

USFWS Migratory Bird Program

Updates for BCC

North American Wildlife & Natural Resources Conference
March 2021

Presenters Kari Duncan and Ken Richkus



U.S. Fish and Wildlife Service
Migratory Bird Program
Conserving America's Birds





Biden Administration

- Priorities and Executive Orders
 - COVID-19
 - Racial Equity
 - Economy
 - Climate
 - Creation of a National Climate Task Force
 - Civilian Climate Corps
 - Thirty by 30



Personnel Changes

Headquarters Office - Staffing

Division of Migratory Bird Management

- **Flyway Representatives**

- Dave Scott, Mississippi Flyway Rep
- Pat Devers, Atlantic Flyway Rep
- Jim Dubovsky (Retired – Feb 27), Dave Olson – Acting Central Flyway Rep

- **Branch of Assessment and Decision Support (old PHAB)**

- Mark Seamans – Acting Chief
- John Yeiser – Population Ecologist

- **Branch of Migratory Bird Surveys**

- Interviews completed for another Biologist/Pilot, selection pending
- Remote Sensing Specialist – Reviewing Applicants

- **National Raptor Program**

- Paige Howell – Population Ecologist, began Feb. 14
- Eliza Savage retired Dec 31



Personnel Changes

Headquarters Office - Staffing

- **Division of Bird Habitat Conservation, Branch of Science and Planning**
 - Jorge Coppen, NAWMP Coordinator, retired in November (Tony Roberts - Acting)
 - National Joint Venture Coordinator (Vice Ken Kriese) – Selection Pending



Budget

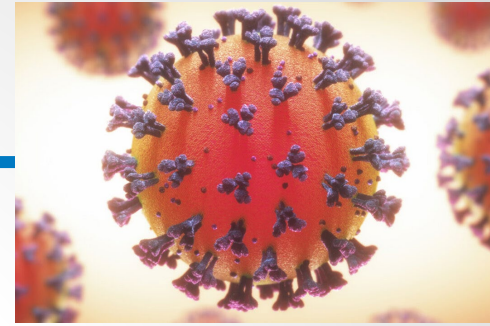
Updates

	Enacted FY 2019	Enacted FY 2020	Enacted FY 2021
Conservation & Monitoring	\$29,301,000	\$28,837,000	\$28,784,000
Permits	\$3,424,000	\$3,424,000	\$3,411,000
Duck Stamp	\$556,000	\$556,000	\$556,000
Joint Ventures/NAWMP	\$13,140,000	\$14,640,000	\$15,122,000
North American Wetlands Conservation Act	\$42,000,000	\$46,000,000	\$46,500,000
Neotropical Migratory Bird Conservation Act	\$3,910,000	\$4,910,000	\$4,910,000
Total – Migratory Bird Program	\$92,331,000	\$98,367,000	\$99,283,000

Migratory Bird Program - Conserving America's Birds



COVID-19 Pandemic

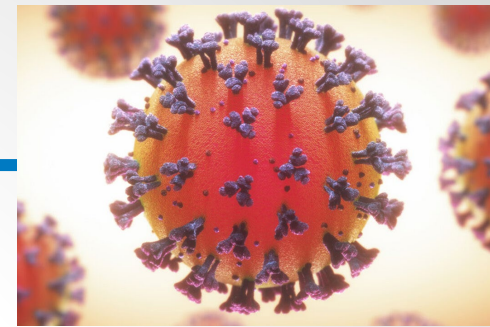


Impacts to Surveys and Monitoring Programs

- **2020 Challenging Year**
 - Cancellation of several major surveys
 - Mid Continent Sandhill Crane Survey
 - May Waterfowl Breeding Population and Habitat Survey
 - Ungava AP Canada Goose Survey
 - Breeding Bird Survey (USGS)
 - Other survey efforts
 - Use long-term datasets and existing harvest strategies to make predictions to inform harvest decisions for the 2021/22 hunting seasons.
- **Resumed or modified most survey/monitoring programs**
 - COVID mitigation measures and risk assessment implemented
 - Modified other efforts – reduced observers, banding, wingbees



COVID-19 Pandemic



Impacts to Surveys and Monitoring Programs

- **Challenges still remain for 2021**
 - Continued border restrictions with Canada
 - Further restrictions in the far north in the Indigenous areas
 - CWS working on approval for field activities
 - Eastern Ecological Research Center (Patuxent) working on approval to fully resume the BBS
- **2021 May Breeding Waterfowl and Habitat Survey???**
 - Working with CWS, Department of State, and the Embassies
 - Further exploring the utility of a partial survey efforts
 - TBD
- **Continuing to develop and refine options for 2022/23 harvest regulations (April 6th SRC discussions)**



Double-crested Cormorants

- **Final Rule published on Dec 29th – Special permit established, effective Feb 12, 2021**
 - Allows take by State and Tribal governments normally prohibited under other permit types
 - Objective is to address conflicts with minimal take

50 CFR §21.28: Special Double-crested Cormorant Permit

- FOR State or Tribal fish and wildlife agencies
- State- and Tribal-owned or operated aquaculture facilities, including hatcheries
- Health and Human Safety
- Threatened and endangered species
- State- or Tribal-owned property and assets
- Wild and Public-stocked fish

50 CFR §21.41: Individual Depredation Permits

- FOR individuals, States, Tribes
- Aquaculture facilities
- Health and Human Safety
- Threatened and Endangered Species
- Property



Double-crested Cormorants

- **Next steps**

- Fully stand up an “Implementation Team” and “Monitoring Team”
- Develop population monitoring plan within 1 year
- 5 yr review of all monitoring and take information, updated PTL models
 - Reassess and evaluate the state cormorant conflicts

- **Request of the Councils**

- Identify 2 nongame and 1 game technical committee representatives to work with these teams in a network partnership (periodic calls)
- Contact: Lesley_Kordella@fws.gov or Rachael_Pierce@fws.gov

<https://www.fws.gov/regulations/cormorant/>



Federal Duck Stamp

Current Status

- \$1.1+ billion raised since 1934
- 6 million acres conserved
- 1.5+ million stamps sold annually



2021 Events

- Junior Duck Stamp Contest – April 16, virtual
- First Day of Sale – June 25
- Federal Art Contest - September 24-25



Grants & Cooperative Agreements

Update

North American Wetlands Conservation Act

- 2020 - 99 grants in U.S., Canada, and Mexico
 - \$89.9 million in grants and \$172.7 in match
- 2021
 - MBCC approved 32 U.S. Standard grants
 - Council approved 28 U.S. Small grants
 - 56 proposals for MBCC consideration in April

Neotropical Migratory Bird Conservation Act

- 2020 - 32 projects funded
 - \$3.8 million and \$21 million in match
- 2021 – 56 applications received



Training - Forests for the Birds

Conserving America's Forest Birds

- National Conservation Training Center and Forest Ecology Working Group
- 12-part monthly lecture series
 - bird population declines
 - partnership opportunities
 - forest management actions to support recovery and sustainability
- Registration required through NCTC
- Recordings available on NCTC archives



3 Billion Birds Response

FWS is implementing a 5-part strategy to bring birds back:

- All-FWS Approach: Leverage all FWS programs to focus efforts and investments in bird conservation
- Collaborate across the Federal government
- 30x30: Accelerate the pace and scale of climate-smart habitat protection
- Reach new audiences and develop new and expanded partnerships
- Make targeted investments to amplify ongoing actions to have an immediate impact [5&1 strategy]
 - grassland birds, shorebirds, forest birds, aerial insectivores, seabirds, building/structure collisions

Thank you!



www.fws.gov/birds

 USFWS_MigratoryBirds

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Migratory Bird Treaty Act

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MBTA: Incidental Take

- **Process started in 2015**
 - Scoping to develop a framework to authorize incidental take under the MBTA
- **New direction in 2017**
 - M-35070: MBTA does not prohibit incidental take,
 - NEPA and rulemaking
 - SDNY Summary Judgement: vacature of the M-opinion
 - DOJ file a motion to appeal
 - Final rule published on Jan 7; effective Feb 8, 2021



MBTA: Incidental Take

- **Recent Developments**

- Notice to extend the effective date to **March 8, 2021** and opened 20-day public comment period
 - Requested comments on issues of fact, law, and policy raised by the MBTA rule, and on whether that rule should be amended, rescinded, or delayed
- DOJ withdraws appeal of SDNY summary judgement
- DOI and FWS are currently exploring all options regarding next steps
- Latest information: <https://www.fws.gov/regulations/mbta/>



MBTA: Incidental Take

- DOI's statement: Yesterday, the Interior Department rescinded the M-opinion on the Migratory Bird Treaty Act that overturned decades of bipartisan and international consensus and allowed industry to kill birds with impunity. The reasoning and basis behind that M-Opinion were soundly rejected in federal court. In the coming days, Interior will issue a proposed rule to revoke the corresponding rule that is going into effect today. The Department will also reconsider its interpretation of the MBTA to develop common sense standards that can protect migratory birds and provide certainty to industry.