

The **CALIFORNIA CONDOR**

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CALL NOTES ...Alexis Frangis

End of Season Reports from Shorebird Recovery Program



Ventura County is fortunate to have beaches that a couple of charismatic threatened and endangered birds call home. Western Snowy Plovers (WSP) occur on our beaches year-round. At this time of the year they can be found roosting in loose flocks just above the tideline. In March they begin to establish breeding territories on the beach and soon after they lay clutches of 2- to 3-speckled eggs.

California Least Terns (CLT) arrive a little later in the spring and nest in colonies on beaches near lagoons, estuaries or harbors. Both species place their nests right on the sand in a shallow depression called a scrape. Their cryptically colored eggs blend in with the sand to avoid being seen by predators, hence they are very difficult for people to see. Chicks hatch covered in downy feathers and are flightless for several weeks, relying on their parents for protection and warmth. Soon after the chicks hatch they leave the nest and began to wander about the beach.

CALL NOTES...(Continued on Page 2)

NOVEMBER PROGRAM

Community-Centered Solutions

for Conservation of Endangered Birds...Dr. Sara Otterstrom

7:30 p.m. Tuesday, November 13th, Poinsettia Pavilion, 3451 Foothill Road, Ventura



To truly protect birds throughout the year, a "full-lifecycle conservation" approach is crucial. In this upcoming event, Dr. Sarah Otterstrom will share Paso Pacifico's migratory bird conservation program in Central America. This program integrates science, international collaborations, and landscape restoration in efforts to protect the endangered Southwest Willow Flycatcher, Yellow-billed Cuckoo, and other vulnerable migratory species. It is also transforming the way people see birds in that region by teaching kids how to watch and enjoy birds, and introducing a slingshot for binoculars exchange program. These efforts highlight the ecological connectivity between California and Central America and the importance of protecting birds throughout their lifecycle.

Dr. Sarah Otterstrom is the Executive Director of Paso Pacifico. She holds a Ph.D. in Ecology from UC Davis and is a 2015 Ashoka Fellow. Sarah is a conservation scientist with over 20 years of experience in Central America. After learning firsthand of the unique beauty of tropical dry forests and Pacific coast habitats, she decided to dedicate her life to protecting them. In 2005, she founded Paso Pacifico. Sarah's scientific research has focused on the ecological impacts of fires in tropical forests and the cultural practices that influence tropical fire regimes. As a conservation scientist she serves on the Editorial Board of the *Journal of Biotropica*. She has also served on the Association for Fire Ecology and the *Sociedad Mesoamericana para la Biología y Conservación*.





Snowy plover chicks instinctively start foraging for kelp flies and other invertebrates in the beach wrack (seaweed and other natural debris washed ashore) under the watchful eye of their parents. Least terns forage tirelessly for small bait fish that they bring back to feed their hungry growing chicks waiting in the colony. At this stage, young chicks are the most vulnerable to predators and disturbance by beachgoers and their dogs, which are often seen as canine predators. WSP and CLT are especially sensitive to human activity near nesting areas and too much disturbance can result in loss of nests or young. Fencing and signs are installed to protect nesting areas and some beaches have rules and regulations in place to restrict certain incompatible activities or prohibit dogs on the beach.

The long nesting season continues through September, coinciding with the busiest time of the year for beach recreation. Many people are not aware that beaches are sensitive habitats and that the survival and recovery of the species that rely on them depends on us learning to share the beach by finding a balance between recreation and preservation.

Public outreach is an important component of WSP and CLT recovery. Through a collaborative program between California State Parks and the Ventura Audubon Society (VAS), trained Volunteer Naturalists engage with beachgoers to educate them about the species, explain why certain rules and regulations are in place to protect the nesting birds, and what they can do to share the beach.

The Volunteer Naturalist program will continue with training sessions starting in the spring for those who would like to participate in the next season. VAS would like to thank all of the volunteers who attended our Naturalist trainings this year as well as all of those who returned from previous years and spent time on the beaches helping to protect our nesting birds. Volunteers also assisted monitors with surveys, fence and sign installation and repair throughout the season. If you would like to participate in this program visit the VAS website at www.venturaaudubon.org and the Volunteer page to do so.

VAS would also like to thank the members for supporting our conservation and recovery efforts. Your donations and contributions help VAS purchase items like fencing, signs and educational materials that allow us to protect these threatened and endangered species and their habitats. VAS has a long and proud history of involvement with WSP and CLT protection, monitoring, and outreach on Ventura County beaches.

If you would like to support our program in 2019, we welcome your donation via the "Donation" link on our website. Specify "Shorebird Recovery Program" if you would like to directly support our CLT and WSP efforts on Ventura County Beaches.

End of Season Reports from Shorebird Recovery Program

State Parks by Alexis Frangis

Western Snowy Plovers nest along the entire length of McGrath State Beach, but the Santa Clara River Estuary sandbar was the hotspot this year for several different nesting birds including snowy plovers, least terns, American avocets, killdeer and even a few horned larks.

California Least Terns initiated 24 nests of which 14 hatched and an estimated minimum of 8 chicks reached fledging age. The nesting colony was hit hard by a coyote early in the season and then was raided by skunks later in the season. Many of the WSP nests at McGrath get a little extra protection with the use of small wire cages called exclosures that are placed over the nests; 14 out of 16 WSP nests hatched this year.



Plovers are able to move freely through the exclosures while predators like crows, ravens, and most mammals cannot get in. Exclosures can also protect nests from trampling by humans who trespass through the nesting area fences.

CALL NOTES...(Continued from Page 2)

Deliberate human disturbance is unfortunately an issue that is prevalent on all of our public nesting beaches and one that we can only hope to correct with education and awareness. In one instance the trail cameras caught a person placing very large sticks next to nests in the colony.

Mandalay State Beach only had one WSP nest this year which hatched, but the chicks did not survive to reach fledging age. Low nest numbers and low chick survival rates are unfortunately typical of this heavily disturbed beach. Frequent trespass into the fenced nesting area, off-leash dogs, and crows are the primary reasons WSP struggle with success on this beach.

San Buenaventura State Beach historically only supported a winter flock of WSP, but they began nesting there in 2012. Winter storms and heavy surf in 2015-16 caused significant erosion and stripped the beach of sand, resulting in a loss of suitable nesting habitat. The beach is starting to recover and after a several year hiatus the plovers returned to nest at San Buenaventura State Beach this year. One nesting pair raised 3 chicks on the busy beach.

Hollywood Beach by Debra Barringer

There were 5 WSP nest attempts on Hollywood Beach in 2018. The average on this beach over the 16 years that VAS has been monitoring is 7 nests for WSP, not counting the atypical years of 2013 and 2014 when 30 and 29 WSP nests were initiated, respectively. Those two exceptional nesting years (when CLT attempted as many as 209 nests) remind us that these species sometimes have difficulties at their usual nesting sites and need alternative beaches if they are to survive and adapt to disturbances, significant predation events or changes in food availability. At Hollywood Beach 14 chicks hatched this year, however, chicks were not seen after 6 days except one chick that was observed until 23 days old and potentially went on to fledge.

American crows were observed daily and are once again suspected as the primary chick predators, often gaining opportunities to find chicks when humans and dogs disturb plover family groups from hiding places. Hollywood Beach has posted regulations on when dogs can be present and that leashes are always required, but rules are not enforced and are often ignored.

This year the nesting season ended unusually early at Hollywood beach and by late June the adults that lost chicks likely moved to other beaches for re-nest attempts. Although least terns were seen flying over the beach on 14 survey days, there were no nest attempts on Hollywood Beach this year.

We extend a big thanks to Oxnard City Corps, USFWS staff, and Channel Island Harbor Department who all helped with fencing this year. We also thank National Audubon and Pasadena Audubon for grant funding this year.

Ormond Beach by Cynthia Hartley

Summary- CLT nests: 84 total, 65 hatched WSP nests: 35 total, 23 hatched
Ormond Beach had a banner year for CLT with 84 nests, all of which were located in the north habitat just south of Ormond Lagoon. This is the most CLT nests that have been recorded since VAS started collecting detailed nest location data in 2003 at this beach. Despite ongoing problems with a variety of trespassers in the fenced nesting area, including someone crossing with a bike on a weekly basis, regular removal of our nest markers, and even a man caught jogging among the nests, 77% of the nests succeeded. Out of the 115 eggs that hatched, 44 CLT reached fledging age.



CALL NOTES... (Continued from Page 3)

Most of the failed nests were predated by ground squirrels which had many active burrows in the north habitat. WSP also had a good year at Ormond Beach. Biologists located 35 nests, just one less than last year. Both years represent near record WSP nest numbers compared to the last 16 years. Ravens were a significant problem in the beginning of the year and accounted for the majority of the 11 failed WSP nests (31%). One of our field cameras even caught a raven eating a plover chick. We also suspect that a loggerhead shrike predated an entire clutch of day-old plover chicks.

In keeping with past years, WSP placed their nests over the entire length of Ormond Beach, including several nests outside of the habitat fences. Thank you to the many CSUCI students and Volunteer Naturalists for help putting up emergency symbolic fences and guarding nests.

Sadly, we must report about an incident Ormond Beach. On July 8th and 15th motorcycles trespassed on The Nature Conservancy property to access the beach and illegally rode in nesting habitat. The damage was severe, and multiple ordinances and regulations were violated. Monitors believe several CLT chicks may have been killed. The landowners, local police, USFWS and CDFW were all involved, but there was not enough evidence to link the perpetrators to the crime. If anyone has photos or information linking individuals, to these incidences please contact Oxnard Police at 805-385-7600 and 1 888 334-CALTIP (888 334-2258). Thank you!

Thank you to everyone who has made our work possible at Ormond Beach in 2018! This includes our summer CSUCI student fellows Kat O'Dea, Cassie Rogers, Jason Suddith and Matt Wells, summer interns Melissa Marovitz and Tyler Campbell, all of the ESRM 200 class, Volunteer Naturalists Leigh, Richard and Billy Busse, Katie Daniels, Alecia Smith, Bruna Valentine, David Watts, and last but not never least, the Steward of Ormond Beach Walter Fuller!

We are also grateful to the Santa Barbara Zoo for taking in and nurturing abandoned snowy plover eggs and lost chicks.

Finally, thank you to our sponsors and supporters:

- Action Grant, National Audubon Society
- Apple Inc. Matching Gift Program
- California Wildlands Grant, the Rosewood Foundation
- Explore the Coast grant, the California Coastal Conservancy
- The City of Oxnard, donation of trash bins for beach cleanups
- The Nature Conservancy for access to the nesting area via their property
- The Student Undergraduate Research Fellowship program, CSUCI
- USFWS: Signs, fencing material, and help putting up symbolic fencing





NOTES FROM THE FIELD

...David Pereksta

Southbound migration kicked into high gear during September with numbers of rare and uncommon migrants reported throughout Ventura County. **Greater White-fronted Geese** included a high of 23 at Lake Casitas 17-28 Sep (LF, LT) and a high of 39 on the Oxnard Plain 24-30 Sep (DP, JB et al.). A **Magnificent Frigatebird** was in the Ventura Harbor on 20 Sep (fide JB) after a monsoon-al flow pushed up from Mexico. Boobies included a **Masked Booby** at Anacapa Island 25-30 Sep (JB), a **Blue-footed Booby** at the Ventura Harbor on 26 Sep (KG), two **Brown Boobies** north of San Nicolas Island on 4 Sep (DP et al.), and another **Brown Booby** in the Anacapa Passage on 27 Sep (DVP et al.). As many as four **Reddish Egrets** continued in Mugu Lagoon through 30 Sep. Two **Red Knots** and a **Stilt Sandpiper** were on the Oxnard Plain on 9 Sep (DP, RA & CS). As many as six **Red Knots** were at Mugu Lagoon 7-30 Sep (M. Obs.). A **Ruff** continued on the Oxnard Plain through 24 Sep. A **Baird's Sandpiper** was along Arnold Road 29-30 Sep (M.Obs.). As many as five **Baird's Sandpipers** (9-30 Sep) and five **Pectoral Sandpipers** (9-24 Sep) were on the Oxnard Plain (DP et al.). Three **Buff-breasted Sandpipers** continued at the sod fields along Casper Road through 3 Sep. Another was on the Oxnard Plain on 24 Sep (LS) and may have been the individual later found on the sod fields along Arnold Road 28-30 Sep (JS). **Red Phalaropes** along the coast included one on the Oxnard Plain on 9 Sep (DP, RA & CS) and a continuing bird at the Santa Clara River Estuary through 1 Sep. **Solitary Sandpipers** included one in Port Hueneme on 4 Sep (JB) and two on the Oxnard Plain on 21 Sep (DP & LS). Three **Franklin's Gulls** were at Mugu Lagoon on 20 Sep (AP).

Local migrant traps were active with western migrants and some vagrants during September. The Laguna tamarisks hosted an **American Redstart** 2-7 Sep (RF), a **Palm Warbler** on 26 Sep (TW), a **Black-throated Green Warbler** on 16 Sep (MP), and two **White-winged Doves** on 2 Sep (FD & CD). Bob Kildee Park in Camarillo had an **Orchard Oriole** 1-2 Sep (SB) and a **Baltimore Oriole** on 4 Sep (RT & DM). Warblers at Bob Kildee included a **Black-and-white Warbler** 1-6 Sep (BH), a **Tennessee Warbler** on 22 Sep (MB), a **Virginia's Warbler** 10-13 Sep (DP, MB), and a **Blackpoll Warbler** 25-29 Sep (DP). Rarely seen in migration locally, a **Bell's Vireo** was at Bob Kildee 1-2 Sep (DC). The riparian habitat along Matilija Creek was a newly discovered fall migration hotspot thanks to the efforts of Jesse Grantham and others. Rare species there included a **Red-naped Sapsucker** (JGr et al.) on 22 Sep, a **Plumbeous Vireo** on 22 Sep (JGr & MR), a **Philadelphia Vireo** on 7 Sep (JGr) and another on 9 Sep (JGr), a **Tennessee Warbler** on 15 Sep (JGr & BS), a male **American Redstart** on 11 Sep (JB) and a female-type 24-28 Sep (JGr), a **Chestnut-sided Warbler** on 16 Sep (JGr et al.) and another on 22 Sep (JGr et al.), a **Blackpoll Warbler** on 25 Sep (JGr & GF), and several **Black-and-white Warblers** 5-17 Sep (JGr et al.).

Away from the flurry of sightings at the hotspots described above, rare migrants were seen in a variety of locations. Individual **White-winged Doves** were at Hailes Road on 6 Sep (AS), La Jolla Canyon on 23 Sep (BCB & SBy), and the Olivas Adobe 27-29 Sep (TW). A **Red-naped Sapsucker** was at Lake Casitas on 28 Sep (RT) and a **Williamson's Sapsucker** was at the Thorn Meadows Campground on 16 Sep (MS). A **Least Flycatcher** was at Sycamore Canyon 29-30 Sep (RA, FK et al.) and a **Gray Flycatcher** was at Lower Rose Lake on 26 Sep (JG). **Tropical Kingbirds** were at Ormond Beach on 26 Sep (ZA) and McGrath State Beach on 28 Sep (WF). **Bank Swallows** were on the Oxnard Plain on 9 Sep (DP, RA & CS), 21 Sep (DP & LS), and 24 Sep (DP & JB). A **Red-throated Pipit** was on the Arnold Road sod on 28 Sep (JM) and three were there on 30 Sep (GM). Eastern vagrant warblers included a **Northern Waterthrush** at the Ventura Settling Ponds 28-30 Sep (KG); **Black-and-white Warblers** at Emma Wood on 19 Sep (SK), Wolff Road on 22 Sep (MP), and Camino Real Park on 29 Sep (DC); a **Tennessee Warbler** at Conejo Community Park on 17 Sep (RS); an **American Redstart** at Wolff Road on 21 Sep (MB); and a **Blackpoll Warbler** on the Oxnard Plain on 21 Sep (DP & LS). A **Clay-colored Sparrow** was at Medea Creek Park on 24 Sep (DC). **Brewer's Sparrows** were reported widely in migration with one at Matilija Lake on 20 Sep (JGr), two on Pine Mountain on 26 Sep (JG), one at Lake Piru 26-28 Sep (JG), and one at McGrath State Beach on 29 Sep (DVP et al.). **Vesper Sparrows** were early arrivers back at a traditional wintering area at Rancho Sierra Vista on 14-29 Sep (XZ) and Rancho Potrero on 29 Sep (DKB et al.), and three migrants were at Point Mugu on 30 Sep (AS et al.). **Yellow-headed Blackbirds** included as many as seven on the Oxnard Plain 9-24 Sep (DP et al.) and one at the Santa Clara River Estuary on 29 Sep (DVP et al.). A **Bobolink** continued at Point Mugu through 11 Sep.

Thank you to those who reported sightings during the last month. If you have any questions about local birds or have a good one to report (please no calls about nuisance birds), call or e-mail David Pereksta at 659-5740 or [pereksta@pacbell.net].

Good birding,
David Pereksta

Observers: Zack Abbey, Ryan Andrews, Joel Barrett, Stacy Bergman, Marc Better, Stephen Bylin, Bonnie Clarfield-Bylin, Dan Cooper, Cia DeMartino, Frank DeMartino, Richard Fisher, Linda Frazier, Wes Fritz, John Garrett, Jesse Grantham, Bruce Henderson, Deven Kammerichs-Berke, Sangeet Khalsa, Fyn Kynd, Dan Maxwell, Guy McCaskie, Joe Morlan, Matthew Page, Andrew Partin, David Pereksta, Martin Ruane, Larry Sansone, Adam Searcy, Bill Shanbrom, John Sterling, Mike Stiles, Roger Swanson, Cayenne Sweeney, Linda Taylor, Ryan Terrill, David Vander Pluym, Tom Wurster, and Xinglai Zhuang



NOVEMBER FIELD TRIPS...Adele Fergusson



Beginners are welcome on all field trips. Light drizzle does not necessarily cancel trips, but heavier rain will. If in doubt, please call the trip leader. For all trips, please wear appropriate clothing (layers are suggested), comfortable shoes, and bring snacks, water, hats, sunscreen, binoculars and field guides.

A few reminders about birding etiquette: Stay behind the leader, move quietly, ask questions, listen to what people are pointing out. When socializing, stay behind the group.

Saturday Nov 3, 8:30 a.m., Hill Canyon

Leader: Linda Easter (818) 519-2833

Hill Canyon is an area near Santa Rosa County Park. "The canyon includes several habitats, such as Creekside birding, mature trees, sharp cliffs, and open grassy areas. Possible species include sparrows, juncos, swifts, raptors, and wrens."

Directions: From Ventura are to exit the 101 freeway at Pleasant Valley/Santa Rosa Roads. Head east on Santa Rosa Road for maybe 2-3 miles to a small road on the right with a sign for Santa Rosa County Park. Head up that road about 1/4 mile to a large gravel parking area on the left. Park and meet there at 8:30. Alternatively, people may park in the County Park parking lot for a fee and walk to the free gravel parking area. We will bird along the creek and into Hill Canyon.

Sunday November 4, 2018, 9 a.m. Work Day Fillmore Fish Hatchery

Leader: Sandy Hedrick (805) 340-0478

This is a new venue for restoration planting. Planting native plants for a future interpretive center on 5 acres at the entrance to the Fish Hatchery. There will be opportunity to do some birding around the outside of the hatchery structure before work starts at 9. Just like at HRNA long pants and closed shoes are required. Bring water, gloves, and sun protection.

Directions: Meet at the Fish Hatchery which is located to the right off Highway 126 just 1.2 miles East of Fillmore and 26 miles from Ventura.

Monday, November 5, 8:30 a.m., Ojai Meadows

Leader: Adele Fergusson (805) 415-4304

We should see a large variety of birds such as, raptors, meadowlarks, sparrows, egrets and bluebirds.

Directions: To car pool meet at 8:00 a.m. at The Museum of Ventura Co. 100 Main St. (side parking lot). Take Hwy 33 toward Ojai and follow it to Nordoff High School. We meet at the main entrance to Ojai Meadows.

Sunday, Nov 11, 2018 8:30 a.m. Ormond Beach

Leader: Adele Fergusson (805) 415-4304 and Cynthia Hartley

Join us at this excellent coastal location, where we will look for a variety of waterfowl, such as Willets, Whimbrels, Black necked Stilts, Black bellied Plovers and other interesting birds. We will also look for Yellow-headed Blackbirds, Peregrine Falcon, and Blue-Gray Gnatcatchers. Dress in layers, as the morning may be chilly. Please bring a scope you have one.

FIELD TRIPS...(Continued from Page 6)

Directions: Hwy 101 south and exit on Rice, turn right and continue to Hueneme Rd. Turn right on Hueneme Rd. After Olds Rd. take a left on Arnold and continue to the end of the road. Please note: Avoid leaving valuables in your car if you are parking it at the end of Arnold Rd. To carpool, meet at 7:50 a.m. at Carrows on Harbor Blvd near Seaward, in the parking lot behind the restaurant next to the Chevron gas station

Tuesday, November 13, 7:30 a.m. Lake Sherwood

Leader: Mary Hansen (805) 390-4586 or marye.hansen@gmail.com, and Kay Register

We will walk the lake, target species are Canyon Wren, Purple Finches, ducks of various kinds during the winter, and the California Thrasher are pretty cooperative. Coopers Hawks and Red-shouldered Hawks breed here as do Common Ravens. If we are lucky we may see a Bittern.

Directions: To get to Lake Sherwood, exit 101 at Westlake Blvd. Go south to Potrero Road (there's an elementary school on the right at the stop light), turn right on Potrero Road, go approx. 1.5 miles to the Stafford Road entrance, the lake is now on your left. If you miss that gate you will be in Hidden Valley and will have gone too far. Meet at the parking lot just inside the STAFFORD gate which is an immediate left after coming in the gate and then another left to turn into the parking lot. Arrive either by 6:55 or after 7:20 as the gates open at 7:00 for the workers coming in and the line is long. I will be there at 6:30. Please wear comfortable closed toed shoes and long pants. We will walk about 1.5 miles depending on the birds we see and the terrain is pretty level. Scopes are helpful when we are checking out the lake, otherwise binoculars are just fine. We should be done by 9:30 or 10:00. I do need everyone's name so I can put you on a list for the gate.

Please contact me no later than November 12. This walk is limited to 15 as we are walking on the road...we have no sidewalks. Thanks!

Saturday November 17, 2018 8:00 a.m. Krotona Institute

Leader: Jesse Grantham ojaiswimmer@gmail.com

Krotona Institute is a theosophical study center, with acres of beautiful grounds, including grasslands, pines, oaks, and ornamental plants with lot of water features. Field Sparrow was seen here last winter, but hasn't shown up this year. Also, a good place to discover raptors flying over. We might get lucky with a Black Vulture or Zone-tailed Hawk.

Directions: Take the Ojai/Hwy 33 exit from Hwy 101 North or South. Drive north-bound 12 miles through the small towns of Casitas Springs, Oak View, and Mira Monte. After passing Villanova School, take the next left (Krotona Hill on the left, Hermosa Rd on the right). Two stone pillars mark the entrance. Drive up the hill to the parking lot by the library. Good to car pool, we will meet at 7:45 behind Carrows on Harbor, next to the Chevron Gas Station. If time permits afterwards we will go to Ojai Meadows Preserve and see what the rain has brought. Park at Nordoff High School or the pull-out area on the west side of 33 immediately past the high school.

Sunday, November 25, 2017 8:30 a.m. Canada Larga

Leader: Kay Register (805) 258-1025

We will walk and drive the canyon. Always a great walk! Some birds we may see are Western Bluebirds, Loggerhead Shrike, sparrows, swallows, Red-tailed Hawks & perhaps a barn owl.

Directions: Take Hwy 33 toward Ojai. Exit Canada Larga Rd. Meet near the beginning of the road on the right-hand side in the small parking lot before the avocado trees.

Friday, December 7, 2018 7:30 a.m. – noon. Pt Mugu Naval Base (Restricted to 20 – pre-registration required).

Leaders: Mugu Staff & David Pereksta. For those registered, please note: You must have picture ID cards with names matching the names on the list. Vehicles, articles and personnel are subject to search. Cameras and video equipment are not allowed. Please bring a scope if you have one. **Directions:** From Hwy 101, travel south on Las Posas Rd, west on Hueneme Rd, south on Wood Rd, crossing over PCH. Meet at the main entrance at Naval Air Rd. and Mugu Rd. near Buildings 112 and 116. Drive to gate 1 at Frontage Rd.

Reservations required. Contact Adele Fergusson at adelefergusson@yahoo.com subject Pt Mugu Trip and I will email you the form that needs to be completed, I must receive the completed form by November 7, 2018

After 100 Years, Widespread Support Affirms the Migratory Bird Treaty Act



The current administration is interpreting the bird-protection law in a wildly unpopular way. Here's what Audubon is doing about it.

One of the nation's foundational conservation laws turns 100 today. The Migratory Bird Treaty Act (MBTA), which was passed on July 3, 1918, states that it is unlawful to kill, hunt, sell, or possess most native species of birds in the United States without a permit. In addition to explicitly protecting more than 1,000 species, the MBTA has also provided a critical incentive for industries, whose activities may pose a hazard to birds, to take actions that reduce those risks.

But despite the law's success at protecting dozens of bird species from extirpation or extinction, the MBTA faces two new threats from the federal government.

How the Administration Is Trying to Gut the MBTA

Late last year, Rep. Liz Cheney (R-WY) introduced the so-called **Cheney Amendment**, which [includes language that would permanently amend the MBTA to no longer cover incidental takes](#), or non-deliberate infractions of the MBTA. Since the law is a strict liability statute, violations can occur regardless of whether actions were intended or not.

At the same time, the **Department of the Interior** [stated](#) that it would no longer enforce incidental takes, thereby blocking its application to [all industrial hazards](#), including oil pits, transmission lines, and oil spills.

The reinterpretation of the MBTA under the administration's new policy—and the Cheney Amendment, should it become law—ends accountability for actions that kill millions of birds.

Sarah Greenberger, Audubon's vice president for conservation, says that these threats to the MBTA are part of a broader movement to undermine environmental protections.

"There have been a number of attempts to weaken the law. And some industries would rather be free of the requirements of the enforcement of it," she says. "But a vast majority of Americans support the MBTA. There is a 100-year record that proves it is possible to have robust economic activity *and* environmental laws."

These efforts to undo a century's worth of conservation and progress reverse work from both Republican and Democratic administrations. They also happen to be wildly unpopular: People publicly speaking against these moves include long-serving government officials, hundreds of non-governmental organizations representing millions of people, and Audubon's own membership.

Former Conservation Leaders Reject Re-Interpretation of MBTA

Seventeen former leaders from the U.S. Department of the Interior submitted a [letter](#) to Interior Secretary Ryan Zinke that repudiates the reinterpretation of the Migratory Bird Treaty Act.

"We respectfully request that you suspend this ill-conceived opinion and convene a bipartisan group of experts to recommend a consensus and sensible path forward. We would be pleased to work with you, involving the public, toward this end."

Among those who signed onto the letter were two Deputy Secretaries at the Department of the Interior, five former U.S. Fish and Wildlife directors, and seven former migratory bird management chiefs that served from Nixon through Obama.

MIGRATORY BIRD TREATY...(Continued on Page 9)

MIGRATORY BIRD TREATY...(Continued from Page 8)

U.S. Senators Express Concern to Secretary Zinke Over the Solicitor's Opinion

In its support of the MBTA, U.S. Senators sent a separate [letter](#) to Secretary Zinke that lists a number of the conservation victories that resulted from consistent enforcement of the law, and urged the DOI to follow in the footsteps of every past administration.

“Working closely with states, conservation groups, and industries has led the way for decades in addressing and reducing these threats. Vital authorities under the MBTA enabled these advances, and this new, unprecedented legal opinion put the lives of countless birds and the economies that rely on them, at risk.”

Sen. Tom Carper (D-DE) and Sen. Corey Booker (D-NJ), who both received Conservation Hero Awards during the recent National Audubon Society's board meeting, were among the senators who submitted the letter to Secretary Zinke.

Dozens of U.S. Representatives Voice Dissent Over Department of Interior's Reinterpretation of the MBTA

In their own [letter](#) to Secretary Zinke, members from the House of Representatives cited the triumphs both Republican and Democratic administrations shared over the past century because of the successful enforcement of the law.

“We take very seriously the recent letter from seventeen former high-ranking officials in the Department of the Interior, under every Republican and Democratic administration from President Nixon to President Obama, asking that you suspend the legal opinion.”

Rep. Alan Lowenthal (D-CA), who also received a Conservation Hero Award at the recent National Audubon Society board meeting, was one of the 63 representatives who co-signed the letter to Secretary Zinke.

More than 500 Wildlife and Environmental Non-Governmental Organizations Undersign Letter to Secretary Zinke

In addition to the groundswell of opposition from federal legislators, more than 500 NGOs from all 50 states signed onto a letter asking Congress to [defend](#) the MBTA. The organizations include hundreds of Audubon chapters, the American Bird Conservancy, Sierra Club, Defenders of Wildlife, Natural Resources Defense Council, Cornell Lab of Ornithology, and the American Birding Association.

“On behalf of the more than 500 undersigned organizations from all 50 states, representing millions of members and supporters from across the country, we strongly urge you [senators and representatives] to defend the Migratory Bird Treaty Act (MBTA).”

The letter makes it clear that these NGOs, who are speaking on behalf of their millions of supporters, want to protect the nation's birdlife.

Audubon Members Voice Their Support of the MBTA

As of June, tens of thousands of Audubon members had sent more than 100,000 letters to members of Congress and Secretary Zinke to voice their support for the MBTA.

Audubon Takes the Fight for the MBTA to the Courts

In response to the administration bucking decades of policy and practice, Audubon recently filed a [federal lawsuit](#), *Audubon v. Dept. of the Interior*. The coalition joining Audubon in the lawsuit, which includes the American Bird Conservancy, Center for Biological Diversity, Defenders of Wildlife, National Wildlife Federation, and the Natural Resources Defense Council, seeks to block the Trump Administration's efforts to eliminate longstanding protections for raptors, waterfowl, and songbirds.

MIGRATORY BIRD TREATY...(Continued on Page 10)

MIGRATORY BIRD TREATY... (Continued from Page 9)

What Comes Next? An MBTA at the State Level

A concrete effort to sustain and support the MBTA despite the current environment is gaining traction at the state level. Assembly Bill 2627 in California aims to guarantee the same protections as currently outlined in the federal MBTA while providing a path forward for industries. The bill, authored by Assembly member Ash Kalra, has passed out of the assembly floor and the California Senate's Natural Resources Committee.

According to Mike Lynes, director of public policy for Audubon California, the bill will reduce conflicts by incentivizing the use of well-established management practices. "The Trump Administration's interpretation and the Cheney Amendment are fundamental threats to migratory birds," Lynes says. "Assembly Bill 2627 will work similarly to how the MBTA has been administered in California, protecting birds from significant threats while allowing responsible development of renewable energy and other economic activities."

States Across the Country Declare 2018 "The Year of the Bird"

In honor of the centennial anniversary of the MBTA, states including Maryland, Nebraska, Utah, and Arkansas have declared 2018 as "[The Year of the Bird](#)." They join National Geographic, Cornell Lab of Ornithology, BirdLife International, the National Audubon Society, and more than 100 other organizations celebrating birds and their places in our lives.

Grassroots Power Made the MBTA Possible 100 Years Ago, and It Can Preserve It Today

Though the Trump Administration is trying its level best to cripple the MBTA through a regressive and detrimental reinterpretation of the law, Greenberger says it is important to ring in the next century with the same grassroots, citizen-based actions that helped save birds from the plume trade more than a century ago and made the MBTA possible.

"In our 100th year of leadership it is bittersweet to celebrate with a step backwards," Greenberger says. "But for the National Audubon Society, our members, and sister organizations, it is a call to action to start this century like we did the last."

Nobody yet knows what the final outcome will be on the MBTA or state efforts, but one thing is clear: Protecting birds is wildly popular, and for 100 years, the MBTA has been an effective and bipartisan means to accomplish that. And while the current administration continues its assaults on the MBTA, it's flouting the wills of millions of Americans.

If you care about birds, protect the MBTA. Reducing deaths and saving native species of birds [is not hard](#). Join us in celebrating Audubon's founding victory by [urging members of Congress and the Department of the Interior](#) to protect the MBTA.

(Editor's Note: AB 2627 did not pass in the assembly this session apparently because of issues unrelated to the science. California Audubon staff are working with other supporters to determine what next.)

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MEMBERSHIP EXPIRATION: If you are not sure whether your membership has expired, please **email** Deborah at debburns38@gmail.com and she will check it out for you.

BOARD MEETING: The next Board of Directors meeting will be on Tuesday **November 6 (election day)!** Our meetings are held at Wild Birds Unlimited located at 4020 E. Main Street, Ventura, 805-765-4594. Because the store will be closed, parking is available. VAS members are welcome to attend.

THE VENTURA AUDUBON SOCIETY holds its monthly program on the second Tuesday of the month at the Poinsettia Pavilion, 3451 Foothill Rd. in Ventura at 7:30 p.m., September through April. Board Meetings are held bimonthly on the first Tuesday of the month. A membership form is available on the VAS web site. Our May meeting is a barbecue.

THE CALIFORNIA CONDOR is published nine times per year (September-May). Members are encouraged to submit articles, announcements, letters and drawings, preferably in WORD format, or in the form of an e-mail message. *The deadline is noon on the 15th of the month preceding the month of publishing.*

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