



Bird Conservation Issues and Opportunities in the 116th Congress



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More than 60 million Americans care deeply about birds, and bird-related recreation contributes more than \$36 billion to our economy. Birds also act as the "canary in the coal mine" for our environment and provide valuable benefits to society, from pollination to pest control. But birds are in trouble, with many declining in population or facing extinction.

As the 116th Congress is considering wildlife and public lands legislation, American Bird Conservancy (ABC) respectfully requests support for the following opportunities to advance bird conservation:

Strengthening the Migratory Bird Treaty Act

Migratory birds, federally protected by the Migratory Bird Treaty Act (MBTA), contribute to the U.S. economy in many ways, providing essential ecological services such as pest control, pollination, and seed dispersal -- worth billions to U.S. farmers, consumers, and ecotourism. The [State of North America's Birds 2016](#) report found that more than one third of our migratory bird species are in steep decline and under extreme pressure from cumulative threats—habitat loss, invasive species, window collisions, and pesticides.

Weakening the MBTA would undermine the current system of wildlife management and eliminate the current incentive to minimize preventable bird mortality. What's needed is a strengthening of MBTA by creating incidental take permitting that now helps conserve eagles and endangered species.

Please oppose any legislation or amendment that would eliminate or weaken the Migratory Bird Treaty Act, and when introduced, please cosponsor legislation that would reinforce the Act's protections and establish an incidental take permitting system to reduce preventable bird mortality.



Wind turbines and birds by Enrique Ramos, Shutterstock



Laysan Albatross and chick by Cameron Rutt



Climate Solutions: Making Wind Energy Bird Smart

Wind energy developments are rapidly proliferating on federal, state, and private lands, but there is an inadequate framework to make developments [bird smart](#), (i.e. siting away from important bird areas and preventing or mitigating unintentional mortality).

In addition to creating a general migratory bird incidental take permit and mitigation fund for wind facilities, [American Bird Conservancy recommends that incentives for energy efficiency, distributed solar, and bird smart wind energy be included in tax extensions or other policies intended to promote renewable energy development.](#)

Reducing Bird Collisions with Government Buildings

Reps. Mike Quigley (IL) and Morgan Griffith (VA) have reintroduced the Bird-Safe Buildings Act, [H.R. 919](#), to prevent the deaths of millions of birds by calling for each public building constructed, acquired, or significantly altered by the GSA to incorporate, to the maximum extent possible, bird-safe building materials and design features. It also calls for monitoring to identify problem buildings/locations for collisions. We anticipate Senate introduction soon.

[ABC recommends passage of this legislation. Please cosponsor the Bird-Safe Buildings Act.](#)

Albatross and Petrel Conservation Act

Rep. Alan Lowenthal (CA) has introduced legislation, [H.R. 1305](#), implementing the Agreement on the Conservation of Albatrosses and Petrels (ACAP) a multilateral agreement which seeks to conserve albatrosses and petrels by coordinating international activity to mitigate known threats to their populations. The U.S. is a world leader in improving bird-friendly mitigation practices to reduce accidental bycatch, and our participation in the agreement can help encourage other nations to make similar progress. The Senate Foreign Relations Committee must give its advice and consent for ACAP to move forward towards ratification.

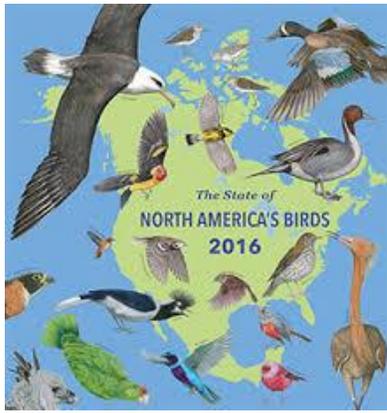
[ABC urges Representatives to cosponsor the bill and the Senate to ratify and pass implementing legislation.](#)

Reducing Pesticide Impacts to Birds

Saving America's Pollinators Act, [H.R. 1337](#), introduced by Rep. Earl Blumenauer (D-OR), would suspend registration for neonicotinoid insecticides, or "neonics," which are causing serious harm to birds, bees, and aquatic life pending thorough review and field study of the adverse effects.

The Environmental Protection Agency is also appealing the ban on chlorpyrifos. Rep. Nydia Vasquez has introduced legislation, [H.R.230](#), The Ban Toxic Pesticides Act of 2019, to make the ban permanent.

[ABC recommends passage of both bills. Representatives, please cosponsor the Saving America's Pollinator Act and the Ban Toxic Pesticides Act.](#)



Marbled Murrelet, Photo by Thomas Hamer.



North American Wetlands Conservation Act (NAWCA)

Bills have been introduced in the House, [H.R. 925](#) by Rep. Mike Thompson, and Senate, S. 261 by Sen. Martin Heinrich, to reauthorize this essential habitat conservation program at \$60 million per year. NAWCA works to protect and restore quality wetland and associated upland habitat in the U.S., Canada and Mexico. Federal and non-federal funding through NAWCA has resulted in the conservation of more than 27.5 million acres of wetlands and associated uplands across North America. These projects promote long-term protection of acquired habitats and, due to the highly competitive grant process, each federal dollar is matched by at least \$2 on average.

ABC recommends reauthorization and a ramp up of appropriations to \$60 million.

Recovering America's Wildlife Act

This far-reaching proposal ([H.R. 4647](#) in the 115th Congress) would substantially increase funding for state wildlife agencies to address growing wildlife conservation needs and halt the current decline of hundreds of species. The bill redirects \$1.3 billion of existing revenue annually to state-led wildlife conservation efforts, effectively allowing the states to more fully implement their State Wildlife Action Plans and conserve threatened and endangered species.

ABC recommends passage of Recovering America's Wildlife Act.

Endangered Species Act

The Endangered Species Act has a demonstrated track record of success and is an essential lifeline for species sliding towards extinction. In ABC's report, [The Endangered Species Act: A Record of Success](#), we found that 41 birds listed under the ESA have increasing populations, and several have grown more than tenfold since being listed.

ABC urges opposition to proposals to weaken protections of the Endangered Species Act or to exempt individual species such as Greater Sage-Grouse from its application.

Sage Grouse Conservation Undermined by Agencies, ESA Rider

As a result of harmful changes to federal land management plans, the scrapping of the proposed 10-million-acre mineral withdrawal, weakened adaptive management requirements, the loss of the net benefit mitigation policy, and continuing population declines and range contraction, the Greater Sage Grouse is again in serious trouble and in need of stronger protection. No species should be exempt from the Act.

It is essential the federal conservation efforts continue and that the Greater Sage-Grouse and other individual species such as Lesser Prairie-Chicken not be exempted from the Endangered Species Act.

Public Lands and Waters, and Wildlife Habitat Protection

Federal lands provide essential habitat for a number of endangered birds including the Northern and Mexican Spotted Owl, Marbled Murrelet, and western Yellow-billed Cuckoo. Greater Sage-Grouse and California Spotted Owl rely on public lands and may require ESA protection and thus, the conservation and restoration of sagebrush, mature and old growth forests, and desert riparian areas, are top bird conservation priorities.

ABC urges opposition to proposals that dispose of or transfer federal lands over to state ownership or control, border wall construction, or proposals, such as H.R. 2936 from the 115th Congress, that weaken existing conservation standards, or prevent protection of important wildlife habitats.

Amend Real ID Act to Restore Environmental Laws

New Mexico Senators Tom Udall and Martin Heinrich have introduced, [S. 254](#), to revoke the Department of Homeland Security's ability to waive federal laws in order to construct barriers on the southern border of the U.S. That power comes from the 2005 Real ID Act.

ABC urges passage of this bill.

Secure Rural Schools

The Secure Rural Schools Act is an important law to help support rural communities with large federal landholdings, and to ensure the forest management on federal lands remains at sustainable levels. ABC recommends reauthorization of Secure Rural

Schools that is not tied to timber sale receipts.

Wildlife Corridors Conservation Act

This bill will channel unprecedented resources toward the creation of wildlife corridors nationwide. U.S. Representative Don Beyer (D-VA) and Senator Tom Udall (D-NM)—both strong advocates for citizens both human and wild—introduced, H.R. 7232, the Wildlife Corridors Conservation Act, in the 115th Congress.

ABC recommends passage of the Wildlife Corridors Conservation Act.

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