COUNCIL FOR THE CONSERVATION OF MIGRATORY BIRDS

2015

ANNUAL REPORT

Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds* (Order or EO) identifies migratory bird conservation responsibilities of federal agencies pursuant to the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, the Fish and Wildlife Coordination Act, the Endangered Species Act, the National Environmental Policy Act, and other pertinent statutes. The Order established the interagency Council for the Conservation of Migratory Birds (Council) to oversee the implementation of the EO. This report summarizes actions the Council and Council-member agencies have taken to protect migratory birds associated with implementation of the EO in calendar year 2015. Additional information on this report can be found at the Council website for the 2015 Annual Report.

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Executive Summary

The interagency Council for the Conservation of Migratory Birds identifies four duties to implement in carrying out the mission of the EO. These duties are listed below.

- ✓ **Share the latest resource information to assist in the conservation and management of migratory birds**
- ✓ **Develop an annual report of accomplishments and recommendations related to the Executive Order**
- ✓ **Foster partnerships to further the goals of the Executive Order**
- ✓ **Select an annual recipient of the Presidential Migratory Bird Federal Stewardship Award for contributions to the protection of migratory birds**

The Council recognizes the important role that the federal government plays in achieving successful bird conservation in our nation. Millions of federally-owned acres, combined with millions of actions carried out or permitted by federal agencies annually, translates to a substantial interface between federal agencies and migratory bird resources. Consequently, a federal agency's actions to reduce negative or harmful impacts can have a tremendously positive effect on bird conservation.

Council agencies carry out these four duties through various means, such as collaborating to develop migratory bird conservation training for federal employees, partnering to share and improve data resources, implementing a Council theme, and developing memoranda of understanding. The Council also celebrates and recognizes those agencies that go above and beyond these duties to evaluate, manage, and reduce hazards to birds.

The National Oceanic and Atmospheric Administration (NOAA) Fisheries project Preventing Migratory Seabird Mortality in U.S. West Coast Groundfish Longline Fisheries was the 2015 recipient of the Presidential Migratory Bird Federal Stewardship Award. NOAA Fisheries, in collaboration with many partners, is succeeding in keeping seabirds off the hooks of vessels using bottom longline gear in fisheries off of the U.S. West Coast (Washington, Oregon, California). As a result, fewer seabirds are dying and that number is expected to continue to decline as the efforts of the partnerships continue to bear fruit.

The Order also states that, "each Federal agency taking actions that have, or are likely to have, a measurable negative effect on migratory bird populations is directed to develop and implement a Memorandum of Understanding (MOU) with the Service that shall promote the conservation of migratory bird populations." It further states that "each MOU shall establish protocols for implementation of the MOU and for reporting accomplishments." In 2015, ten memoranda of understanding between the U.S. Fish and Wildlife Service (Service) and other federal agencies were in place. Each MOU is listed on the Council website.

In 2015, the Council consisted of 22 federal departments and agencies, welcoming the General Services Administration to the group of agencies committed to supporting migratory bird conservation. A current list of participating agencies can be found below. The Council meets annually and is chaired by the Secretary of the Interior, and delegated to the Director of the Service. A Staff Committee identifies conservation opportunities to meet Council goals, and task-oriented subcommittees research issues and develop products required by the agencies to meet Council objectives. The 2015 annual meeting of the Council members was held on May 7, 2015, and Council staff meetings were held on March 26, 2015; June 8, 2015; and September 21, 2015.

Council for the Conservation of Migratory Birds Participating Federal Agencies

Animal and Plant and Health Inspection Service
Bureau of Land Management
Bureau of Ocean Energy Management
Department of Defense
Department of Energy
Department of Homeland Security
Environmental Protection Agency
Federal Aviation Administration
Federal Communications Commission (Observer)
Federal Energy Regulatory Commission
Federal Highway Administration
Forest Service
General Services Administration
National Marine Fisheries Service – National Oceanic and Atmospheric Administration
National Park Service
Natural Resources Conservation Service
U.S. Army Corps of Engineers
U.S. Coast Guard
U.S. Customs and Border Protection
U.S. Department of State
U.S. Fish & Wildlife Service
U.S. Geological Survey

Memoranda of Understanding

The Order provides broad guidelines on conservation responsibilities for federal agencies, and requires the development of more detailed guidance within MOUs. However, federal agencies are not required to have a completed MOU with the Service to become a member of the Council. Those who do not have MOUs in place work in partnership with the Council and the Service to implement conservation objectives outlined in the Order. For example, staff at the Federal Communications Commission collaborated extensively with the Council to provide conservation solutions for reducing mortality at communication towers, but the Federal Communications Commission does not currently have a completed MOU in place.

By the end of 2015, ten MOUs with the Service had been completed in accordance with the EO, and are accessible through the Council website. Seven additional MOUs were in development during 2015, including those with the Environmental Protection Agency; Federal Highway Administration; Office of Surface Mining, Reclamation, and Enforcement; Federal Aviation Administration; Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement; U.S. Customs and Border Protection; and the U.S. Army Corps of Engineers. As more agencies begin to address their actions by using the MOU as an implementation tool, the Council expects that the responsibilities outlined in the EO will be implemented on a greater scale, improving the protection of migratory birds nationwide.

Council Theme

The Council adopted a tri-annual theme in 2013 to focus on specific bird conservation solutions. The 2013-2015 Council theme was Facilities Management (defined by the Council as government buildings and associated infrastructure), as recent studies have shown that negative impacts associated with the construction, operation, and maintenance of facilities nationwide (e.g., collisions, habitat impacts, etc.) are top contributors to bird mortality. Elements of facilities and associated infrastructure that can create bird hazards include artificial lighting, building glass, certain landscaping and land management practices, communication towers, and power utility infrastructure.

Given that all federal agencies lease, own, and/or manage a variety of facilities and infrastructure, the Council decided to focus on how federal agencies can reduce the occurrence of these hazards to birds. During this tri-annual theme, Council staff identified areas where federal facilities and infrastructure were negatively impacting migratory birds, and where agencies could implement effective and cost efficient actions to reduce these impacts. These actions included:

- ✓ Reducing impacts from entrapment hazards in building and land-marking pipes
- ✓ Addressing electric utility electrocution risks by retro-fitting unsafe power poles
- ✓ Retro-fitting glass hazards at agency buildings
- ✓ Researching new and innovative ways to reduce facility impacts
- ✓ Increasing federal agency awareness of facilities management measures

In 2015, the Service collaborated with leading experts in the field of bird impacts with building and glass infrastructure to develop a building, glass and lighting best practices document. The document focuses on measures that can be employed in and around homes and offices to reduce negative impacts to migratory birds. Avoidance and minimization measures range in options from no-cost behavioral practices (e.g. turning off lights and moving plants away from windows) to installing decal, film and retrofit options. The final document can be found on the Building, Glass and Lighting page of the Conservation Measures website. The Service's Migratory Bird Program intends this document to be a reference to Service employees and others, including Council agencies, to use in communicating and implementing best practices for avoiding and minimizing impacts to migratory birds from building, glass and lighting infrastructure.

Agency Specific Actions in Facilities Management

The Animal and Plant Health Inspection Service (APHIS) conducted outreach about bird conservation and managing facilities at several office buildings, including the previously leased and now GSA-owned headquarters building in Riverdale, Maryland. An agency-wide email entitled "Things that go BUMP in the Day" was distributed in autumn of 2015 that provided employees with 7 easy steps that they could incorporate into their daily activities at home or the office to save birds and prevent window collisions. In addition, APHIS is developing a collision study to quantify the number and species of birds that strike the Riverdale building throughout the year. Upon completion, APHIS will make recommendations to the APHIS Administrator and Facility and Conference Services staff regarding the most effective conservation measures that they can implement to prevent bird strikes at this location.

The Department of State (DoS) has more than 250 overseas offices and other functional facilities, but less than ten domestic ones. While DoS does not manage large tracts of land, it implements operational standards that demonstrate good stewardship of natural resources to host countries and local communities, and serve as models for improved environmental practices. Although the DoS operational standards are not instituted specifically for birds, they contribute to their conservation. An example of standards DoS promotes that can reduce negative impacts to birds at facilities is the Guide to Green Embassies: Eco-Diplomacy in Operation, distributed by the DoS Bureau of Overseas Building Operations, which recommends native or adaptive plants in the landscape and environmentally friendly cleaning and de-icing products; promotes tree planting and constructed wetlands on DoS overseas facilities; and encourages shielded parking lot lighting and other bird-friendly measures.

The Federal Aviation Administration (FAA) periodically circulates information on reducing impacts to migratory birds to managers of facilities and field offices that have oversight of facility design and operation. In addition, the FAA has included a message in the Daily Broadcast e-mail issued to all employees listing simple, low- or no-cost measures that can be adopted at existing facilities, with emphasis on measures that also have energy-saving benefits and can help to achieve sustainability goals.

The U.S. Fish and Wildlife Service (Service) began a building monitoring effort at its headquarters office in Bailey's Crossroads, VA. Service employees and building cleaning, maintenance, and security staff volunteered their time to conduct early morning sweeps of the building grounds in search of injured and dead birds. The Service based their monitoring protocol off the Fatal Light Awareness Program (FLAP) protocols, and is tracking their findings through the DC Lights Out database. The Service also continues to work closely with the Urban Bird Treaty city programs, which promote and organize bird-friendly practices within cities and city suburbs, including participation in monitoring of buildings and distribution of information about how residents can helps reduce impacts to birds.

The Department of Energy (DOE) employs several types of measures at their facilities to reduce impacts to birds. For example, the DOE National Renewable Energy Laboratory installed avian collision deterrent film on the windows of the new Energy Systems Integration Facility. The film features either 2-inch white dots in a grid or 2-inch horizontal bars and adheres to the exterior of the windows. No bird collisions have been reported to date.

PHOTO CREDIT: DENNIS SCHROEDER, NREL 31166

DOE's Lawrence Berkeley National Laboratory's Chief Environmental Planner and grounds keeping specialists conducted tree surveys to determine that no nests were present in trees proposed to be pruned, removed, or otherwise disturbed by nearby activities during the breeding season. In addition, DOE's Oak Ridge Operations personnel advised facility managers on nest-exclusion devices, materials, and designs aimed at preventing negative human/bird interactions.

To protect raptors, DOE's Strategic Petroleum Reserve requires perch guards in specifications for wood pole buildings. It developed written procedures regarding interaction with injured birds, marking of active nest locations, and marking equipment "out of service" until chicks have fledged.

Presidential Migratory Bird Federal Stewardship Award

The Presidential Migratory Bird Federal Stewardship Award annually recognizes a single project or action conducted by or in partnership with a federal agency that meets the intent and spirit of the Order by benefitting migratory bird conservation. Actions may involve reducing adverse impacts to migratory birds and their habitats, restoring or enhancing migratory bird habitat, and incorporating conservation of migratory birds and their habitat into agency plans, guidance, or other activities. The action should demonstrate leadership by inspiring others to further migratory bird conservation. This could include, but is not limited to, developing and implementing conservation measures, a policy action, or research. This annual award celebrates and recognizes those agencies that go above and beyond to evaluate, manage, and reduce hazards to birds.

In 2015, congratulations go to the National Marine Fisheries Service-National Oceanic and Atmospheric Administration (NMFS-NOAA) and their many partners for their outstanding contributions to bird conservation through their project Preventing Migratory Seabird Mortality in U.S. West Coast Groundfish Longline Fisheries.

Eileen Sobeck (Assistant Administrator, NOAA Fisheries) and Lee Benaka (NOAA Fisheries) accept the Presidential Migratory Bird Federal Stewardship Award with Jerome Ford, Assistant Director of Migratory Birds, U.S. Fish and Wildlife Service

PHOTO CREDIT: NOAA FISHERIES

NOAA Fisheries, in collaboration with their partners, is succeeding in keeping seabirds off the hooks of vessels using bottom longline gear in fisheries off of the U.S. West Coast (i.e. Washington, Oregon, California). Nearly 300 vessels operate within this fishery, targeting species such as sablefish and halibut. The stage for the action was set by the successful seabird conservation efforts in the Alaska fisheries that began in the 1990s and effectively used streamer lines during gear setting to deter seabirds from accessing baited hooks.

The Council received eight nominations in 2015 for this prestigious award. Among the top three project nominations were the Department of Energy's project Managing Grasslands and Early Succession Habitat for Migratory Birds on the Oak Ridge Reservation and the Service's project Achieving Energy Independence While Protecting America's Wildlife. Other nominations included the Bureau of Land Management's Raptor Nest Inventory Survey, the U.S. Environmental Protection Agency Office of Pesticide Program's Restrictions and Cancellations of Rodenticide Products, the National Park Service's Denali National Park and Preserve Golden Eagle Program, the Natural Resources Conservation Service's Migratory Bird Habitat Initiative, and APHIS's Wellfleet Bay Virus Investigation.

Fostering Partnerships and Sharing Resource Information

In 2015, Council staff continued to garner support within Council member agencies in an effort to make the idea of a federally-supported national node, or point of access, within the Avian Knowledge Network (AKN) a reality. Thanks to the financial support thus far from the Federal Highway Administration, the Bureau of Land Management, the National Park Service, the U.S. Forest Service, the Bureau of Ocean Energy Management, and the Service, the AKN continues to grow as a powerhouse for delivery of avian data across the nation. The national node would be designed to enable access to the wealth of data already in AKN through a single national access point. This would allow for data aggregations and analysis at any scale.

The development of a national AKN node would also achieve data management and delivery objectives for federal agencies, such as: (1) identifying and integrating datasets not already in AKN that agencies need; (2) rolling up existing data from individual regional nodes and delivering them in a seamless and user-friendly way through a national node; (3) targeting individual agency needs for data use; (4) developing agency-specific decision-support tools to meet those needs, including data summary and analysis tools; and (5) developing data entry and display interfaces for bird monitoring and survey data. A proposal for national node development was crafted in coordination with the AKN development team, and is currently being vetted and refined by Council agency staff.

Part of this proposal will include integration with the Service's existing Information for Planning and Conservation (IPaC) system, which is designed to help users with project planning by identifying species that may occur within a project area. IPaC also provides information and resources about statutory responsibilities for species protection, as well as measures that can be taken to assist with that protection.

Looking Ahead

The Council is committed to working collaboratively across the federal government and with partners to continue strengthening our bird conservation culture in the years ahead. Although the Council's tri-annual theme of Facilities Management comes to an end in 2015, the Council will continue to embrace actions that make facilities "avian safe" and focus efforts on identifying opportunities to implement

sustainable practices for federal facilities management. Continued commitment to partnerships, development and implementation of memoranda of understanding, innovation, and sustainable solutions will play a key role in making the Council an effective voice for advancing bird conservation across federal agencies.

This report was produced by the Council for the Conservation of Migratory Birds

https://www.fws.gov/birds/management/bird-conservation-partnership-and-initiatives/council-for-the-conservation-of-migratory-birds.php

Cover Photo

Sagebrush Sparrow- Routine bird surveys and ecological resource reviews prior to project initiation creates the link between cleanup actions and the conservation of migratory bird resources and habitat on site.

Photo credit: Annabelle Rodriguez – Hanford, DOE