

Ethical Standards in Birding: Protecting endangered, threatened and rare species

SUMMARY: Birders have an obligation to protect certain species that overrides their personal interest in observing them.

“No important change in ethics was ever accomplished without an internal change in our intellectual emphasis, loyalties, affections, and convictions.” --*Aldo Leopold*

As birders, none of us would deliberately do anything to harm the birds we all enjoy and care about so deeply. But if we are not careful, our efforts to view birds may actually cause them harm. Therefore, as ethical birders, we must be self-regulating and be willing at times to sacrifice seeing that “life” bird or capturing that perfect picture in order to protect Wisconsin’s rarer birds.

HOW CAN WE MAKE SURE OUR EFFORTS TO SEE OR PHOTOGRAPH THESE BIRDS DOES THEM NO HARM?

- Always act in ways that do not endanger the welfare of birds and other wildlife.
- Observe all laws, rules, and regulations for public and private birding areas.
- Limit use of recordings and similar methods of attracting birds, especially in heavily birded areas or in known locations of rare birds or those that are easily disturbed.
- Observe and photograph birds without disturbing them in significant ways.
- Avoid chasing or repeatedly flushing birds.
- Minimize adverse effects to the environment by staying on existing roads, trails, and pathways whenever possible.
- Birders should take special considerations when observing raptors and owls.

The above guidelines are excerpted from the Wisconsin Society for Ornithology Code of Ethics. Please view the complete text at <http://wsobirds.org/about-wso/code-of-ethics>

FAQS ABOUT BIRDING ETHICS RELATED TO ENDANGERED*, THREATENED AND RARE SPECIES:

“What’s wrong with playing a recording to attract one of these birds? I’ll be careful and not play it too much.”

How much is too much? Five other people may have come along that day and also played a recording, thinking they were the only ones to do so. A bird on territory perceives this recorded voice as a competitor in their territory, and they may expend time and energy investigating and challenging this “intruder;” time and energy that could have gone into recovering from migration, attracting a mate, nest building, or feeding a mate and/or young.

Please note: Careful use of recordings or other means of attracting birds by experienced, sanctioned (e.g., Wisconsin Society for Ornithology -- WSO) field trip leaders may be acceptable in some situations, though not to disturb endangered or threatened species. The use of recordings by qualified researchers is yet another exception, but careful regulation of this activity must be part of an officially-accepted research plan.

“If I don’t report the rare, nesting bird I found on eBird, Wisbirdn and Facebook, other birders won’t be able to see and enjoy it. Isn’t this being selfish?”

No, it’s not. We should first think of the bird, its well-being, and the potential it has for successfully nesting. The pressures from additional visitors, even well-meaning ones, could ruin this bird’s chances for nesting successfully or even surviving. So please use caution when sharing information (e.g., on online birding networks) about the locations of summering or wintering rare, threatened, endangered, or “sensitive” (easily disturbed) species, and when you do so, remind others to follow ethical birding guidelines (ABA, WSO -- see below) when viewing these birds. Please only share these locations when these birds are viewable under circumstances (e.g., from roads or public hiking trails) that increased birder activity will not disturb the birds. Remember: You cannot control what happens after you reveal the location of one of these birds, and you may subject the birds to disturbance by others that could jeopardize their nesting success or even their survival!

- **eBird offers special guidance on this subject, including species-specific guidelines, at <http://ebird.org/content/wi/news/reporting-sensitive-species-in-wisconsin-ebird/>**
- However, **please DO report your findings to the WSO** so that your sighting can be entered into Wisconsin’s birding records. Reporting forms are available at <http://wsobirds.org/report-sightings>

“What’s wrong with slipping quietly into a posted area to view a bird? I’m more careful than the average birder, and wouldn’t disturb anything.”

Besides being illegal (harassment -- even unintentional -- of state- and federally-listed threatened and endangered species is prohibited by state and federal law, and carries penalties), in the case of very sensitive species, such as the Piping Plover, even a single intrusion may be enough to cause them to abandon an area. Besides, we don’t know what other pressures they may be facing, such as predators, the effects of weather, food availability, and so on. Your intrusion may be the “straw that broke the camel’s back” and causes nest failure. And what if everyone felt the same way you do about bypassing protections in order to view a bird? The protective measures would become meaningless and ineffective.

“Ordinarily I wouldn’t pursue a bird off a trail or approach closely, but isn’t it important to “push the envelope” in order to document the bird”?

No. Take notes of your observations, get what pictures you can from a distance, but don’t pursue the bird too closely or trespass to further document the bird.

“I saw someone ignore signs and bypass a fence to enter a closed nesting area. How should I handle this?”

Write down a description of this person and their vehicle, including the license plate number, and immediately report the incident to WDNR law enforcement or wildlife management personnel, or to the U.S. Fish and Wildlife Service (USFWS).

Wisconsin DNR Violation Hotline

1-800-TIP-WDNR (1-800-847-9367) or email le.hotline@wisconsin.gov to report wildlife, recreational and environmental violations.

Link to WDNR office locations: <http://dnr.wi.gov/contact/officelocations.html>

**For a list of Wisconsin’s Threatened and Endangered bird species, see: <http://dnr.wi.gov/files/PDF/pubs/er/ER001.pdf>*

See a list of Wisconsin’s rare bird species at:

<http://dnr.wi.gov/topic/endangeredresources/Animals.asp?mode=list&Grp=7>

U.S. Fish and Wildlife Service Region 3

1-612-713-5436 or email permitsR3MB@fqws.gov to report federal violations.

The Endangered Species Act protects all species that are federally listed as endangered or threatened. It is illegal to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any listed animal. **The Migratory Bird Treaty Act** makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, or barter any migratory bird, or the parts, nests or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations.

The following are some specific examples of species and locations in Wisconsin where bird disturbance problems have, or potentially could, arise. This is only a partial list; there are likely other species and locations that fall into this category:

- **Yellow-throated Warbler** at Wyalusing State Park (Grant County): Please do not play recordings of their songs or calls and please observe the birds from a respectable distance so as not to disturb any possible nesting activities.
- **Worm-eating Warbler** in Baxter’s Hollow (Sauk County): Please do not play recordings of their songs or calls; please do not flush the birds repeatedly, and do not approach possible nesting locations.
- **Northern Goshawk** nest sites in the Chequamegon and Nicolet National Forests: Please do not play recordings of their calls, nor approach possible nesting trees. Please do not reveal nesting locations on online birding networks. Please do report nesting locations to local WDNR Wildlife Managers (see “Link to WDNR office locations” above).

- **Piping Plover** at Long Island/Chequamegon Point (Ashland County) or anywhere else in Wisconsin: Please do not approach these birds nor enter posted areas designed to protect the birds. Please do report these birds to local WDNR or USFWS wildlife management personnel. Do report violations of safeguards intended to protect these birds (e.g., people entering closed areas) to WDNR or USFWS personnel. Piping Plovers are very sensitive to intrusion into their nesting area and are likely to nest only if they perceive that the area is free from disturbance. Therefore, preventing human entry into areas where they are found is essential.
- **Barn Owl** nest sites anywhere in Wisconsin: Please do not play recordings of their calls, approach nesting sites, or report nesting locations on online birding networks.
- **Long-eared Owl** on winter roosts anywhere in Wisconsin: Please do not closely approach these roosting birds, as doing so may cause them to abandon the roost site, which may adversely affect their winter survival. Please do not report roosting locations on online birding networks.
- **Red-shouldered Hawk** nest sites anywhere in Wisconsin: Please do not play recordings of their calls, approach nesting locations, or reveal specific nest site locations on online birding networks.
- **Osprey** and **Bald Eagle** nest sites anywhere in Wisconsin: Individuals of both species vary widely in their tolerance to disturbance. In general, please do not approach nesting sites closely: observe from a distance.
- **Kirtland's Warbler** summering or nesting, or **Whooping Crane** summering or nesting anywhere in Wisconsin: Individuals must NOT be disturbed under any circumstances! Report their location only to WDNR or USFWS personnel.

To report locations of state-listed endangered birds

Kim Grveles, Avian Ecologist, WDNR Bureau of Natural Heritage Conservation, 608-266-8594;
kim.grveles@wisconsin.gov and online at
<http://dnr.wi.gov/topic/EndangeredResources/forms.html#field>

To report locations of federally-listed endangered birds

Whooping Crane, Piping Plover, Kirtland's Warbler

Please contact the Green Bay office of the USFWS at 920-866-1717 or email GreenBay@fws.gov

LINKS TO ONLINE RESOURCES

- American Birding Association Code of Ethics <http://www.aba.org/about/ethics.html>

- Nature Photographers' Ethics <http://www.naturephotographers.net/ethics.html>
 - Wisconsin Society for Ornithology (WSO) Code of Ethics <http://wsobirds.org/about-wso/code-of-ethics>
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