

REPORT OF THE COMMITTEE ON BIRD PROTECTION AMERICAN ORNITHOLOGISTS' UNION.

DURING the past year there have been both favorable and adverse action relative to bird protection, but withal it has been a year when wild life protection has been brought to the public's attention as never before. Emergency activities of the Government have resulted in some marsh restoration, and some purchase and development of refuges. Unfortunately this advance has been offset to some extent by renewed activities in reclamation, mosquito control, and control of rodents and predators, accomplished in most cases with the aid of unskilled labor and directed by persons with little knowledge of the needs of bird life, and consequently producing results that have been disturbing to conservationists.

Fortunately better supervision is being given to Conservation-Corps activities, and the needs of wild life are receiving greater consideration than heretofore. In clean-up operations wild life technicians of the agencies involved now determine in advance what effect a particular project may have on wild life, and require that some dead trees be left as habitations for birds and mammals. Past experience has shown that wild life habitats may be injured severely by CCC activities, and protectionists must keep watchful eyes on this otherwise worthwhile enterprise so that injurious practices may be reduced to the minimum.

The chief bird protection problem has pertained to water-fowl. Actual estimates by the Biological Survey indicated the lowest supply in history. Even shooters themselves were frightened enough to admit the need for a reduced kill. Bird protectionists stood almost solidly for a closed season. Without holding the usual meeting of the Advisory Board of the Migratory Birds Treaty Act, the Government officials issued regulations that provide for a month's open season in each of two zones, a slight reduction in bag limit, and that include new limitations on automatics, and prohibitions on live decoys, batteries, sink boxes, and baiting. A closed season was not promulgated, on the ground that the loss of funds to be derived from the state licenses and from the sale of federal duck stamps would result in seriously crippling law enforcement. The use of emergency funds to offset this condition was suggested, but these were not made available. Although the prohibition of live decoys and of baiting, batteries and sink boxes, and the load limitation on repeating guns are items of real progress, your committee feels that restrictive measures to reduce the kill have not been as drastic as the situation requires.

Particularly heartening have been the tangible results of the restoration program. Some eight and one half million dollars made available to the

Biological Survey are being expended in the purchase of land and in the creation of marshes and ponds as breeding and feeding grounds for wild fowl. Red Rock Lakes just west of Yellowstone National Park have been acquired; and better assurance follows that the Trumpeter Swan may now be saved from extinction. This is typical of the fine progress made in creating refuges and restoring suitable resting and breeding areas. However, this restoration program cannot be counted on to restore wild fowl to their former numbers since only about 15 percent of the wild fowl with us during the hunting season have been reared in the United States. It is obvious, therefore, that, along with the restoration program, must go such limitation upon hunting and such protection as to permit a larger number of birds to return to their breeding grounds in the north.

Also to be reported is the unfortunate situation of the White Pelican colony on Great Salt Lake. This, the largest of the three or four major colonies of the continent, moved this spring, from one island to another and began nesting there. Most of the young died, apparently from shortage of food consequent upon changed water conditions on their feeding grounds. This situation again emphasizes the need for additional protection for this species, which has shown dangerous decrease in numbers for some years past. Your committee is convinced that this is one of the protection problems most needing attention.

By coöperative agreement the nesting colonies of Terns and other sea-birds on the Dry Tortugas (now Fort Jefferson National Monument) and the Marquesas Islands off the southern tip of Florida are to have additional custodial care to prevent poaching and disturbance. The Coast Guard Service has been asked to lend assistance on this law-enforcement program.

Most of the Everglades area of Florida, breeding ground for water-birds, and now a proposed national park, thanks to the efficacy of the Audubon Association (working on a basis of better laws) has become a complete refuge. There are few places where Herons and Ibises nest in such large colonies, and total state protection for the breeding grounds is a noteworthy accomplishment that has been furthered by the prospect of park status.

Although Congressional committees were appointed and discussions were held regarding the best type of legislation to prevent oil pollution, no committee report has been made, and the actual framing of a bill has been delayed. The only bill presented in Congress, and that during its last days, was one amending the old Act of 1899 so as to include all types of waste, of liquid nature as well as solid. It is hoped that when another year has passed we may be able to report on steps actually taken to eliminate the menace to birds that is created by oil and other types of water pollution.

The National Association of Audubon Societies taking over the activities of the Hawk and Owl Society has redoubled its efforts on behalf of these

sadly misestimated birds; it has sponsored legislation to give better protection to the Bald Eagle, our national bird; and, along with several other conservation organizations, has championed a closed season for Ducks. It is apparent that this important bird-protection organization has grasped the opportunity to take a stronger position in the conservation cause.

Aid has been given by the Audubon Association to the project of stopping the shooting of Hawks at Hawk Mountain, Pennsylvania, that is sponsored by the Emergency Conservation Committee. This organization by leasing the land and by placing a custodian in charge made it possible for the 11,000 Hawks that passed the point to go unmolested.

Noteworthy as parts of the educational campaign of the Audubon Association have been the issuance of Dr. May's volume on 'The Hawks of North America' illustrated in color, and the distribution of protection posters, and of numerous news releases. Opposition to state bounty bills has helped to defeat several. Bounty systems, we are sorry to learn, are still operative in Pennsylvania (on the Goshawk) in Delaware, in Oklahoma, and (by counties) in a few other states. Wisconsin's law relative to Hawks and Owls was amended, so as to restore protection to beneficial species.

The killing of migrating Hawks at Cape May, New Jersey, presents a different problem from that at Hawk Mountain. It is estimated that 60,000 hawks arrive during migration and that about 5,000 are killed, largely Sharp-shinned Hawks. Progress has been made in obtaining better supervision of hunting at this point with resultant better protection for beneficial species.

We are glad to note that the National Association of Audubon Societies, with the coöperation of the New Jersey Audubon Society, has leased a strategic portion of woods near Cape May Point and established there the Witmer Stone Wild Life Sanctuary, named in honor of that distinguished ornithologist and editor of 'The Auk' who has made a life-long study of the birds of Cape May County. A warden has been appointed and the New Jersey Board of Fish and Game Commissioners has offered coöperation in law enforcement.

New information has been obtained from certain localities that indicates widespread use of steel traps set on poles to catch predatory birds around game farms and elsewhere. Investigation has shown that the Owls chiefly caught are the Barn Owl, and the Short- and Long-eared Owls, birds, which seldom if ever, are destructive to anything but rodents. Great Horned Owls (whose destruction might seem more readily to be justified) are seldom caught. Furthermore, Marsh Hawks, Red-tails, and Sparrow Hawks are caught in numbers, while Sharp-shinned and Cooper Hawks are seldom taken. There is plenty of evidence that such birds as Mockingbirds, Cardinals, and Bluebirds also have fallen victims in these localities. Your com

mittee condemns the use of pole traps, which break the legs and leave the birds hanging head down until they die, as being cruel and as non-selective, thus causing destruction of many innocent birds.

Information has been received that the old-time practice of "firelighting" woodcock is still followed in Louisiana. In early days a torch, nowadays an electric flash, carried through the woods enables the hunter to catch the "eyeshine" of Woodcock with resultant undue slaughter. Here is another hunting method that should be broken up. Apparently it is illegal, but, as in many other cases, the law is not enforced.

Several members of the Bird Protection Committee have spoken of noticeable decrease in the number of Baltimore Orioles. Certain it is that many orchard and shade trees that once harbored nesting Orioles now lack them. Similar decreases seems to have occurred in the cases of other orchard-nesting birds, such as Bluebirds and Vireos. More evidence is needed to confirm such casual observations. The extensive use of poisonous sprays with resultant poisoning of insects may or may not be involved. Starling interference may be a factor. At any rate, it would be helpful to know more about this situation, and members of the Union are urged to gather evidence.

An awakening to needs and responsibilities in conservation is evidenced in editorials and magazine articles. A new publication called 'Conservation' has appeared, designed as a digest of conservation articles for the busy conservationist. Also a new effort is being made to draw all wild life conservation organizations together for a joint Congress. A tentative date has been set for the first week in February and Washington has been chosen as the place, and invitations will be issued to all organizations concerned. A more effective advance in conservation could be made if widely scattered organizations could be brought together to present a common front on matters of major importance.

During the year your committee urged favorable action on the move to stabilize by law the nature-education activities in Palisades Interstate Park, and the continuance of the Jones Beach Bird Sanctuary, and the committee expressed opposition to extensive drainage, patently injurious to bird habitats, occasioned by mosquito-control operations.

Respectfully submitted,

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