

REPORT OF THE COMMITTEE ON BIRD PROTECTION,  
1940

A NUMBER of species of American birds are now threatened with extinction. Although the extensive system of Federal, State, Provincial and private wildlife refuges is doing much to protect and restore many forms of bird life to a more satisfactory abundance, sanctuary and adequate protection have not yet been extended to a few of the more endangered species.

The establishment of ten cooperative wildlife research units in 1935 was sponsored by the State game commissions, the land-grant colleges, the American Wildlife Institute, and the U. S. Fish and Wildlife Service. We are pleased to report that this program, set up for five years, has now been extended for another five years by the sponsors. Cooperative units study the status of various forms of wildlife, seek means to improve conditions for wildlife in the States, and attempt to devise practical management techniques that may be adopted to maintain desirable animal populations. These units are located in Alabama, Iowa, Texas, Virginia, Maine, Utah, Ohio, Oregon, Missouri, and Pennsylvania. Since 1935, more than 35 projects have been completed, and about 375 manuscripts dealing with various management phases have been published.

The former U. S. Biological Survey, now the Fish and Wildlife Service, reports that the wildlife refuges under its charge number 263, covering a total of 13,635,365 acres of land and water. Of these refuges, 176 are primarily for migratory waterfowl with a total of 3,447,218 acres. Fifty areas, with 107,666 acres, are used chiefly by colonial nesting species in such places as bird rocks, mangrove keys, and gull and tern islands. General wildlife refuges for upland game, big game, fur-bearers and birds number 24 and amount to 3,475,903 acres. The thirteen big-game refuges and ranges have a total of 6,604,578 acres.

This Committee wishes that it were possible to give a complete record of the fine conservation work being continued from past years by a number of organizations. Among them are the General Wildlife Federation, the American Wildlife Institute, and the more exclusively ornithological groups such as the National Association of Audubon Societies. The latter's program is especially notable because of its lengthening chain of refuges and the competent research on vanishing species by staff members and holders of research fellowships.

Regarding the various species of endangered birds, we regret to report that the status of the Ivory-billed Woodpecker seems to grow progressively worse, and it is doubtful if the bird can be saved. Its most important, and possibly last, strongholds which are in Louisiana and South Carolina are being lumbered, the latter area preparatory to impoundment of a power reservoir by the Santee-Cooper Authority (see 1939 Committee Report). Extermination is imminent unless acceptable habitat is maintained. It could be delayed and possibly prevented by acquisition and strict protection of the Singer tract in Louisiana.

The California Condor exists only in the United States; therefore its fate depends entirely upon the treatment we give it. Its range and numbers are so limited that they are now leading definitely to extermination. Without question, a more careful study of this bird should have been made many years ago. Whether present belated efforts will prevent the condor from gradually decreasing in numbers and in time suffering the fate of the Passenger Pigeon, Heath Hen, and Great Auk, remains to be seen. Only a small nucleus remains as a basis for restoration. Reproduction is slow and food requirements are of a special nature. Careful study is now being made, however, in the hope of developing effective means of protection and management. To insure the future of the condor, the area set aside in the Los Padres National Forest in southern California is very limited. The birds number about fifty, and the conditions under which they formerly thrived have been greatly changed. Since they are in the habit of ranging over a wide area in order to find food, it is impossible to prevent the shooting of some of the birds by irresponsible gunners. In addition to the small nesting range, which is closed to the public, it is urged that the entire Los Padres National Forest be set aside for the protection of the condor. This area should be closed to all hunting, except the killing by officials of enough deer to furnish food for the birds.

The White-tailed Kite is another bird of California that is seriously limited in numbers. It is suggested that a thorough investigation be made in order to learn definitely whether this bird is increasing or decreasing and to determine what can be done to increase its numbers.

A year ago the famous Everglades of Florida, an exceedingly important wildlife area, were suffering the result of unwise drainage and were stricken with devastating drought and fires. We are pleased to report that because of the encouraging recovery there this year, many forms of bird life have found favorable environmental conditions. The drainage affecting this area, however, has not been corrected.

No appreciable change during the past year seems to have occurred in the numerical status of the Everglade Kite, Roseate Spoonbill, Reddish Egret, Limpkin, Florida Crane or Whooping Crane. Research into their status, needs and management is much needed. Through the extensive Federal refuge program, some sanctuary and encouragement are offered to all of these species. It is encouraging to report that the Great White Heron population continues to increase.

Although the status of the Trumpeter Swan seems to be improving, this majestic bird is by no means safe from extermination. Continued study of its requirements and management is necessary. The species appears to be in a better position than the condor because it is more adaptable, more amenable to management, more extensively distributed, and has a much higher reproductive rate. Three known breeding areas exist. Two of these in the United States (Red Rock Lake Refuge, Montana, and Yellowstone National Park, Wyoming) support a few more than two hundred birds—while a large and inaccessible area in the vicinity of British Columbia has a population of more than five hundred Trumpeters. Although the birds are given reasonable protection, some are undoubtedly killed when they move to adjacent unprotected areas, particularly to those localities occupied also by Snow Geese. It might be taken for granted that the swans would increase in numbers in a reservation like Yellowstone National Park. However, in 1938, only four young birds were successfully reared in this protected park. A pair of Trumpeters have been accustomed to raise a family at Swan Lake in the Park, but this year (1940) that area was abandoned without producing any cygnets.

Much effort is being made to establish Trumpeters in other areas within their ancestral range where suitable nesting conditions and a sufficient winter-food supply exist. In the fall of 1938, six Trumpeters were caught and moved to a lake in the Jackson Hole Elk Refuge in Wyoming. Half of them have survived at present writing, two years later. Three Trumpeters have also been recently transported to the Double-O Ranch, a part of the Malheur Wildlife Refuge in southeastern Oregon, where warm springs maintain open water throughout the coldest winters. While these swans normally have from four to six young each year, their increase is retarded by a number of factors. One of these is lead poisoning, and at Red Rock Lakes, formerly one of the most popular hunting areas in Montana, shot is often available to them in quantity. The swans may at times glean the pellets from the mud and ultimately succumb to lead poisoning. Since the birds now have a restricted range in the United States,

and since an adequate supply of natural winter food is not always available, it is suggested that other transplantings be made to suitable refuge areas whenever birds can safely be spared for this purpose.

Another waterfowl that needs more protection is Ross's Goose. It is the rarest of the geese that regularly visit the United States and is about the size of the larger ducks. As nearly as can be estimated, the total number of Ross's Geese is from five to six thousand. Because they need protection, the Federal migratory-waterfowl regulations forbid their hunting. Unfortunately they tend to flock with the much more numerous Snow Geese on which there is an open season in the West. Although Ross's Goose is distinctly smaller than the Snow Goose, it is of similar coloration and hence is not readily recognized by gunners. Permitted to kill the Snow Geese, they also shoot some of the rare and theoretically protected Ross's Geese. When game wardens examine the bags and find a Ross's Goose, they usually regard this kill as accidental, and therefore merely take possession of the bird, without arresting the hunter. This steady drain upon Ross's Geese is a serious menace to the species because of their small numbers. Apparently the only method of preventing it is to close the season on Snow Geese in the areas where the Ross's Geese winter.

The largest numbers of both Snow and Ross's Geese winter in California. Formerly they ranged to San Joaquin Valley, but due to the destruction of their habitat few are now found there. Most of the birds now winter in the Sacramento Valley and all white geese there should be protected to save the Ross's Goose. If this is not done, this species appears to be doomed.

The American or Bald Eagle, the emblem of the United States, is now protected by Federal law. This protective legislation recently passed Congress and was signed by the President. Its provisions, however, do not apply in Alaska. In 1917, the legislature of Alaska started a campaign against the American Eagle by paying a bounty of fifty cents per bird. During the first six years, up to 1923, bounties were paid for about 18,000 birds. It is safe to say that a larger number were killed as some must have fallen in inaccessible places or died after having been wounded, and doubtless some were killed by persons who did not collect the bounty. From 1917 to the present time the number of eagles killed for bounty in Alaska is believed to be at least 100,000. They are now uncommon over vast areas of the range in the Territory. It is urgently recommended that a study be made of distribution, abundance, population trends, economic status, and need for protection or control of the species in Alaska.

Passing to threatened game species, the facts clearly indicate that

the White-winged Dove of the southwestern border from Texas to California is becoming scarcer each year. Despite its reduction in numbers, this handsome species is intensively hunted and its scarcity appears to be largely due to drought, over-shooting and the destruction of young and nesting birds. It is strongly recommended that a closed season be enforced for at least two or three years.

Among other upland gamebirds, Attwater's Prairie Chicken and the Columbian Sharp-tailed Grouse seem to be in the most precarious condition and in the greatest need of assistance. Their numbers have progressively decreased as a result of impairment of their range by over-grazing and drought, and because of excessive hunting both legal and illegal. It is doubtful whether either subspecies will be saved unless large and effectively managed refuges are promptly established for them. It is greatly to be hoped that Federal, State, and especially Pittman-Robertson funds, can be so allocated that effectively managed refuges for these birds can be set up. We are pleased to report that the status of the Sage Hen shows continued improvement. It now occurs and receives full protection on more than a dozen Federal refuges in the far West and in some of these areas it is becoming fairly abundant.

During January 1940, adverse weather conditions in the Southeast, coupled with legal hunting, made serious inroads into the numbers of Woodcocks and Mourning Doves, with the result that the numerical strength of both species is much below that of 1939. Measures to restrict the kill during the forthcoming hunting season have been imposed.

In view of the continued need for protection of waterfowl, your Committee is opposed to the passage of any bill permitting the baiting of these birds to shooting grounds. It is also opposed to the use of live decoys to facilitate killing. During the past year bills were introduced in Congress (unsuccessfully, we are glad to report) that would have authorized both baiting and the use of live decoys. Legislative action is contrary to the present accepted policy of the regulation of hunting by administrative agencies operating under only organic legislation couched in general terms. This system has the flexibility needed to cope with constantly changing conditions, and is in every way to be preferred to ponderous and usually less informed legislative regulation.

Your Committee is pleased to report that most species of waterfowl have shown an encouraging increase although the supply is still far below the carrying capacity of both the breeding and most of the winter ranges. With the supply of shootable waterfowl as low as it is,

and restoration only half of that expected, your Committee believes the recent change in Federal hunting regulations (especially those lengthening the open season from 45 days to 60 days, and legalizing early-morning shooting beginning at sunrise instead of 7 o'clock, without any compensating reduction in the bag limit or other restriction) is a great mistake. Members of the Union should take every opportunity to familiarize themselves with the waterfowl situation and report the results of this surprising liberalization of the gunning regulations. Support should be rendered law-enforcement agencies, and effort made to bring about an increase in the number of Federal wardens in order that more effective bird protection can be given.

For the future protection of some of our migratory birds that winter in different parts of Central and South America, it is necessary that there be greater cooperation between the United States and other American countries. The Union tenders its sincere appreciation to Dr. T. Gilbert Pearson, President Emeritus, National Association of Audubon Societies, who spent nearly a year in South America studying bird life and working with ornithologists and officials of the different countries with a view to encouraging education regarding birds and their better protection. Dr. Pearson reports: ". . . very few laws exist in South America for the protection of non-game birds, and in some countries there is not the slightest semblance of a law for the preservation of any land bird."

Although financial aid has been secured for the protection of wildlife in the United States, there is some danger that it will be concentrated on the game species. We believe that more Pittman-Robertson funds should be directed toward the protection and management of rare and vanishing forms of wildlife. Even though 260 projects in 43 States are now in operation, it is appropriate for the membership of the A. O. U. to ask whether this act extending Federal aid to wildlife applies to wildlife as a whole, or only to shootable game. The acid test in this respect will be the degree of liberality shown in allotting Pittman-Robertson funds to the restoration of rare, non-shootable species. In the case of threatened species, there is definite need of habitat protection, for almost all research into life-history requirements is needed as a basis for restoration. The A. O. U. should ask the Fish and Wildlife Service, which administers the Act, for an inventory of its Pittman-Robertson program in behalf of rare species. The Act requires the State conservation departments to initiate projects, hence an over-emphasis on shootable species is highly probable. The best insurance against such over-emphasis will be the constant vigilance of organizations that are interested in conservation of the entire fauna, shootable or non-shootable.

The Committee calls special attention to the following important recommendations:

1. State and Federal aid should be given to the Ivory-billed Woodpecker through acquisition in Louisiana of its last important habitat and possibly the only area in which it now occurs.
2. State and Federal action should protect the unique bird fauna of southern Florida through restoration and conservation of its habitat.
3. The entire Los Padres National Forest should be closed to public hunting and the cougar restored therein as a measure of protection and a means of food-production for the California Condor.
4. The California Game Commission and the Fish and Wildlife Service are urged to close the Sacramento Valley to the shooting of all white geese, in order more effectively to protect the Ross's Goose.
5. After adequate study, the U. S. Fish and Wildlife Service is urged to transplant conservative numbers of Trumpeter Swans to refuges where conditions assure a fair measure of successful propagation.
6. We urge abolishment of the bounty on the Bald Eagle in Alaska.
7. A continuous closed season on the White-winged Dove should be declared by the Arizona Game Commission and the Fish and Wildlife Service.
8. Refuges should be provided for Attwater's Prairie Chicken and for the Columbian Sharp-tailed Grouse by the States of Texas and Utah, respectively, and by the Fish and Wildlife Service.
9. Indiscriminate and irresponsible destruction of predaceous birds should be condemned.
10. Excessive and unnecessary drainage, carried out primarily in the name of mosquito control, should be opposed.

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NOTE: This report was unanimously approved by the membership of the American Ornithologists' Union at its annual meeting at Cambridge, Massachusetts, September 12, 1940.