Great Plains to see if they are moving over time (see slide 3); using Breeding Bird Survey data, they found persistent, gradual northward shifts of bird communities. Traditional land cover maps could not describe these changes because they mask the location of transitions that impact avian communities. New screening technologies can show transitions, rather than stable states, and show conflict between different types of vegetation (see slides 5 and 6). They explored transitions between grassland and trees (slides 8 and 9), with red on maps showing where a severe transition is occurring. They conclude that past land management investments are chasing the problem rather than addressing an issue proactively; currently we invest where we have lost grasslands, rather where there are still intact resources. This screening technology is being used to rethink conservation strategies with private and public land management patterns. For example, "Tracking Conservation Outcomes" slides (14-21) show how management has halted this woody transition in a successful agency-landowner partnership that benefits both wildlife and working lands profitability. These efforts work outside of grassland ecosystems, too; for example, they have been used in sagebrush ecosystems.

For more information, or to request access to data, contact Dillon Fogarty dillon.fogarty@huskers.unl.edu

“Fall Flights” – Launching the Rebrand of the “State Contributions to Canada” program

Jeff Ver Steeg, Colorado Parks and Wildlife

The Executive Committee of AFWA signed off on the “Fall Flights” name and logo as a rebrand of the “State Contributions to Canada” program; this initiative hopes that the rebranding will bring more attention to this work in Canada.

Southern Wings Progress Updates

Deb Hahn, International Relations Director, AFWA

[See presentation.](#)

Southern Wings was created by the Bird Conservation Committee in 2008 and was approved by the state fish and wildlife agency directors in 2009. 32 states currently participate. Some states participate individually. However, the Pacific Flyway Council and the Northeast Association of Fish and Wildlife Agencies supports projects collectively. The Pacific Flyway Council identifies a few projects and conducts an annual assessment.

Thirty-two participating states have engaged partners in 11 different countries through 24 projects with 81 shared species of greatest conservation need being positively impacted and over one million acres conserved, restored, or managed. Each project has one or two focal species, which provide a biological link to specific states. However, many more species benefit from the conservation actions in each project. Geolocator and tracking data help us to focus in on where we need conservation action. For a modest investment in annual life-cycle conservation of shared species, states can have more of an impact and be more success in conserving priority species, complement in-state bird conservation actions, leverage state funds with partner contributions and help keep state priority birds off the ESA.