



*Bringing back the birds*

## Inside Bird Conservation – February 2023

### [Lawmakers Call on Administration to Complete MBTA Incidental Take Rulemaking](#)

In a letter to Secretary of the Interior Deb Haaland, House lawmakers Reps. Grijalva, Huffman, and Porter, and now-retired congressman Alan Lowenthal, states that, “Additional proactive steps are urgently needed to bend the curve of bird population declines...Now is the time for the Department of the Interior to move forward and make key improvements to the MBTA, including by establishing a permitting opportunity for incidental take. An efficient and effective permitting program will create stronger incentives to implement and develop practices that reduce preventable bird mortality, such as installing bird-safe power lines, and at the same time, it can enhance regulatory certainty and modernize the MBTA regulations for the future.”

### **Promises and Perils of Proposed Eagle Take Rule**

On September 29, 2022, the U.S. Fish and Wildlife Service (USFWS) announced [a proposed rule](#) to manage permits for incidental takes (an unintentional, but not unexpected, taking) of Bald and Golden Eagles. The proposed rule would streamline the permitting process and expedite authorizations for incidental takes of eagles.

The proposed rule establishes both general and specific permits. General permits would be for four activities: wind energy, power lines, disturbance take, and nest take. In contrast, [specific permits](#) are issued for projects which exceed particular thresholds and thus deemed higher-risk to eagles. To obtain a specific permit, an applicant would have to develop a suitable mitigation plan in collaboration with the USFWS. The USFWS states that their goal for amending the permitting process is to [encourage project development](#) that mitigates harm to Bald and Golden Eagles.

In response to the USFWS’s action, the American Bird Conservancy [released a statement](#) noting the positives of this proposed rule and warning of some potential downsides. A positive is the prioritization of power line protection, which could reduce the chance of electrocution mortality. A downside is inadequate safeguards from rapid wind energy development. The USFWS opened a 90-day public comment period on the proposed rule, which ended on December 29, 2022. Ensuring that population-level impacts are accurately accounted for in this proposal is critical. [ABC comments are available here.](#)

### **Lesser Prairie-Chicken Population Declared ‘Endangered’ by U.S. Fish and Wildlife Service**

The U.S. Fish and Wildlife Service has listed the Lesser Prairie-Chicken under the Endangered Species Act. A southern subpopulation has been declared Endangered, meaning that it has been deemed in danger of extinction, while a northern subpopulation is listed as Threatened, meaning that it is likely to become Endangered in the future if circumstances do ... [Read More>>](#)

## **Factsheets on pesticides – treated seeds and birds, and effects on farmworkers**

Neonics affect birds, bees, people, waterways, and basically our entire environment. But an internet search on the topic can easily leave you feeling adrift in a sea of chemical compounds and industry jargon. To address this issue and help our supporters remain informed and ready to act, ABC has produced 2 new fact sheets about neonics. The fact sheets provide clear explanations about how these neurotoxic chemicals impact birds and farm workers alike. Download our new fact sheets now to learn more about this growing threat:

[Birds and Neonic-Coated Seeds](#)  
[Neonicotinoid Insecticide Effects on Farmworkers](#)

### **BLM rushing to lease public lands (for oil and gas drilling)**

The Bureau of Land Management (BLM) has announced that it is considering leasing nearly 112,500 acres in oil and gas lease sales scheduled for 2023 in **Utah** and **Wyoming**. The announcement follows similar announcements earlier this fall of oil and gas lease sales **in Nevada, Utah, New Mexico** and **Wyoming**. (Center for Western Priorities)

### **Mature Federal Forests Play an Outsized Role in the Carbon Storage**

A new [study](#) published in the peer-reviewed journal Forests and Global Change presents the nation's first assessment of carbon stored in larger trees and mature forests on 11 national forests from the West Coast states to the Appalachian Mountains. This study is a companion to [prior work](#) to define, inventory and assess the nation's older forests published in a special feature on "[natural forests for a safe climate](#)" in the same journal. Both studies are in response to President Biden's [Executive Order](#) to inventory mature and old-growth forests for conservation purposes.

### **The Road to 30 x 30**

Robert Semple Jr., a former reporter and writer for the New York Times editorial board, published an **[opinion on Biden's progress toward reaching the 30x30 goal, stating, "Biden must rapidly accelerate conservation measures on federal, state, and private lands while keeping intact natural carbon sinks like the old-growth forests in the Pacific Northwest and the mangroves, wetlands, and timberlands in the Southeast."](#)** In order to meet the urgency of addressing the inextricably linked biodiversity and climate crises, **[Semple identifies "many steps, big and small, that must be taken on the road to 30x30."](#)** (Center for Western Priorities)

The Biden administration protected several important ecosystems from extraction and development. First, the administration **[banned logging and road-building](#)** on nearly nine million acres of the Tongass National Forest in southeastern Alaska. The new rule reverses a Trump-era decision to remove protections for the pristine Alaskan forest that were first put in place in 2001. The area is important wildlife habitat and is also [a major carbon sink](#), storing more than 10 percent of the carbon accumulated by all national forests in the United States, according to the government.

In its [final determination](#) for the Bristol Bay watershed, the EPA exercised a seldom-used authority under the Clean Water Act to protect Alaska's Bristol Bay from the proposed Pebble Mine by prohibiting the disposal of mine waste in certain waters within the watershed, finding that such activity would have "unacceptable adverse impacts" on salmon fisheries. This effectively blocks the proposed Pebble Mine as well as other future mines that would have similar or greater impacts. Finally, the Biden administration announced **[it is protecting 225,000 acres of federal land](#)** in

Minnesota near the Boundary Waters Canoe Area Wilderness. The mineral withdrawal will establish a 20-year moratorium on mining upstream, likely killing plans by Twin Metals Minnesota LLC to mine in the region. (Center for Western Priorities)

### **Flat Country Timber Sale Withdrawn**

The withdrawal is a reprieve for approximately 4,500 acres of forest on federally-managed public lands, including over 2,200 acres of mature (80-120-year-old) and old-growth (120+ year-old) forest. Conserving these lands will support the Forest Service's climate and ecological objectives and comport with the Executive Order on mature and old-growth forests.

Cascadia Wildlands sees the withdraw of the Flat Country timber sale as the tip of the iceberg. "The science is clear that our region's greatest climate defense is our mature and old-growth forests — we call on the Forest Service and Bureau of Land Management to likewise cancel all planned clearcutting of these older forests for the sake of irreplaceable climate, imperiled wildlife habitat, drinking water source and recreation values," says Conservation Director, Bethany Cotton. (Cascadia Wildlands)