

From: [Mike Murray](#)
To: [Britta Muiznieks](#)
Cc: [Darrell Echols](#); [Thayer Broili](#)
Subject: Re: Fw: "Greater Outer Banks" Waterbird Survey Coordination- Ad Hoc Technical Committee
Date: 10/29/2009 03:21 PM
Attachments: [Cooperative Agreement Waterbird Surveys.pdf](#)

Britta,

The cooperative agreement looks fine as is. My request would be for NCWRC to follow it as written, particularly the following sections (*emphasis added*):

Management

1. Management of colonial nesting waterbirds will include but is not limited to:

a. **Conducting annual surveys** to locate colonies and **monitor populations**.

2. The WRC or their designee will conduct aerial surveys of all nesting areas in early May **each year** to locate colonies. Colonies will be mapped and locations will be **compared to those of the previous year** to identify abandoned nesting areas. On-the-ground surveys will be conducted on abandoned areas to assess causes for abandonment and the means for making them attractive to nesting birds in future years. Information from the **annual surveys** will be used in the **annual** meeting to plan management activities and responsibilities for the subsequent year. Surveys will be coordinated with the landowner prior to initiation.

It may be worth asking the ad hoc technical committee what "**conduct annual surveys to ...monitor populations**" means in section 1.a. (above). Does it mean something less than conducting at least one survey or nest count? If everyone, by this agreement, is committed to conducting **annual** surveys, then why is the State not doing it? If they are doing it, wouldn't it make sense to coordinate the timing and survey methodology?

Mike Murray
Superintendent
Cape Hatteras NS/ Wright Brothers NMem/ Ft. Raleigh NHS
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▼ [Britta Muiznieks/CAHA/NPS](#)

**Britta
Muiznieks/CAHA/NPS**

0024565

To Thayer Broili/CAHA/NPS@NPS, Darrell
Echols/CAHA/NPS@NPS, Mike Murray/CAHA/NPS@NPS
cc
10/29/2009 02:26 PM
Subject Fw: "Greater Outer Banks" Waterbird Survey
Coordination- Ad Hoc Technical Committee

Attached at the bottom of the email is a copy of the '88-'89 Cooperative Agreement. Is there anything you see in the Agreement that the Park cannot live with that needs to be deleted or modified? I realize that any changes made to the Agreement will have to be run by upper management but wanted to see if there is anything else that I should try to push for besides coordinated timing of our CWB counts.

This may be a little premature, but if a discussion of dredge material and Green Island comes up, is this something the Park wants to pursue (Pg. 3: 1.d. and 5)? I know Sue Cameron at one point was pushing to see if we wanted to deposit dredge material on the island to maintain the vegetation at an early successional stage. Is this something the Park is willing to consider or are we just going to let nature take its course and allow vegetation to mature on the island? It is one of the few areas in the Park where we have a sizeable population of nesting COTEs (2009-28 nests, 2008-16 nests, 2007-87 nests). Green Island has also contributed to our AMOY pair numbers and has successfully fledged chicks since 2004. Nest numbers on Green Island will contribute to the goals we have established in our desired future conditions for the Park. To be able to maintain (or increase) these numbers and keep the vegetation at an early successional stage, we will have to start thinking about how to accomplish this.

Britta Muiznieks
Wildlife Biologist
Cape Hatteras National Seashore

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----- Forwarded by Britta Muiznieks/CAHA/NPS on 10/29/2009 01:21 PM -----

"Cobb, David T."
< david.cobb@ncwildlife.org >

10/29/2009 09:58 AM

To "John_Stanton@fws.gov"
<John_Stanton@fws.gov>,
"Dennis_Stewart@fws.gov"
<Dennis_Stewart@fws.gov>,
"Britta_Muiznieks@nps.gov"
<Britta_Muiznieks@nps.gov>,
"Michael_Rikard@nps.gov"
<Michael_Rikard@nps.gov>
cc "Cobb, David T." < david.cobb@ncwildlife.org >

0024566

Subject RE: "Greater Outer Banks" Waterbird Survey
Coordination- Ad Hoc Technical Committee

Cooperative Agreement is attached.

David T. Cobb, Ph.D.
Certified Wildlife Biologist
National Conservation Leadership Institute Fellow

N.C. Wildlife Resources Commission
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Get [NC Wildlife Update](#) - news including season dates, bag limits, legislative updates and more -- delivered to your Inbox from the N.C. Wildlife Resources Commission.

From: John_Stanton@fws.gov [mailto:John_Stanton@fws.gov]
Sent: Wednesday, October 28, 2009 6:11 PM
To: Dennis_Stewart@fws.gov; Britta_Muiznieks@nps.gov; Michael_Rikard@nps.gov; Cobb, David T.
Subject: "Greater Outer Banks" Waterbird Survey Coordination- Ad Hoc Technical Committee

Representatives from of the National Park Service (Cape Hatteras NSS and Cape Lookout NSS, North Carolina Wildlife Resources Commission, Pea Island National Wildlife Refuge and the U.S. Fish and Wildlife Service's Southeast Division of Migratory Birds) held a conference call held this past Monday (October 26th) to discuss current and future cooperation related to annual colonial waterbird surveys for the "Greater Outer Banks" region. Based on this call, I agreed to lead an ad hoc technical committee to further "flesh-out" what opportunities exist to improve upon or apply these annual surveys to better inform resource management agencies with regard to colonial waterbird conservation in NC and possibly beyond?. *You have volunteered or where volunteered to assist in this endeavor. Thank you.*

[Background \(Comments and direction taken from the Monday conference](#)

call:

A better understanding of where we are today with respect to colonial waterbird populations in the "Greater Outer Banks" region is warranted and what if any are the data gaps?

A cooperative agreement exists (signed in 1989) and provided guidelines for cooperative management and assessment of colonial waterbirds in NC. This agreement likely needs updating.

Park Service completes annual colonial waterbird surveys, but lacks data for nearby spoil islands being used by colonial waterbirds.

The North Carolina Wildlife Commission has conducted a long-term statewide colonial waterbird survey that dates back 30 years. Completion of this survey occurred on a 3-year interval.

There are technical questions on survey protocols, e.g. how should colonies classified?

What colonial waterbird species are the priority to survey?

What are the annual movements and site fidelity dynamics of selected colonial waterbird species? How do we effectively track this from year-to-year?

Timing and reporting of colonial waterbird use during the Statewide colonial waterbird surveys, conducted every three years, and the annual Park Service colonial waterbird surveys need to be compared and contrasted.

Next steps:

A. Answer these questions-

1. What are the resource management questions we are trying to answer with colonial waterbird survey data?
2. What data are needed to inform local management decisions?
3. What data are needed to inform larger scale (regional/population level) conservation of colonial waterbird species?

B. Revisit the 1989 Cooperative Agreement-

1. What language/recommendations can we suggest to improve coordination or better utilize current surveys efforts within the Cooperative Agreement?

C. Identify specific research studies needed to address specific management objectives-

1. List specific management objectives to answer with well-designed research studies.
2. Provide examples of research studies that are needed and include methods, time and cost estimates.

Please indicate your preference (date and time) in an email to me to call-in to discuss this charge and develop a strategy to produce a draft outline of recommended next steps for the agency reps. to consider in 2 weeks (Deadline- November 13th).

Nov 2 AM or PM?

Nov 4th AM or PM?

Take care,
John

*John Stanton
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[Southeast Division of Migratory Birds](#)

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disclosed to third parties. Cooperative Agreement Waterbird Surveys.pdf

COOPERATIVE AGREEMENT

among

CAPE HATTERAS NATIONAL SEASHORE
CAPE LOOKOUT NATIONAL SEASHORE
NATIONAL AUDUBON SOCIETY
NATIONAL MARINE FISHERIES SERVICE
NORTH CAROLINA DIVISION OF COASTAL MANAGEMENT
NORTH CAROLINA DIVISION OF MARINE FISHERIES
NORTH CAROLINA DIVISION OF PARKS AND RECREATION
NORTH CAROLINA NATURE CONSERVANCY
U.S. ARMY CORPS OF ENGINEERS
U.S. FISH AND WILDLIFE SERVICE

and

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

PURPOSE

The purpose of this Cooperative Agreement is to implement a program for the protection and management of the colonial nesting waterbirds of coastal North Carolina, hereinafter called the Colonial Waterbird Management Plan. The primary goals for this management program are:

1. To maintain the reproductive populations of native colonial nesting waterbird species at least at or near current levels.
2. To develop management tools including vegetation management, dredged material disposal management, and habitat protection from human intrusion, which will help stabilize or increase populations of those native species which are presently at low numbers or declining.
3. To discourage through habitat manipulation and public education those species whose numbers are increasing due to their exploitation of human-caused changes in the environment when it is determined that those species are jeopardizing the maintenance of stable populations of other native species.
4. To encourage a dispersed nesting population of each species over that portion of the coastal zone it traditionally occupied.

The basis for this management program is the Management Plan for North Carolina's Colonial Waterbirds by Dr. James F. Parnell and Mark A. Shields (unpublished draft project report) which was originally made available to all parties in May, 1985.

GENERAL TERMS

This Agreement requires close cooperation among officials of the listed organizations who are responsible for management

and protection of colonial nesting waterbirds within the legal limits of their jurisdiction.

Each of the parties to this Agreement agrees to appoint a representative to a Colonial Waterbird Management Committee which will meet at least once a year to identify management needs for the subsequent nesting season. Permit requirements for management activities to be implemented will be addressed during these discussions.

Amendments to this Agreement may be proposed by any party upon thirty days written notice to the others and such amendments shall become effective immediately upon acceptance by the parties.

It is mutually agreed that participation in this Agreement may be terminated at any time by any one of the parties upon thirty days written notice to the other parties.

This agreement in no way abrogates any existing or future authority of a cooperating State or Federal agency nor does it authorize any activity on lands of another agency without concurrence and approval by that agency.

COORDINATION

The North Carolina Wildlife Resources Commission shall be the lead agency in implementation of the Colonial Waterbird Management Plan and, as such, agrees to:

1. Coordinate activities related to this Agreement.
2. Schedule and conduct the annual meeting of the Colonial Waterbird Management Committee.
3. Promulgate and enforce regulations pursuant to Article 25, Chapter 113 of the North Carolina General Statutes to designate colonial waterbirds as species of special concern and to protect them as such.
4. Provide signs for posting nesting areas against human disturbance.
5. Provide educational materials on colonial nesting waterbirds for distribution to the general public.

MANAGEMENT

Each of the Parties to this Agreement agrees to implement management activities identified in the annual meeting to the extent possible given their respective limits of jurisdiction, manpower, budget, policies and directives. The following specific management proposals will guide the effort of the Parties:

1. Management of colonial nesting waterbirds will include but is not limited to:
 - a. Conducting annual surveys to locate colonies and monitor populations.

- b. Posting colony sites to preclude disturbances.
 - c. Enforcing regulations to protect colonies from disturbance.
 - d. Managing nesting habitat through timely deposition of dredged material or by controlling vegetation through other means. The goal of management of nesting habitat is to encourage nesting by target species or to discourage nesting by competing species which are expanding their ranges due to exploitation of human-caused environmental changes.
2. The Wildlife Resources Commission or their designee will conduct aerial surveys of all nesting areas in early May of each year to locate the colonies. Colonies will be mapped and locations will be compared to those of the previous year to identify abandoned nesting areas. On-the-ground surveys will be conducted on abandoned areas to assess the causes for abandonment and the means for making them attractive to nesting birds in future years. Information from the annual surveys will be used in the annual meeting to plan management activities and responsibilities for the subsequent year. Surveys will be coordinated with the landowner prior to initiation.
 3. The Wildlife Resources Commission agrees to assume management responsibility of nesting areas on state-owned lands not allocated to other agencies for management.
 4. Parties to the Agreement who have responsibility for issuing permits under the various state and federal statutes and those who have input into such permitting processes agree to lend expertise and technical guidance on management activities which might require permits.
 5. The U.S. Army Corps of Engineers agrees to direct dredged material to those dredged material disposal islands which are determined to have need for additional dredged material by the Management Committee if such deposition is consistent with the legal authority and responsibility and operating procedures of the agency.
 6. Enforcement of colony site closures will be shared between the Wildlife Resources Commission and the agency having legal jurisdiction over the property. In the case of State-owned lands not allocated to another agency for management, the Wildlife Resources Commission will assume enforcement responsibility.

COOPERATIVE AGREEMENT
for the
PROTECTION AND MANAGEMENT OF NORTH CAROLINA'S
COLONIAL NESTING WATERBIRDS

<p style="text-align: center;"><i>Charles R. Fullwood</i> _____</p> <p>Charles R. Fullwood Executive Director N.C. Wildlife Resources Commission</p>	<p>APPROVED</p> <p><i>12/8/88</i> _____ Date</p>
<p style="text-align: center;"><i>Thomas L. Hartman</i> _____</p> <p>Thomas L. Hartman Superintendent Cape Hatteras National Seashore</p>	<p><i>1-10-89</i> _____ Date</p>
<p style="text-align: center;"><i>William A. Harris</i> _____</p> <p>William A. Harris Superintendent Cape Lookout National Seashore</p>	<p><i>12/15/88</i> _____ Date</p>
<p style="text-align: center;"><i>Frank W. Dunstan</i> _____</p> <p>Frank Dunstan Vice President, Sanctuary Department National Audubon Society</p>	<p><i>12/16/88</i> _____ Date</p>
<p style="text-align: center;"><i>Randy P. Cheek</i> _____</p> <p>Randy Cheek Area Supervisor National Marine Fisheries Service</p>	<p><i>12/14/88</i> _____ Date</p>
<p style="text-align: center;"><i>David W. Owens</i> _____</p> <p>David W. Owens Division Director N.C. Division of Coastal Management</p>	<p><i>12/14/88</i> _____ Date</p>
<p style="text-align: center;"><i>William T. Hogarth</i> _____</p> <p>William T. Hogarth, Ph.D Division Director N.C. Division of Marine Fisheries</p>	<p><i>1/4/89</i> _____ Date</p>

COOPERATIVE AGREEMENT
for the
PROTECTION AND MANAGEMENT OF NORTH CAROLINA'S
COLONIAL NESTING WATERBIRDS



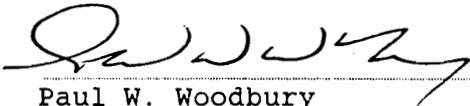
William W. Davis, Ph.D
Division Director
N.C. Division of Parks and Recreation

12/13/88
Date



Katherine D. Skinner
Executive Director
N.C. Nature Conservancy

12-13-88
Date



Paul W. Woodbury
Colonel
U.S. Army Corps of Engineers

12/23/88
Date



for James Pulliam, Jr.
Regional Director
U.S. Fish and Wildlife Service

1/26/89
Date