



# *The Wisconsin Society for Ornithology, Inc.*

A Nonprofit 501(c)(3) Organization

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Madeline Emde  
Bureau of Endangered Resources  
Wisconsin Department of Natural Resources  
PO Box 7921  
Madison, WI 53707-7921

Dear Ms. Emde,

The Wisconsin Society for Ornithology (WSO) would like to comment on the ER-27-11 rulemaking docket which involves proposed changes to the NR 27.03 Wisconsin's Endangered and Threatened Species List (List). WSO was organized in 1939 to encourage the study of Wisconsin birds. The aims have since expanded to emphasize all of the many enjoyable aspects of birding and to support the research and habitat protection necessary to preserve Wisconsin birdlife. WSO's 1000+ members include those who enjoy birds attracted to their homes by feeders and birdhouses, those who pursue field study or bird banding as a hobby, and those who engage in ornithology professionally. WSO strives to alert members and the public to situations and practices that affect Wisconsin's bird populations. Given WSO's focus, our comments will only address the birds included in the proposed list changes.

The proposal to add any new species to the Endangered/Threatened Species List will likely meet with some resistance. We recognize that individuals and other entities can be affected when new species become listed. These potential negative implications, however, must be viewed in light of the law's legislative mandate, which is to provide legal protection for those species whose populations are critically low and are in danger of becoming extirpated from the state. Adding the Upland Sandpiper, Black Tern, and Kirtland's Warbler to the List is warranted when considering their rarity, population trends, along with the ongoing threats they face.

The Upland Sandpiper is a bird of large open landscapes, which has significantly declined in Wisconsin. Most suitable habitat for this species has been lost or fragmented by intensive agricultural practices. WSO believes that listing this species will help to focus property management efforts and resources on improving and expanding Upland Sandpiper habitat.

The Black Tern is a wetland-dependent species that has also significantly declined in Wisconsin. Like the Upland Sandpiper, WSO believes that listing the Black Tern will help to focus management efforts and resources on restoring wetland complexes.

The Kirtland's Warbler is federally listed as Endangered because of its highly specialized habitat requirements and narrow geographic range. Until recently, the breeding range of this species was restricted to scattered localities in the northern Lower Peninsula and Upper Peninsula of Michigan and Ontario. In 2007, the Kirtland's Warbler expanded its breeding range into Wisconsin. WSO believes that providing additional protections for this species, along with the increased management effort typically afforded listed species, will help to ensure its long-term viability.

WSO also supports the proposed removal of three bird species from Wisconsin's Endangered and Threatened Species List. The Bewick's Wren has not nested in Wisconsin or neighboring states for many years and appears extirpated from our state. The Barn Owl is at the extreme edge of its range and is not a regular breeder in Wisconsin. The Snowy Egret is also at the edge of its range, and most individuals observed in Wisconsin appear to be non-breeders. Given these considerations, WSO feels that the limited conservation funding allotted to the Wisconsin Department of Natural Resources is better spent on other priority species.

Thank you for your consideration of our comments. We hope the remainder of the rulemaking process stays focused on legislative mandate to avoid loss of imperiled species.

Sincerely,

*Michael John Jaeger*

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