

Introduction to Appendices

The following appendices provide additional information on the Service's Migratory Bird Program and links to important resources that explain and guide the Program's conservation efforts. Readers are encouraged to visit the following site for more information: <http://migratorybirds.fws.gov/mbstratplan/mbstratplan.htm>

Appendix 1: Organization and Budget Structure of the Migratory Bird Program

The Service's Migratory Bird Program has primary responsibility for the conservation and management of migratory birds and their habitats. Essential staff and funding support come from other parts of the Service that deal routinely with this trust resource, including the National Wildlife Refuge System, Law Enforcement, International Affairs, Fisheries and Habitat Conservation, and Endangered Species.

The leader of the Migratory Bird Program is the Assistant Director for Migratory Birds and State Programs located in Washington, D.C. There are four program components under the Assistant Director: the Division of Migratory Bird Management (DMBM), the Division of Bird Habitat Conservation (DBHC), the Division of Federal Aid, and the Office of Aviation Management. The Migratory Bird Permit Program is managed by DMBM. The Federal Duck Stamp Office is managed by DBHC. The primary functions of the Washington Office staff include legislative, regulatory, budget and policy development, and program guidance.

The Migratory Bird Program is implemented on the ground by the Assistant Regional Directors for Migratory Birds and State Programs through seven Regional Offices and associated field stations with programs for Migratory Bird Management and Joint Ventures. Research support to the Migratory Bird Program within the Department of Interior is provided by the Biological Resources Discipline of the U.S. Geological Survey located in Reston, Virginia and associated regional offices, science centers, and cooperative research units.

The Migratory Bird Program budget structure contains five components for appropriations and execution processes referred to as subactivities: (1) Conservation and Monitoring, (2) Permits, (3) North American Waterfowl Management Plan (Joint Ventures), (4) North American Wetlands Conservation Act and (5) Neotropical Migratory Bird Conservation Act. Annual budgets are structured along subactivity lines. Each component of the budget is justified and allocated independently of the other.

Regional allocation estimates for each subactivity are determined following decisions by the Office of Management and Budget on the President's Budget request level. Budget allocation estimates are displayed in the Congressional District Report by state and congressional district and published as part of the annual President's Budget Justification (Green Book).

Visit the following link to see the Fiscal Year 2005 Migratory Bird Budget Justification: <http://budget.fws.gov/fy%202005%20GB/0602%20mb.pdf>

Appendix 2: Public Comment Process and Evolution of the Migratory Bird Strategic Plan

- The draft “Blueprint” document underwent a two-month public review from August to October 2003.
- Comments were solicited during Director William’s speech at the annual meetings of the International Association of Fish and Wildlife Agencies in September 2003, in letters to state directors, through e-mails to the bird conservation community, and on the strategic plan webpage on the Service’s web site.
- A nine-person Comment Review Team comprised of Service employees from various Regions and programs was established to review and summarize comments received during the partner consultation.
- The consultation resulted in 217 comments received from Service employees and partners.
- Breakdown of affiliations of commenters:
 - 29% non-governmental organizations
 - 25% private citizens
 - 15% state agencies
 - 12% other Federal agencies
 - 11% Service employees
 - 5% for-profit organizations
 - 3% academia
- A majority of the commenters expressed appreciation for the development of a strategic plan, thought the plan was well-written and comprehensive, and showed support for the plan’s vision and strategies.
- Of the 25 states that commented, 23 explicitly stated support, agreement, or appreciation for the plan and none expressed lack of support.
- Many states wished for more detailed objectives, continued emphasis on partnerships, and expanded Service leadership in migratory bird conservation.
- Many commenters felt that specific direction in the form of objectives and priorities was missing from the plan.
- Commenters expressed differences of opinion about what should be the Service’s focus in migratory bird conservation (e.g., ecological vs. utilitarian values and game vs. nongame).
- Many commenters were concerned that adequate funding is not available to implement the plan and many stated a need to develop ways for non-hunters to provide financial support to migratory bird programs.
- Five high priority areas emerged from the comments:
 - Protect and restore bird habitats (#1)
 - Maintain viable bird populations
 - Conduct science and research
 - Provide leadership for all-bird conservation
 - Stimulate and facilitate partnerships
- In January 2004 at the National Conservation Training Center, the Migratory Bird Program sponsored a Conservation Forum attended by 65 Service employees and partners to discuss the draft “Blueprint.”

To see a summary of partner responses, visit <http://migratorybirds.fws.gov/mbstratplan/responses.htm>

Appendix 3: Primary International Conventions and Major Domestic Legislation for the Conservation of Migratory Birds and their Habitats in the United States

YEAR	AUTHORITY
1900	Lacey Act (Amended 1981)
1913	Weeks-McLean Law (Migratory Bird Conservation Act 1913)
1916	Convention for the Protection of Migratory Birds (Canada)
1918	Migratory Bird Treaty Act
1929	Migratory Bird Conservation Act
1934	Migratory Bird Hunting and Conservation Stamp Act (Duck Stamp Act)
1936	Migratory Bird Convention with Mexico (amended 1972)
1940	Pan American (or Western Hemisphere) Convention
1940	Bald Eagle Protection Act
1956	Waterfowl Depredations Prevention Act
1961	Wetlands Loan Act of 1961 (Amended 1969, 1976)
1972	Migratory Bird Convention with Japan
1972	Convention on Wetlands of International Importance Especially as Waterfowl Habitats (RAMSAR)
1973	Endangered Species Act (ESA)
1973	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
1976	Migratory Bird Convention with the Union of Soviet Socialist Republics
1978	Antarctic Conservation Act
1980	Fish and Wildlife Conservation Act (Amended 1988, 1989)
1982	Convention on Conservation of Antarctic Living Marine Resources
1986	Emergency Wetlands Resources Act
1987	Driftnet Impact Monitoring, Assessment, and Control Act of 1987
1989	North American Wetlands Conservation Act (NAWCA)
1990	Coastal Wetlands Planning, Protection and Restoration Act
1992	Wild Bird Conservation Act
2000	Neotropical Migratory Bird Conservation Act
2001	Responsibilities of Federal Agencies to Protect Migratory Birds (Executive Order 13186)

To see an overview of primary authorities, visit
<http://migratorybirds.fws.gov/mbstratplan/Legalauthamend.pdf>

To see a list of secondary authorities, visit
<http://migratorybirds.fws.gov/mbstratplan/LegalAuthorities.pdf>

Appendix 4: Birds of Management Concern

Birds of Management Concern (BMC) are a subset of the species protected by the Migratory Bird Treaty Act (see 50 CFR 10.13) which pose special management challenges because of a variety of factors (e.g., too few, too many, conflicts with human interests, societal demands). The Migratory Bird Program will place priority emphasis on these birds during the next ten years. The BMC list of 412 species, subspecies, or populations comprises five categories of migratory birds:

- (1) birds listed as endangered or threatened under the Endangered Species Act (62),
- (2) nongame birds that have been determined to be of conservation concern due to declining populations and other factors (as published in *Birds of Conservation Concern 2002*; 247 including all National, Regional, and Bird Conservation Region species),
- (3) game birds that are below desired condition* (35),
- (4) game birds that are at or above desired condition** (60), and
- (5) birds that are considered overabundant in part or all of their range and thus potentially damaging to natural ecosystems or human interests (8).

The BMC list is currently being updated to reflect changes in the status of these species or populations. Performance goals and measures have been developed that address the status of these species, subspecies, or populations.

An updated list of Birds of Management Concern will be available soon.

*Game Birds Below Desired Conditions (GBBDC) are species whose populations are below long-term averages or management goals, or for which there is evidence of declining population trends.

**Game Birds Above Desired Conditions (GBADC) are species whose populations are at or above long-term averages or management goals, or for which there is evidence of increasing population trends.

Appendix 5: Department of the Interior Strategic Plan and GPRA goals

The Government Performance and Results Act (GPRA) mandates that all federal agencies set long-term and annual goals, measure performance, and report on the degree to which goals are met. The three overarching goals of the Migratory Bird Program's strategic plan flow from the Department of the Interior (DOI) Draft Strategic Plan for 2004-2008 and the Draft Fish and Wildlife Service Operational Performance Plan.

The Migratory Bird Program supports the following goals in the DOI strategic plan:

- (1) Resource Protection – Biological Communities, Strategy 2, targeted at sustaining biological communities on DOI managed and influenced lands and waters;
- (2) Resource Protection – Biological Communities, Strategy 3, targeted at increasing information and knowledge necessary for decision making;
- (3) Resource Protection – Cultural and Heritage Resources, Strategy 1, targeted at increasing the knowledge base of cultural and heritage resources managed by DOI; and
- (4) Recreation Strategy 1 targeted at increasing the quality of recreational activities involving DOI managed resources, and Strategy 2 targeted at providing effective interpretation and education programs.

The three overarching goals of *A Blueprint for the Future of Migratory Birds* are further stepped down into quantifiable long-term goals and annual performance goals and measures. The Service will report on progress made in achieving these goal and performance measure targets which are available at the following website links:

To see the Migratory Bird Management Division's GPRA goals, visit <http://migratorybirds.fws.gov/mbstratplan/MBFY2004GPRA.pdf>

To see the Division of Bird Habitat Conservation's GPRA goals, visit <http://migratorybirds.fws.gov/mbstratplan/DBHCFY2004GPRA.pdf>

Appendix 6: Summary of the Director's Order for Migratory Bird Conservation

In March 2004, a Director's Order (DO) was issued to provide guidance for Service programs on the management and conservation of migratory birds. This DO was developed in accordance with Executive Order (EO) 13186, *Responsibilities of Federal Agencies to Protect Migratory Birds*. The purpose of the DO is to minimize the potential adverse effects of migratory bird take, with the goal of striving to eliminate take, while implementing our mission.

Executive Order 13186, signed on January 10, 2001, directs federal agencies whose actions could have a measurable negative impact on migratory bird populations to develop Memoranda of Understanding (MOUs) with the Service to promote conservation of migratory birds. In addition, the EO calls on federal agencies to take reasonable steps that include restoring and enhancing habitat, incorporating migratory bird conservation into planning processes, promoting research and information exchange, providing training and visitor education, and developing partnerships beyond agency boundaries.

The DO describes how the Service will implement the EO 13186 with respect to its own programs and lists specific strategies for individual programs. Continued intra-Service coordination is essential to maximize the benefits of these programs to migratory bird conservation. The Service is developing a web page that will provide an overview of related activities and individual program strategies that the Service will undertake to fulfill its responsibilities under the DO.

The Migratory Bird Program strategies laid out in this plan, coupled with the DO strategies from other Service programs, constitute the Service's overall commitment to migratory bird conservation.

To see Executive Order 13186 and the Director's Order, visit <http://migratorybirds.fws.gov/mbstratplan/EO.pdf>

Appendix 7: *Leaving a Lasting Legacy: Permits as a Conservation Tool*

As authorized by the Migratory Bird Treaty Act, the Service issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (e.g., rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. Migratory bird permit policy is developed by the Division of Migratory Bird Management and the permits themselves are issued by the Regional Bird Permit Offices. The regulations governing migratory bird permits can be found in 50 CFR part 13 (General Permit Procedures) and 50 CFR part 21 (Migratory Bird Permits).

In addition to permits issued by the Migratory Bird Program, the Service also issues permits through its Endangered Species, International Affairs, and Law Enforcement programs. In 2002, the Service developed a vision and action plan, *Leaving a Lasting Legacy: Permits as a Conservation Tool*, for its various permit programs to promote long-term conservation of animals, plants, and their habitats, and encourage joint stewardship with others. This document can be viewed at: http://library.fws.gov/IA_Pubs/permits_legacy02.pdf, or go to <http://permits.fws.gov>, for more information on the Service's permit program.