

Conservation Connection
By Maureen F. Harvey

Regional, national, and international threats to birdlife persist. Bird conservationists must stay alert and speak out as issues emerge. The following summaries touch on a hodge-podge of crucial issues.

Forest Planning Rules--A Logger's Dream

In October 2007, Howard County's George Alderson drafted an eloquent letter to the U.S. Forest Service, for MOS to sign, commenting on new Forest Planning Rules. Forest planning, George explains, is where the Forest Service cuts up the pie. The timber industry used to get the biggest piece, but over the past 25 years wildlife has been getting a bigger share. The timber industry would like to roll back this progress. Although a U.S. District Court reversed a previous Forest Service plan, the Forest Service tweaked a few items and brought back the same proposal. It's a logger's dream, cutting down public participation, eliminating National Environmental Policy Act (NEPA) analysis, and dropping the consideration of alternatives. It also deletes an important provision that requires each plan to provide for viable populations of native species. MOS's letter stated our position on conservation of habitat and the need for public input on disposition of Federal lands.

Alternative Energy and the Outer Continental Shelf

The Secretary of the Interior has announced an interim policy authorizing the Minerals Management Service (MMS) to issue limited-term leases allowing research on alternative energy uses on the Outer Continental Shelf (OCS). MMS will regulate alternative energy projects, including wind, wave, solar, underwater current, and generation of hydrogen, as well as projects that involve alternate uses for existing oil and gas platforms on the OCS, such as aquaculture, research, education, recreation, or support for offshore operations and facilities. MMS plans to publish a Notice of Proposed Rulemaking for the program in Spring 2008. A separate NEPA analysis will evaluate the environmental impacts of the proposed regulatory framework. The curious may visit the MMS website, <http://www.mms.gov>, and OCS Information Center, <http://www.ocsenergy.anl.gov>.

Texas Birds Face Multiple Threats: Coastal Developments, Border Wall

The MOS Conservation Committee submitted comments to the U.S. Army Corps of Engineers regarding two separate permit applications for developments along the Texas coast adjacent to bird sanctuaries, expressing concerns about the impacts of the development on the sanctuaries' denizens. Bolivar Holdings, LLC, proposes building a 38-acre, 150-unit development on land surrounded by the Bolivar Flats Shorebird Sanctuary near Galveston. Seadrift Ranch Partners, Ltd, wants to create two marinas in association with a big luxury housing development adjacent to Aransas National Wildlife Refuge (NWR) near Rockport. Aransas is the wintering home of the endangered Whooping Cranes, and part of the proposed development would be in habitat critical for the cranes. The dredging and construction activity would itself be disruptive, but remember that additional long-term disturbance from boat traffic would follow!

Carol Schreter and Wendy Olsson report that the Baltimore Bird Club Board wrote to members of the U.S. Congress and the USFWS opposing the construction of a wall along the Mexico-U.S. border in the lower Rio Grande Valley. Such a wall could involve clearing brush in a swath up to 150 feet wide along the river and building a road suitable for driving at 50 MPH. Of the 153 miles of wall authorized in Texas, 86 miles may cross habitat critical for birds and birdwatchers, including 14 separate protected areas. (According to a report commissioned by Congress, the CA and AZ border walls have had no impact on the number of immigrants who are in the U.S. illegally.) The Secure Fence Act of 2006 and the Real ID Act of 2005 have given the Secretary of Homeland Security the power to waive any and all federal laws. Homeland Security does not even have to consult with state and local officials. Well-known wildlife refuges and parks that lie in the path of this wall include Santa Ana NWR, Lower Rio Grande Valley NWR, Sabal Palms

Audubon Sanctuary, Bentsen State Park, and The Nature Conservancy properties called Chihuahuan Woods and Southmost Preserve. If you would like to follow this issue or sign a petition, go to www.NoTexasBorderWall.com

Resort Plans Threaten Grenada Dove

Despite local and international outcry in 2006, a major resort development on the island of Grenada threatens the largest and most important population of the Critically Endangered Grenada Dove, the island nation's national bird. In January 2007, photos became available showing that about half of Hog Island had been cleared by bulldozer in the same configuration as the maps presented in development plan, even though the developers and the government of Grenada claim that no final decision on the development has been reached. The dove is protected officially only in the 155-acre Mt. Hartman National Park. Most of the doves are concentrated in the national park and unprotected portions of the 450-acre Mt. Hartman estate. The extensive development plan--an 18-hole golf course, central hotel, 107 individual hotel units, and 255 private residential villas on the mainland and on Hog Island just offshore--will certainly require the redrawing of the protected area's boundaries and may require that parts of the national park be sold to the developers. In April 2007, the government of Grenada amended the National Parks and Protected Areas Act to allow the Governor General to sell any national park to developers or other private interests. An Environmental Impact Assessment (EIA) released in June 2007 understates the importance of Mt. Hartman to the dove's survival and fails to address the severe impacts on dove habitat and prospects for the species' survival. In September 2007, ABC submitted a detailed critique of the EIA to the Government of Grenada and the developers, with suggestions on how to protect the dove. Surveys of the Grenada Dove are under way, but it is unclear the degree to which the developers are using this information to guide the design of the resort. The developers' response to ABC did not address the critique but stated that stakeholders would soon learn more of the developers' plans through a press announcement. They are clearly resistant to any public review process that could hamper their plans.

Red Knots and DE Horseshoe Crabs

In June 2007, a DE Superior Court repealed a 2-year moratorium on the take of horseshoe crabs in the Delaware Bay, a key stopover site for the migrating Red Knot. Meanwhile, FWS released their 2007 Red Knot assessment, which concludes the species' dramatic population decline is mainly due to the low availability of horseshoe crab eggs in Delaware Bay, a key stopover site for the birds during their migration. Studies have shown that Red Knot individuals with lower body weight at departure from Delaware Bay have lower survival rates than heavier birds. The FWS report confirms that Red Knots could easily become extinct within 10 years. In response to the Superior Court ruling, DE's Dept of Natural Resources and Environmental Control (DNREC) adopted emergency regulations that reduce DE's regular annual harvest quota from 150,000 horseshoe crabs of either sex to 100,000 male-only horseshoe crabs.

Nova Scotia Names Three New Bird Species at Risk

In October 2007, the Nova Scotia government added Red Knot, Chimney Swift, and Common Nighthawk to its list of species at risk, bringing the total of species listed under the province's Endangered Species Act to 41. The Red Knot population in Canada has declined by 70% in the past 15 years, with a similar decline recorded in Nova Scotia. The Chimney Swift was added to the endangered list, while the Common Nighthawk is classified as threatened. Meanwhile, the government announced that the province's Peregrine Falcon population has successfully recovered, although it remains on the vulnerable list; the falcons are now nesting on cliffs along the Bay of Fundy. Canadian federal and provincial laws prohibit activities that could disturb or destroy threatened and endangered species or their habitat and impose fines for violations.

Tower Safeguards for Gulf Coast

On September 11, 2007, ABC and a coalition of other conservation groups, represented by Earthjustice, argued before a federal appeals court that the Federal Communications Commission (FCC) should implement regulations aimed at reducing the number of birds killed in collisions with cellular and television towers in the Gulf Coast region. According to USFWS

estimates, lights from communication towers, by disorienting birds during nighttime migration, kill 5 to 50 million birds each year. Despite these figures as well as USFWS recommendations for simple modifications that could save birds, the FCC has failed to act. Migratory bird populations that transit the Gulf Coast region, where more than 5,000 towers dot the 1,000-mile stretch from Port Isabel, TX to Tampa Bay, FL, are especially at risk. The September hearing was the final opportunity for both sides to argue the case before the matter is decided by a panel of judges. "American Bird Conservancy strongly believes the court should hold the FCC accountable for their persistent disregard of our nation's well-established wildlife protection laws," said Darin Schroeder, ABC's Executive Director of Conservation Advocacy. "It's time the FCC understands they should be concerned about protecting our nation's ecological heritage and wildlife resources." There is no set date for a decision on the case. Point of contact: dschroeder@abcbirds.org.

San Francisco Bay + Black Sea Oil Spills = Huge Bird Losses

On November 7, 2007, the *Cosco Busan* struck the Bay Bridge, spilling 58,000 gallons of bunker oil in San Francisco Bay. The Point Reyes Bird Observatory's Executive Director of Conservation Science, Ellie M. Cohen, reported that their team of 20 scientists, working to process oiled birds under the CA State Oiled Wildlife Care Network, processed a total of 1,409 birds (715 live, 183 washed of oil, 511 dead) within two days of the spill. Then on November 10, a heavy storm brought severe damage to vessels stuck in the Kerch Strait between the Sea of Azov and the Black Sea. One vessel broke in two, leaking at least 2,000 tons of oil, and three more vessels that sank carried potentially hazardous sulphur. At least 30,000 birds died immediately, and thousands more were covered in oil and faced death in the following days. Fifty km of Russian coastline was affected by the oil spills, including two Important Bird Areas (IBAs) designated primarily for migrating and wintering birds. Up to 50,000 migratory waterfowl and other birds are known to use the sites during migration.

The PRBO points out that the number of oiled birds collected during a spill markedly underestimates the true numbers impacted. In many spills, the observed mortality is actually only 5-10% of true mortality, as many carcasses are never recovered (they may sink, wash out to sea or to inaccessible beaches, or be eaten by scavengers). Direct mortality from oiling is often due to one of three things: hypothermia (the oil interferes with the waterproofing of feathers), starvation (birds beach themselves to avoid the hypothermia and therefore can't forage, or they preen so obsessively to try to remove the oil that they do not spend any time doing anything else), and toxicity of oil ingested during preening. Oil can persist in the environment long-term and continue to impact the birds and kill or contaminate food sources.