



NEW YORK STATE ORNITHOLOGICAL ASSOCIATION, INC.

for the birds and birders of New York State since 1948

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Please see below comments from our organization on the pre-proposal to revise the list of endangered, threatened, and special concern species.

Andrew Mason, Conservation Chair

Raptors:

Northern Harrier—The proposed status change from Threatened to Special Concern for this species is unwarranted. Harriers continue to decline in the state as habitat is lost. Reports of the species in *The Kingbird*, journal of NYSOA, are scarce, even in regions where the species is an established breeder.

In DEC Reg. 9, senior DEC wildlife staff have expressed serious concern over development encroaching on traditional Northern Harrier nesting habitat. This is also a problem in the upper Hudson Valley and Mohawk Valley areas which serve as nesting and wintering habitat for the species.

According to the Hawk Migration Assoc. of North America's (HMANA) Raptor Population Index (RPI) (*Crewe, T., P. Taylor, D. Lepage, L. Goodrich, J. Brown, and J. Sodergren. The Raptor Population Index, 2016 Analysis Methods and Trend Results. Available at <http://rpi-project.org/2016/>*), Northern Harrier has experienced significant negative annual trends at all the NY State hawk watches that were part of the analysis:

Braddock Bay 2006-2016: -7.85% annual
Franklin Mt.: -6.39%
Derby Hill: -5.57%
Mt. Peter: -7.93%
Ripley: -7.82%
Hamburg: -4.56%

In light of the ongoing decline of this species in the state and in surrounding regions, and the likely increased loss of habitat from field succession, solar facilities, and other development,

lowering the level of legal protection of Northern Harrier is unwarranted. This species should remain as Threatened.

Osprey—Although this species has enjoyed a remarkable comeback in some areas of the state, it is still limited or absent from other areas where suitable habitat occurs, and is not fully recovered from the major population declines brought on by DDT and other persistent chemicals. As a bird that migrates to regions where these materials are still in use, and as a predator at the top of the food chain, Osprey is still at risk.

The HMANA RPI trends for Osprey are negative at most NY hawk watch sites, including those with the most consistent coverage:

Braddock Bay 2006-2016: -1.69% annual
Franklin Mt.: -8.39%
Derby Hill: -3.98%
Mt. Peter: -7.63%
Ripley: +4.08%
Hamburg: +1.83%

Osprey should remain a Special Concern species until and unless it is more broadly recovered in the state.

Sharp-shinned Hawk—The long-term decline of this species throughout its range is well-documented. Although trending somewhat higher in recent years, data do not confirm a permanent reversal of this decline. Removing Sharp-shinned Hawk from the Special Concern list is premature.

RPI trends are negative at most NY sites:

Braddock Bay 2006-16: -5.54%
Franklin Mt.: -5.44%
Derby Hill: -4.21%
Mt. Peter: -3.69%
Ripley: +1.76%
Hamburg: +2.13%

American Kestrel—This species has experienced perhaps the greatest decline of all raptors in recent years, in NY State, neighboring states and provinces, and throughout its range. Nearly all indices show negative trends. For example, Audubon Christmas Bird Count data show a -3% long-term trend in NY. *The Kingbird* reports confirm these declines, as do consistent negative trends in the RPI analyses:

Braddock Bay 2006-16: -5.57%
Franklin Mt.: -2.81%
Derby Hill: -1.37%
Mt. Peter: -2.41%

Ripley: -0.74%
Hamburg: -3.79%

It is apparent that kestrels are going downhill in NY and elsewhere, and other than open country habitat loss, cause is unclear. In light of these ongoing downward trends, we believe that listing American Kestrel as a Special Concern species is warranted.

Nightjars:

Chuck-will's-widow—This species has a very limited distribution in NY State, confined to Long Island and Staten Island and is at risk of extirpation. Chuck-will's-widow numbers declined by about 2.3% per year between 1966 and 2015, resulting in a cumulative decline of 69%, according to the North American Breeding Bird Survey.

This steep downward trend and the species precarious status in NY warrant listing as Endangered.

Passerines:

Henslow's Sparrow—This species has experienced a precipitous drop in numbers and distribution in the state over the past 60 years, according to BBS data. Breeding Bird Atlas data shows an 80% drop in breeding presence from 1980-2000, a trend that will likely continue with the upcoming 2020 Atlas.

The species is classified as endangered in surrounding states and provinces and no longer found in CT. Clearly Henslow's Sparrow should be considered Endangered in NY State.

Eastern Meadowlark—As with other grassland species, Eastern Meadowlark populations have declined significantly, and this is certainly true in NY. A downward trend comparable to that for Henslow's Sparrow has been documented on NY BBS routes—for a species that is well-detected by these surveys.

More than 95 percent of the Eastern Meadowlark's distribution is on private lands, meaning it is particularly vulnerable to development and changes in farming practices. At a minimum, this species should be listed as Special Concern in the state.

Bicknell's Thrush—Although recent survey data shows this species holding relatively steady, it should be considered Threatened or Endangered due to its dependence on a fragile and declining ecosystem for breeding habitat in NY and elsewhere, as well as threats to its limited island wintering areas. Ongoing and increasing climate change are bringing about upslope movement and displacement by Swainson's Thrush.

Partners in Flight rates the species a 17 out of 20 on the Continental Concern Score, and includes Bicknell's Thrush on the Red Watch List, the group's highest level of conservation concern.

Rusty Blackbird—Recent rapid declines in Rusty Blackbird reports in NY State both during breeding season and migration are a major concern, and the species should be considered for

listing. Rusty Blackbird is listed as a Common Bird in Steep Decline by Partners in Flight. There is a need for further data and research on the reasons for the downward trajectory of Rusty Blackbird, and listing would provide both an impetus for this work, and for protection during investigations.

Golden-winged Warbler—This disappearing species is clearly endangered in NY State. A significant body of evidence documents its continuing withdrawal as a breeding bird. It is Red-listed by Partners in Flight, is on the most recent State of the Birds Watch List, and has dropped rapidly on NY State BBS routes. In addition a comparison of the 1980 to 2000 NY Breeding Bird Atlases show the species absence from much of its previous breeding range and largely limited to one or two confined core areas. The NY Natural Heritage Program states that "The short-term trends are declining dramatically" with long term average declines in the state of 5.3% per year.

These major changes in Golden-winged Warbler populations and range in NY State argue strongly for classification as an endangered species.