

Date: Wed, 12 Feb 2003 11:08:00 -0400  
From: "Leonard Hess" <lnlhess@kiski.net>  
To: pabiodiv@webmail.upb.pitt.edu  
Subject: PABIODIV: Fw: THE BIRDER CONSERVATIONIST: Vol 2, No.2 (February 2003)

THE BIRDER CONSERVATIONIST  
an electronic ABA newsletter  
Volume 2, No.2 - February 2003

#### INTRODUCTION: SAUSAGE

It was Mark Twain, I believe, who said that nobody should be forced to watch Congressional deliberations in action or the making of sausage. He was probably right.

Because the 107th Congress failed to pass all appropriations bills for 2003, the new 108th Congress is given the responsibility to combine the remaining appropriations bills into one large bill, an omnibus bill. The results are not pretty.

Not only are budgets for natural resource issues being trimmed to the bone, but this is happening with the 2003 budget while the proposed 2004 budget is being unveiled. As the White House released a budget wish-list for 2004 just last week, there has been little good news for birds and for natural resources in general. When looking at the 2003 figures (very close to being finalized) and the 2004 figures (at the start of a painful process), it spells fairly bad news. Let's look at five budget issues close to the hearts of many birders:

\* State Wildlife Grants (a hollow promise in lieu of the real CARA in 2000) are dropping from \$85 million in 2002 to an expected \$43 million in the current omnibus bill to a suggested \$60 million in the President's proposed budget for 2004. The minimum requested by the Teaming With Wildlife coalition has been \$100 million a year, viewed as a transition to a comprehensive \$350 million yearly passed by the House (but not the Senate) back in May 2000 with the House passage of CARA.

\* The Neotropical Migratory Bird Fund is expected to be only \$2 million for both 2003 and 2004, although it was \$3 million in 2002 and is fully authorized at \$5 million. Even \$5 million is far short of the \$20 million minimum desired by many groups seeking to build the NMBCA to be a NAWCA-like equivalent in the future.

\* The National Wildlife Refuge budget, once expected to be a showcase in this Refuge Centennial year is only approaching a \$39 million increase for 2003 and an increase by an additional \$25 million proposed in the 2004 White House budget instead of the necessary \$100 million pushed by the Cooperative Alliance for Refuge Enhancement (CARE).

\* National Parks have an omnibus increase approaching a \$84 million for 2003 and a proposed \$47 million increase for 2004 by the White House. This is still short of the ambitious but justified \$180 million sought by the American for National Parks.

\* The Land and Water Fund is claimed to be "fully funded" by the Administration, but that calculation would only be possible if you included in the total 15 completely unrelated programs and their budgets. Instead of \$450 million each for federal and stateside land funding, the 2003 omnibus figure is \$349 million federal and \$115 million stateside. The 2004 numbers by the White House are a disappointing \$188 million federal and \$160 stateside.

There are still chances to boost these numbers, especially for 2004, but these disappointing figures, combined with some of the Administration rollbacks on wetlands, BLM grazing directives, pesticide clearance, and forest policy, for example, are evidence that we will all have our hands full over the next year and beyond.

But let's get into some particulars, below, starting with two sobering reports and then getting into a few, cherished, silver linings among these gray clouds.

- Paul J. Baicich  
Director of Conservation and Public Policy, ABA

=====

## PROPOSED RULE AIMS TO EXEMPT ENVIRONMENTAL PROTECTION AGENCY

Currently, under Section 7 of the Endangered Species Act (ESA), all pesticide decisions made by the Environmental Protection Agency (EPA) are subject to review by the U.S. Fish and Wildlife Service and National Marine Fisheries Service (collectively, "the services") where endangered species may be impacted.

A proposed new rule would allow the Environmental Protection Agency (EPA) to exempt itself from the need to consult with the services regarding the effects its decisions on pesticides have on endangered species. By circumventing this requirement, the EPA will be free to make decisions affecting America's endangered species without input from the very people charged with their protection.

The proposed ruling, published in the Federal Register on January 24, would give EPA the ability to register and re-register pesticides solely based on the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), a law never designed to take the place of the ESA or specifically protect endangered species. By taking critical review away from the U.S. Fish and Wildlife Service, the rule would undermine the ESA, and jeopardize our nation's wildlife heritage.

"What is most disturbing is that these new rules were written after months of discussion with industry representatives but no input at all from the conservation community," said Dr. Patti Bright, Director of the Pesticides and Birds Campaign of American Bird Conservancy. "It is appalling to think that essentially industry is controlling pesticide regulation and endangered species protection at the EPA. The fox is in charge of the hen house."

Pesticides still kill millions of birds annually. For example, fenthion, has killed numerous birds, including endangered Piping Plovers in Florida. Another widely used pesticide coming up for EPA re-registration review, brodifacoum, (the active ingredient of the rodenticide D-Con) has killed Golden Eagles out west.

Members of the newly-formed National Pesticide Coalition will utilize a 45-day comment period to organize an effort to have the proposed rule struck down. The coalition comprises 15 nationally-recognized groups, all concerned with the detrimental effects of pesticides on wildlife, the environment, and public health.

Check here for more details from the American Bird Conservancy on pesticides and birds:  
<http://www.abcbirds.org/pesticides/pesticideindex.htm>

---

## WETLAND HABITAT UNDER CONTINUED DURESS

By now you've probably heard of the Bush Administrations interpretation of a January 2001 Supreme Court ruling on protecting isolated ponds and mudflats.

The administration is now seeking to lift federal protections for up to 20 percent of the nation's wetlands - some 20 million acres of wetlands in all - from industrial pollution or inappropriate development. The administration recently issued an "advanced notice of proposed rulemaking," which calls into question federal Clean Water Act protection for a variety of wetlands, streams and other waterbodies; and an attached "guidance" document for the Environmental Protection Agency and the U.S. Army Corps of Engineers, which orders their regional offices to withhold protections from certain wetlands and to seek

federal advice before protecting other small waterways. (The Clean Water Act prohibits developers from filling in wetlands unless the Army Corps of Engineers grants a permit. In those cases, the permit holder must either restore the wetlands or create a replacement as compensation.)

The proposal opens up a range of possible rule changes, but any change would jeopardize the integrity of the Clean Water Act. Bush officials claim the new guidance was prompted by a 2001 Supreme Court decision that found that so-called isolated wetlands did not merit protection under the Migratory Bird Treaty Act. Isolated wetlands, such as prairie potholes, provide vital habitat for ducks, shorebirds, related waterbirds, and associated passerines. Conservationists are concerned that the administration's interpretation will be applied to the entire nation.

As a result of the administration's action, the federal government could relinquish its responsibility for protecting millions of acres of wetlands, creeks, streams, and ponds to the states. Since most states do not have adequate programs if the administration abandons federal protection, the new rules could lead to wholesale weakening of water and wetland protections.

A related Bush administration plan - focusing on the federal guidelines for replacing wetlands lost or damaged to development - does not bode well for wetland bird habitat. Despite the administration's stated goal of "no net loss" of the nation's wetlands - set by the first President Bush in 1989 - this administration is emphasizing the ecological quality of the wetlands replaced over quantity. The current administration's approach will focus on how and where developers must create new wetlands to compensate for those destroyed by highways, subdivisions, or other construction projects rather than instead of achieving acre-for-acre replacement. Administration officials claim that this approach to wetlands replacement could result in a numerical loss, but an ecological gain.

Unfortunately, recent reports by the National Academy of Sciences and the General Accounting Office have concluded that most wetlands restoration or mitigation projects are usually failures and are not well tracked by federal agencies. Conservationists warned that the administration's strategy would do precious little to stem the actual loss of valuable wetlands for birds and other wildlife.

Strengthening amendments to the Clean Water Act would resolve ambiguities and damaging interpretations, but this is not likely in the 108th Congress. Legal redress may be the route taken for the time being.

---

## CONSERVATION ALLIANCES SHAPING UP OVER TRANSPORTATION BILL

The billions of dollars of funding that go to make up the five-year Transportation Bills do not simply involve the spreading of asphalt from coast to coast. In fact, elements of the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA) and the most recent transportation reauthorization (TEA-21) have included important features for roadside enhancements, local landscape planning, open space consideration, and other potentially positive features through leveraged community action.

The mere crumbs off the overflowing transportation table could fund lots of important bird-related conservation. Indeed, during tough times there is the potential to get concrete resource-related benefits from a number of "big bills," including those on energy, defense, and education, as well as transportation. There are possible down-sides to all of these options, but the benefits are still there.

This year, as the Transportation Bill recycles anew, there are ongoing discussions at increasing funding for these ancillary efforts, including funding for serious roadside enhancements, rails-to-trails, funds for improvements at National Refuges, and for National Parks, for example. The "birding trail" phenomenon, covering a score of states now, relies heavily on essential transportation enhancement dollars.

In some sense, and where it directly impacts our specific bird and birding interests, this is an aspect of the broadened and somewhat misnamed field of "birding economics." Fortunately, a number of

organizations - the Land Trust Alliance, the Trust for Public Lands, The Nature Conservancy, The National Wildlife Federation, and others - are all working their ways to addressing community, open-space, and conservation input into the upcoming Transportation Bill. Dialogue among these groups is heartening; unity of purpose is more elusive. To the standard familiar highway-trip question, "Are we there yet?" we can only reply "Not yet!"

ABA will keep you informed.

One may hope that the potential conservation activity around the Transportation Bill will evolve, not unlike that which has come to track the Farm Bill every five years: creating valuable corners of conservation interest (often for suites of bird species) which can do significant good in a bill originally intended to address another need altogether.

---

## CONSERVATION GUIDE TO FARM BILL

And speaking of the Farm Bill, there is now available a simplified guide to conservation programs of the 2002 farm bill. CONSERVATION PRACTICES AND PROGRAMS FOR YOUR FARM is an informative, 8-page color foldout pamphlet that ties conservation practices to an overview of the farm bill conservation programs available from the U.S. Department of Agriculture. The piece outlines eligibility requirements, type of financial assistance, and producer obligations for eight major USDA conservation programs.

Produced by the Wildlife Management Institute with technical help from the Natural Resources Conservation Services, the pamphlet had support from over 30 additional groups (including Quail Unlimited, Pheasants Forever, the Izaak Walton League, the National Association of State Foresters, The Wildlife Society, Ducks Unlimited, and 14 state wildlife agencies) that saw the need and supported development of a pamphlet that lists major programs and highlights their value to producers in an easy-to-read format.

The guide, mainly meant for agricultural producers, does not answer detailed questions on individual farm-conservation programs, but its overview gives producers a starting point in deciding how the programs might help them conserve croplands, improve water quality, and manage for wildlife on private land. Such vital bird-beneficial programs as the Conservation Reserve Program (CRP), the Wetland Reserve Program (WRP) and the new Grassland Reserve Program (GRP), are all explained.

Individual copies of CONSERVATION PRACTICES AND PROGRAMS FOR YOUR FARM are available by calling 1-888-LANDCARE, or you can get more information from the Web at <http://www.whmi.nrcs.usda.gov/>.

---

## USFWS, REFUGES, AND THE CENTENNIAL:

You've been hearing about the Refuge Centennial, and you'll hear more. Next month, on 14 March 2003, the U.S. Postal Service will release a beautiful new stamp depicting a Brown Pelican. This is in honor of the refuge designation of Pelican Island, the little, five-acre, island that launched the National Wildlife Refuge System one hundred years ago. (Visit <http://refuges.fws.gov/centennial/pelicanStamp.html>) It is heartening to remember that the U.S. refuges - close to 95 million acres - actually constitutes the world's largest system of lands set aside specifically for wildlife.

We will have more Refuge Centennial news and activities here next month. (There will also be centennial coverage in the March issue of WINGING IT and the April issue of BIRDING.)

---

## BLACK-FACED SPOONBILL AND WETLAND HABITAT CONTINUE IN UPHILL FIGHT

An estimated 74 Black-faced Spoonbills have died in Taiwan in a two-month period, as originally reported last month in this E-newsletter. The deaths have been due to two suspected rounds of botulism. This has occurred in Taiwan's Tsengwen estuary, wintering location for more than 60 percent of the total worldwide population of about 800 Black-faced Spoonbills.

A mid-January report from the island revealed international cooperation on the attempts at recovery, but concerns continue. For example, an examination of photos taken over an eight-year period by a French satellite has shown that the spoonbill habitat has suffered from the industrial development along Taiwan's west coast.

Local ecologists have asserted that the natural environment along the western Taiwan coast had been damaged for years by human activities, such as building upstream reservoirs, establishing industrial parks in coastal areas, turning sandy beaches into fish farms, and constructing coastal expressways. Indeed, Taiwan's early moves toward building industrial parks along the coast with no ecological conservation concern have been fraught with problems.

In addition, several typhoon strikes had resulted in coastal land being covered with sand after being inundated by turbid sea water. Therefore, the environmental deterioration was driven by both human and natural factors. In contrast, decades ago, many migrant birds wintered in these coastal wetlands, and sandlots, waters, and swamps were randomly distributed.

Coastal environmental experts have suggested that it is time for Taiwan to turn unused industrial parks distributed along the west coast into artificial wetlands in order to restore damaged ecosystems and to educate future generations. Some of the experts pointed to the Japanese example where declining small industrial zones were transformed into artificial wetlands and some were even designated as internationally important under the Ramsar Convention on Wetlands established in 1971.

With such an effort, alternative sites for Black-faced Spoonbills and other wetland birds could be managed, lessening the impact of future concentrated botulism outbreaks, for example.

You can check out efforts to protect the species at the SAVE (Spoonbill Action Voluntary Echo) web site: <http://www.earthisland.org/project/viewProject.cfm?subSiteID=25>.

---

## ENDANGERED PARKS

Air pollution, excessive use of motorized vehicles, years of inadequate funding, damaging development on lands adjacent to parks, and harmful Administration policies are among the troubles besetting national parks named to the National Parks Conservation Association's fifth annual "America's Ten Most Endangered National Parks List." Released in mid-January, the list includes five new parks and five that have appeared on the list before. (A number of these parks are well known as major birding centers of interest, such as Everglades National Park, Big Thicket National Preserve, and Denali National Park.) By highlighting the ten national parks most in need of immediate attention, the effort aims to draw attention to problems facing all 387 of America's national parks.

Learn about the park list and what you can do to help at:  
[http://www.npca.org/across\\_the\\_nation/ten\\_most\\_endangered/](http://www.npca.org/across_the_nation/ten_most_endangered/)

---

## BIRD CONSERVATION FUNDING WORKSHOP IN DC SETS GOALS

A highly ambitious workshop was held in Washington DC during the last week of January. Nearly a hundred bird conservationists met to hammer out some vital goals based on "Meeting Urgent Needs in Bird Conservation." The event was convened by the Wildlife Management Institute, and a number of common funding goals were agreed upon. The full report/summary is not out yet, but a set of tangible targets were identified for the next two years. These include support for the following funding vehicles

for birds: the North American Waterfowl Conservation Act (NAWCA), targeted at a year \$75 million level; the Neotropical Migratory Bird Conservation Act (NMBCA) with an intermediate minimal goal of \$20 once the \$5 million authorization can be surpassed; funding for Joint Ventures from the current \$10 million to a desired \$20 million, and State Wildlife Grants (a half-measure toward CARA-like legislation) of \$100 million, leading to a needed \$350 million. Also, toward the top of the list was increased general budget support for science-based activities in research and evaluation capacity for federal agencies and offices, such as the USGS.- Biological Resources Division and the Migratory Bird Management Division of the USFWS.

We hope to provide more details in the March issue of this E-newsletter.

---

## MORE CUBA

Last month we mentioned ABA plans to expand our Birders' Exchange assistance in Cuba. ABA has plans to increase assistance for bird education and study on the island through a Birders' Exchange Cuba Initiative. We will be working in cooperation with other organizations and institutions in this effort. Toward that end, it is interesting to note that colleagues at Global Exchange are launching a "Sister Swamps Initiative" (Pantanos Hermanos). The project will link conservation efforts between US and Cuban wetlands through a donation fund for material assistance for Cuban efforts, and through informational and people-to-people exchanges between the two countries. Global Exchange will be concentrating on scientific and educational items for wetlands protection, and the project will be working with Birders' Exchange when it comes to ornithological support. (Not surprisingly, the Sister Swamps Initiative is also similar to the well-respected Shorebird Sister Schools and WHSRN efforts, both with wetland/shorebird emphasis.) For more details: ABA Cuba Initiative: <http://americanbirding.org/programs/consbexn2.htm>, Global Exchange Sister Swamps: <http://www.globalexchange.org/campaigns/cuba/sustainable/index.html#Water>, Shorebird Sister Schools: <http://sssp.fws.gov/index.cfm>, Western Hemisphere Shorebird Reserve Network: <http://www.manomet.org/WHSRN/>

---

## TRACK THIS ARTICLE DOWN!

If you have the opportunity, find the lead essay by John Fitzpatrick in the recent AUK (October 2002; Vol 199, No 4). Fitzpatrick is the head of the Cornell Lab of Ornithology and the past president of the AOU. The visionary piece, entitled, "The AOU and Bird Conservation: Recommitment to the Revolution," thoroughly legitimizes the pursuit of multiple "bird plans," illustrates how the bird-management scene has evolved over the last dozen years, touches on the inter-American "gaps" in the bird plans, and, yes, even discusses in passing the contribution of a potentially engaged birding public.

The article is not available on the Web, to my knowledge, but it well is worth the hunt.

---

## USFWS AND BIRDS OF CONSERVATION CONCERN

The US Fish and Wildlife Service just announced its listing of "Birds of Conservation Concern." This is not a listing of officially Threatened or Endangered bird species, but it is an "early warning" list of birds that might slip into either of those categories. The report identifies 131 bird species that deserve prompt conservation attention to stabilize or increase populations or to secure threatened habitats.

The report will assist efforts by Federal and State agencies, conservation organizations, private companies, and landowners to protect and restore bird habitat and reduce the impact of their activities on species of concern. In addition, species included in this report can be given priority consideration for funding for research, monitoring, and management.

The development of the "early warning" list of bird species in potential trouble is mandated by a 1988 amendment to the Fish and Wildlife Conservation Act of 1980. The number of such species has grown from 30 in 1987, to 122 in 1995, to 131 in 2002.

The list covers species as varied as Ashy Storm-Petrel, Reddish Egret, Ferruginous Hawk, Greater Sage-Grouse, Black Oystercatcher, Red Knot, Wilson's Phalarope, Black Swift, Lewis's Woodpecker, Sedge Wren, Wood Thrush, Prairie Warbler, Grasshopper Sparrow, Tricolored Blackbird, and Lawrence's Goldfinch. There are also a number of Hawaiian species included in this warning list.

Copies of the 99-page report may be obtained by writing to the Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Mail Stop 4107, Arlington, VA 22203-1610, ATTN: BCC 2002. It is also available for downloading on the Division of Migratory Bird Management's Web page at: <http://migratorybirds.fws.gov/>.

---

## VOLUNTEER DIRECTORY BEING DISTRIBUTED

The OPPORTUNITIES FOR BIRDERS directory from ABA is now being distributed with the February issue of BIRDING and through multiple cooperating partners who have helped ABA with this project. The effort was started in 1992 with a modest volunteer listing of 55 entries as a printed supplement to BIRDING. It has now grown ten-fold with more than 550 bird-oriented volunteer activities across North America and world-wide.

This directory is a reminder that there is a constant need for volunteers at national and state parks, national forests, wildlife refuges, nature centers, wildlife management areas, bird observatories, local bird and nature organizations, and academic institutions. The reason that there is this constant need is twofold: 1) critical bird populations and habitats are regularly under duress, and 2) budgets at federal, state, and local levels-required to sustain even the most basic bird conservation objectives-are shrinking dramatically.

By volunteering for a bird-oriented project ABA maintains that we birders can actually "give back to the birds," returning to them something that will actually secure their future, something substantial for having affected our lives in so many ways.

Copies of the 80-page directory can be obtained by sending \$2.00 to cover mailing charges to: American Birding Association, OPPORTUNITIES FOR BIRDERS, P.O. Box 6599, Colorado Springs, CO 80934. You can also review the volunteer listings online on our growing ABA web site <http://www.americanbirding.org/opp/>.

In the coming year, ABA expects to expand the on-line directory, with new interactive features to access volunteer projects by location, month, agency, and/or species group.

---

## WHAT TO DO?

In STATE OF THE WORLD: 2003, the yearbook being circulated by the Worldwatch Institute, Howard Youth writes a compelling chapter entitled "Watching Bird Disappear." The account may be somewhat grim, but he ends with an excellent list of things to do with a world view in mind. It's called a "dozen steps toward a sustainable future for birds and biodiversity." So here, for your consideration, is the thoughtful list:

- \* Involve local communities in conservation efforts.
- \* Where possible, combine compatible commercial activities with conservation goals.
- \* Study bird and other wildlife populations thoroughly and set aside areas most in need of protection.
- \* Include biodiversity protection as a key goal when planning development, industry, or agriculture.
- \* Control harmful introduced species.
- \* Ban chemicals dangerous to birds, other wildlife, and people.

- \* Improve protections against chemical spills, including oil spills.
- \* Reign in uncontrolled hunting of birds, particularly along migration routes and in areas inhabited by localized, threatened species.
- \* Mitigate harmful fishing techniques, particularly longline nets, which needlessly kill many thousands of seabirds.
- \* Address and mitigate threats posed to birds by communications towers, tall buildings, and power lines.
- \* Stem the causes of global warming.
- \* Within communities, raise environmental awareness through bird-watching and other activities.

=====

SOME FINAL NOTES:

Our ABA Conservation Fund is one way we maintain a robust birder's conservation agenda at ABA. (Contributions can be made out to the American Birding Association and marked "Conservation Fund.") If you have an ABA friend who would like to receive this E-newsletter, have him/her contact me. If that birding friend is not an ABA member, membership can be secured on-line: <http://www.americanbirding.org/memform.htm>.

The brand-new "Friends of NORTH AMERICAN BIRDS" has been launched. The group supports the future development of NORTH AMERICAN BIRDS, ABA's quarterly journal of ornithological record across the continent. Of course, NORTH AMERICAN BIRDS, in its current form and in its previous incarnations for over a half-century, has a long history of "citizen science" before that effort ever had a name. The funds donated to the "Friends of NAB" will be applied solely to the costs of journal production. To become a "Friend of NAB", you can make a contribution to the journal of \$50 or more. Checks should be made out to "The Friends of NAB" and sent to ABA, P.O. Box 6599, Colorado Springs, CO 80934.

Finally, you are welcome to reproduce any of this information, as long as the original ABA source is cited. (It's also good to know that the past issues of this newsletter, THE BIRDER CONSERVATIONIST, are now archived on the ABA web site at: <http://www.americanbirding.org/programs/constbc.htm>)

=====

Paul J. Baicich  
 Director of Conservation and Public Policy  
 American Birding Association  
 P.O. Box 404  
 Oxon Hill, MD 20750  
 301-839-9736 (839-wren)  
 301-839-2763 [fax]

ABA: A lot more than listing! Check out the ABA web site: <http://www.americanbirding.org/> And for our online birding store: <http://www.americanbirding.org/abasales/>

"We all dwell in a house of one room"  
 -- John Muir

\*\*\*\*\*

The Pennsylvania Biodiversity Listserve encourages open discussion about biodiversity issues in the state. It is hosted by the Allegheny Institute of Natural History, University of Pittsburgh-Bradford and is moderated by the Pennsylvania Biodiversity Partnership. The opinions expressed in messages are those of the authors and NOT the Pennsylvania Biodiversity Partnership.