

**AFWA Bird- and Fish-Related Conflict Working Group  
Agenda**

**July 23-24, 2019  
Boise, ID**

Bird Conservation Committee Co-Chair: David Cobb (NC)  
Vice Co-Chair: Scott Anderson (NC)

Fisheries and Water Resources Policy Committee Co- Chair: Craig Bonds (TX)  
Vice Co-Chair: Jim Fredericks (ID)

**TUESDAY, JULY 23**

**1:00 – 5:00 PM**

Working Group Member Introductions and Opening Remarks (15 minutes)

Updates:

- Review of Working Group Charge (10 minutes)
- TWS/AFS joint meeting symposium (45 minutes)
  - Issue needs resolving with panel discussions time (**Gary W is going to coordinate with the other symposium organizers and AFS Program Chairs to try and resolve**)
  - Issue with second description – Shows black market cannabis instead of actual cormorant-related description (**Note: this has since been resolved**)
  - Back to back symposium needed
  - Contingencies for talks available (in case some presenters can't attend)
  - Panel members – 4-6 on the panel – Could potentially have 2 panels (1 for each bird-fish-conflict symposia)
  - Have a backup paper – Quinn Payton – Avian steelhead predation
- Recap of March FWS Cormorant/Fisheries core team meeting (25 minutes)
  - Unique issues across the country were identified and summarized. Water-body-type resiliency to depredation and the tolerances among constituencies vary across water-body types
    - Great Lakes ahead of most other geographic areas in available science
    - Modelling approaches being used were noted; potential to scale up
  - Next steps and solutions discussed
    - Discussions within USFWS ongoing; options were presented to USFWS agency leadership
    - Options considered, same as with group – Rule making will be done with new EA or EIS
      - Depredation Order – Lower admin burden
      - Depredation Permits
      - Conservation Orders – Like snow geese
      - Wild and stocked populations terms being used instead of “free swimming” fish

- EA process in place for aquaculture, protection of private property or T&E species, and to aid public safety
- A progression from permits to orders to conservation orders
  - Depredation Permits require local effects and individual users
  - Steady state management for depredation permits and orders – Move birds elsewhere
  - Conservation Orders are the device for population change
- From Laurel: **What tools are available with MBTA?**
  - A depredation permit is required before any person may take, possess, or transport migratory birds for depredation control purposes. No permit is required merely to scare or herd depredating migratory birds other than endangered or threatened species or bald or golden eagles. (50 CFR 21.41)
  - A depredation order allows take of a specific species without the need for a permit. Generally used to reduce administrative burden. An environmental review is needed to establish a depredation order. There are 5 depredation orders in effect at this time: Blackbirds (§ 21.43), California (Horned Larks, House Finches, WC Sparrow - § 21.44), Jay in WA (§ 21.46), Resident Canada Goose Nest/Egg (§ 21.50), and Resident Canada Goose and Agriculture (§ 21.51)
  - A control order is used to control a species protected by MBTA when the species resides outside of its native range. There are 5 control orders in effect at this time: Resident Canada Geese and airfields (§ 21.49), Resident Canada Geese at agricultural facilities (§ 21.51), Public health control order for resident Canada geese (§ 21.52), Purple Swamphen (§ 21.53), Muscovy (§ 21.54), and Hawaii Invasives (§ 21.55).
  - A conservation order is a special management action that is needed to control certain wildlife populations when traditional management programs are unsuccessful in preventing overabundance of the population. The action must be justified via an environmental review. A conservation order for light geese (50 CFR 21.60) has been established.
- Challenge is how to message need for take and how to deal with social conflict
  - Where and how should be part of the discussion
  - Climate change communication options could help this issue, too
  - Systems Approach
    - What is the right number of birds from the fish and wildlife community?
    - How many fish or economic activity do we want to support?
- Not all Flyway Councils have not weighed-in completely
  - Some tech committee discussions have occurred
  - Atlantic and MS Flyways have a plan
  - Discussed idea of fisheries staff communicating with their agency's Flyway Council representatives prior to the meetings
- Issues caused between native and non-native species along with cormorants not being a game species (limited funding for population surveys/monitoring)
- Update on DCCO management alternatives and NEPA process (25 minutes)

- Values
  - Challenges in messaging/communicating between bird conservation and fisheries professionals
    - What are the management positions?
    - Common understanding of populations goals
      - Many conflicts
      - Migratory birds and fisheries are often managed at different spatial scales
  - Opportunities to improve communications
    - Birds at fish meetings
    - Fish at bird meetings
    - Being intentional about coming together at meetings that cut across disciplines
  - Building trust – What is the need?
    - Public
    - Within and among agency staffs
    - Relevancy toolbox could be useful in this effort
      - Stakeholder objectives identification and tools to deal with them
      - AFWA presentation

Discussion Item:

- Focus Areas and Goals (2 hours) on Day 1 and 4+ hours on Day 2)
  - 1a – Starting the discussion
    - Conservation leadership teams – NC example – Have periodic meetings with game and non-game folks
      - Better relationships made
      - Better understanding of work being done
      - Scale is important – both temporal and spatial scales
        - Issues with Ecosystem Management attempts
        - Charges need clear identification
    - Research studies on bird-fish conflicts with all entities in the process
    - Maybe have a team to build communications between fish and wildlife
    - Building system plans with all groups
    - Mechanism to keep communications moving forward is needed (i.e. life after BFRCWG)
      - There are many of these similar issues like beaver-fish and sage grouse-cutthroat
      - More joint meetings and symposium
        - Perhaps a separate symposium or workshop outside of professional meetings with printed proceedings or key resolutions
      - RAWA passage would enable more interaction that could be very positive
      - Nongame flyways tech committee meetings to include fisheries staff
        - A workshop add-on as a way to attract more staff
        - Summertime would be the best time period with flyways committees – August 2020

- Develop funding option to jointly study cormorants within a flyway
- Could have multiple members on the committee
- Find out what our agency's will be discussing at the Nongame Flyways Tech Committee
- Need a timeline and organizational structure on the Flyways discussions - **Laurel**
- On the fish side
  - Forage Fish Bill will force integration of birds in marine forage questions
  - Marine Commissions, MICRA, and Great Lakes Fishery Commission are opportunities – **Gary and Jim will develop organization and timelines for regulatory authorities**
    - AFWA and AFS Committees
- Pacific Flyway white pelican and DCCO plans will be shared with all to show examples of how to conduct decision making and communication
- Identify opportunities for workshop in August 2020
  - Discuss at AFWA - Summer varies in scheduling
    - Issue and question for workshop needs development
    - Perhaps east of Rockies on implementation options
  - Western Working Group – Partners in Flight
    - Many academics with products to help managers
    - Information is used in flyway councils
- Cannot observe fish like wildlife – Show much images of fish and habitat
- Directors need to know that fisheries management also involves bird management
  - Interagency teams to operationalize involvement – Need to outline how to work
    - May want to ultimately broaden to constituents for the next level – Add to 1B too
    - Size matters – inversely – Big agencies are less likely to have the interaction across disciplinary silos
  - Best Mgt Practice document is a possible operation to allow Directors to make better decisions – Use a subgroup to write up – **Scott/David, Andy, Laurel, James**
    - Fish Chiefs' survey showed issues with Flyway representation to support
- Relevancy
  - AFWA document will drive this discussion in the future – **Jon S. will let us know the product is available as will Devin**
- 1b – Stakeholder Input - USFWS species conflict framework is available but somewhat vague on how to implement
  - Economics of both bird and fish resource needed
  - Example – Core DCCO Team – Involvement by this group was important
    - Other processes would benefit from this type of involvement

- A thank you letter on engagement would be wise very soon and to whom depends on who signs **(This was accomplished by BFRCWG Leadership Team and Devin D)**
- Key bird constituents – Not discreet at times
  - Audubon Society and American Bird Conservancy for sure
  - PETA and Humane Society are often players with any lethal take
  - Aquaculture Association and Farm Bureau
  - Columbia River – Even with listed salmon species
    - Any bird take was resisted
    - Some local chapters work with agencies
- Take type differences
  - Egg oiling is much more acceptable than shooting adult birds
- Maybe relevancy roadmap will help here
- ID White Pelicans Plan – Provided a floor level
  - Local ID comments were more acceptable
    - Close coordination with local communities
  - Critical comments came from elsewhere
- Big differences in issues
  - I.e. - Central ND Humane Society raffles off shotguns for pheasant hunting
- Need for control and reasonable amount of such – Balanced community
- Assemble case histories to understand lessons learned
  - Population densities make a difference
  - EISs from Columbia show a good process
  - Can look at other conflicts on how stakeholders were handled
  - Great workshop topic – Develop it out further as a product – **Gary to develop a proposal for Sept Meeting**
- List deficiencies in current discussion and how to better deal with them
- Non-lethal take options - Can you move birds and not have them come back? High uncertainty, do they work and when, and data needed
  - Has worked on the Columbia River and Puget Sound
  - Need costs of non-lethal take
  - Engagement with USDA-WS needed
- Fisheries data to illustrate mitigation options – Minimize predation
  - Some would like to see stocking and habitat management information
  - Adjusting stocking practices and what has been done
- 1c – How much of the resource should be provided to a range of uses – Population goals
  - Population objectives lacking so context is unclear – Value statement question prevents it being done and is a values-based judgment
    - Conservation objectives at the flyway scale is needed
    - Competition message with other species
    - Some species do nest with cormorants – Great Egrets – Protection from Bald Eagles
    - Uncertainty is needed to be explained
    - Disciplines differ in perspectives
      - Birders use trends instead of population levels

- Insufficient funding for populations levels – eBird - Recommendation
          - Fisheries use populations levels
    - Tools differ vastly
      - Modeling is common in fisheries but less with some terrestrial organisms
      - Acknowledge difference in mgt framework
      - Modeling assists with uncertainty definition
  - Issues showing up with loss in population by aging to do breeding surveys
    - USFWS is relying on eBird and BBS
    - White Pelican, Caspian Tern and DCCO data exists in Pacific Flyway-States do the surveys
      - For example, 13 DCCO colonies in OR being managed
      - In return, OR got a management plan
      - Two monitoring plans are state plans – White Pelicans and Caspian Terns
      - No management objectives have been established
      - Pacific Flyway has the data but has an obstacle with values to set numbers
        - Super expensive
        - Number of DCCO is much more difficult
        - Caspian Terns – 10% Pacific salmon mortality but EIS and plan was based on nesting colony size
          - Numbers higher now than in 1900
    - Flyway states are doing monitoring – A range of fish-eating birds
      - Monitoring needs and input can be made
    - Habitat has been enhanced by reservoir and lake development and controlled flows to allow more permanent island breeding areas
    - How to get people’s disappointment to one level? Or an agreed upon biological reality
    - Organization chart of pinch points, flow chart, and decision makers/positions
    - Perceptions of bird species coolness show up in the public
      - Black is perceived as bad (i.e. sub-conscious bias)
      - Other species affects need to be discussed
  - Future Direction - Recommendation on more funding for DCCO population data to implement future actions – Develop mortality rates and population level analyses – Start discussions to spread the seeds now on issue
    - Ceilings (state) vs. floors on population levels needs to be defined clearly
    - Close analogy for fish is predator-to-prey ratios
      - How to develop a similar balanced picture for fish
    - Subpopulation exist for DCCO on breeding groups but mixed stocks on wintering grounds
    - Cost of surveys required
- USFWS Identifies action – Notice of Intent – Comments Requested and what EA/EIS approach will be taken

- To speed up process
      - Clarity of federal actions that are possible and allocation of take
        - Flexibility with moving permits from under used areas to other areas
      - Equally the states need to have clear goals
    - Need to determine other documents would help support this work
    - Develop adaptive management processes
    - Key Issues and challenges (Biological, Organizational, and Social)
      - Uncertainty is a key question for birds
      - Scale between fish (smaller spatial scale) and birds (large spatial scale)
        - Lessons could be learned from Columbia River system
        - Bird displacement is another issue of concern – Move from one problem population to creating another problem population
      - Who does the population work for birds?
      - Non-native vs. native is an intractable issue yet that needs more discussion
        - Constituent groups differ between disciplines
      - One-page document should be developed to achieve goals – DCCO and free-swimming fish (DJ Case and Associates 2018) - Regional Meeting Summary – **Jon, Chad, Craig, and Laurel**
- 2. Science Needs
  - Uncertainty in population numbers is a key issue for bird biologists
    - Need improved techniques and funding
    - Pacific Flyway estimates are at the right level
  - How to do – Electronically solicit assistance
  - GIS map/story map would be a good mechanism to show geographic extent
    - Needs to note spatial scale of issues between fish and birds
    - Likely points and polygons on questions will be needed
  - 2a. List of affected piscivores bird issues should be mined from Chief surveys with the group to edit – **Jim will do**
  - 2b. List of fisheries issues – Mine from stakeholder report
    - Life history strategies
    - Fish Chief data too
    - Illustrate for stakeholders
    - Should just list the types of “fish” – Inventory of categories – Glossary of terms – **Gary and Jeff**
      - Also place into communications
  - 2c. Recommendations on gathering priority fish and bird data
    - Similar process as used in Columbia River DCCO
    - Central warehouse for data and grey literature – AFS database could assist
  - 2f – Available literature on issue- **James to provide**
- Immediate next steps – Send out clean summary to workgroup and August Workgroup Conference Call to solicit assistance with Action Items.

**6:30 PM**

Evening Social and dinner – Jim Fredericks’ house – A success all-around with outstanding hosts, great food and beverages, and super conversation!!!!

## WEDNESDAY, JULY 24

**8:30 AM – 2:00 PM**

Continuation of Focus Areas and Goals (4 hours)

Wrap up and Next Steps

### **Expected meeting outcomes/objectives:**

- Populate sub-working-group teams to focus on specific Areas/Goals
- Make meaningful progress toward addressing Areas/Goals
- Plan future actions
  - Sub-working-group team milestones and remote communication frequency
  - Plan agenda for fall AFWA BFRCWG meeting
  - Flesh out needed next action steps for TWS/AFS joint meeting symposium
- Key to develop balance between fish and wildlife
  - Perspectives
    - Low communication between fish and wildlife historically
    - Key principles
      - Want the resources maintained for all organisms
      - Mutualistic and Traditional uses need to have joint position
    - Working group will dissolve
    - Better solution-oriented approach
      - No clear solution
    - Western Tanager stocking example in NC
    - No birds are unacceptable and the current populations are not socially sustainable
      - Not long ago we did not have healthy piscivorous bird populations
    - Historically poor interaction between fish and wildlife
      - Historical information does not indicate these populations were there at current numbers
      - Did have a good process when there was control but concerns on backsliding
    - Difficult issue for Columbia River salmon
    - Address values-based issues between disciplines
    - Opinions have not moved much with disciplines or the public – Coexistence key between birds and fish
      - Goals for birds and fish needed
    - Western water limited so both birds and fish are concentrated
      - Poor communications noted – Urban fisheries abandoned
      - Listed desert fish populations
      - Need tools
    - Continuity of workgroup needed
    - Issues with water development in desert SW and birds find new habitats quickly
      - Studies have been contradictory
    - Conflict species framework – Engagement is first step
    - Managing disciplines for a joint solution
    - Mutual perspectives needed and reduce talking past each other
    - Some states have data that show issues between birds and fish