

CYS 10 - 02 -
AWR

R. Lambert
11-4-82

(OES)

UNITED STATES GOVERNMENT

memorandum

DATE: NOV 1 1982

REPLY TO: **ACTING**
ATTN OF: Regional Director, FWS, Twin Cities, MN (RE)

RE - Michigan
Kirtland's Warbler

SUBJECT: Acquisition of Kirtland's Warbler Habitat

TO: Director, FWS, Washington, D.C. (AWR)

The purpose of this memorandum is to advise you of the status of land acquisition for Kirtland's Warbler habitat. This year we have \$50,000 programmed to purchase habitat for the endangered species. Our preliminary contacts with landowners have been exceedingly favorable and we would expect to easily obligate the available funds. Due to the economic situation in Michigan, we estimate that we can obligate an additional \$75,000 this fiscal year. Although additional funds are not available at this time, we intend to take options in excess of \$50,000 and submit a request for reprogramming of LWCF money. In our negotiations, we will, of course, explain the funding situation to make sure landowners fully understand that there is a possibility the agreements may not be accepted.

We feel the opportunity to acquire these lands should be pursued vigorously at this time and hope that additional funds may become available for this purpose. We understand there may be carry over funds from other regions which cannot be obligated for the specific projects for which they were budgeted. Since the Kirtland's Warbler ranks high nationally on the Six Year Land Acquisition Schedule both in the Action Priority and Priority Number Columns, perhaps some of these funds could be reprogrammed for the Kirtland's Warbler.

James P. Helman

File Copy
Surname

OK
NBC
11/29/82
10/13/82
10/17/82

In Reply Refer To:
FWS/OES

AUG - 2 1982

Memorandum

To: Associate Director - Wildlife Resources
Acting Deputy
From: Associate Director - Federal Assistance
Subject: Use of Reverted Funds for Endangered Migratory Bird Species
Land Acquisition

We understand that funds reverted from the Federal Aid in Wildlife Restoration Act are utilized to carry out the purposes of the Migratory Bird Conservation Act. One of the highest priority Fish and Wildlife Service land acquisition projects is for the Kirtland's warbler, a migratory Endangered species so recognized by its inclusion on the lists promulgated by the Migratory Bird Treaty Act and the Endangered Species Act, respectively.

Currently, no LWCF appropriations are available for the acquisition of land for the Kirtland's warbler; however, \$50,000 is proposed for FY 1983. With the capability of acquiring approximately 100 acres in FY 1983, the Service will have protected 340 acres toward a total Service commitment of 4500 acres. As you can see, the land acquisition program for the Kirtland's warbler is moving slowly. At the current rate, it will take several years to complete Service acquisition.

The Service has entered into a cooperative management agreement with the State of Michigan and the U.S. Forest Service to acquire and manage breeding habitat for the Kirtland's warbler. The Forest Service and State have each designated habitat to be managed on a rotational basis; the Service has yet to meet its obligation to do the same. Habitat requirements are very specific for the warbler, with jack pine stands 5 to 20 feet tall (8 to 21 years old) used for nesting. In order to intensively manage through prescribed burning and cutting, the Service must complete acquisition of the designated inholdings within Ogemaw State Forest. The tracts targeted for Service acquisition are actively being subdivided into 10-acre parcels and have wide appeal to buyers from the surrounding cities for seasonal recreation.

The Region has the capability to obligate between \$50,000 and \$85,000 this fiscal year towards acquisition of Kirtland's warbler habitat. These figures reflect actual land costs and preacquisition costs, such as for appraisals. As many as 250 acres could be purchased this year with the subject funds.

With an annual dedication of part of the reverted Federal Aid in Wildlife Restoration Act funds towards acquisition of Kirtland's warbler habitat, the project could be completed much sooner. Considering the precarious status of

the species (206 nesting pairs in existence), escalating land prices, the nature of intensive management necessary for recovery, the time that elapses between habitat manipulation and potential use by the species (approximately 7 years), and the rate of tract subdivision, continued existence of the resource cannot be assured with the current rate of land acquisition and management. Therefore, we hope you will favorably consider our proposal for use of the currently available reverted funds and allow an annual allocation from these funds for this project.

By: [Signature]

cc: Directorate Reading File
DD Chron
AFA Reading File
Region 3
FWS/OES:BSparrowe:235-2760:hbc:sd:draft:7/28/82:final:7/29/82

DEPARTMENT OF THE INTERIOR

FY 198~~2~~⁴ Budget
 Appeals to Senate of House Action

Bureau/Office: Fish and Wildlife Service

Appropriation: Land and Water Conservation Fund

(Dollars in Thousands)

<u>Item Being Appealed</u>	<u>198³ Enacted</u>	<u>198⁴ President's Request</u>	<u>House Allowance</u>	<u>Difference Request/ Allowance</u>	<u>Amount Appealed</u>	<u>Appeal Level</u>
Kirtland's warbler	0	50	500	+450	-450	50

House Action: Increased President's budget request by \$450,000.

X House Report Statement: Addition of \$450,000 for acquisition of Endangered species habitat.

Appeal: The House action is opposed because it exceeds the President's original budget request.

Appeal Justification: This project is for continued acquisition of nesting and associated foraging habitat for the Kirtland's warbler within the Ogemaw State Forest, Michigan. The parcels proposed for acquisition are identified for protection in the approved recovery plan. These tracts are actively being subdivided into 10-acre parcels and have wide appeal to non-local buyers from the surrounding cities for seasonal recreation.

The endangered Kirtland's warbler requires specific breeding habitat. Nearly all nests are found on jack pine stands five to twenty feet tall (8 to 21 years old) which have resulted from forest fires. In order to proceed with the prescribed burning outlined in the Cooperative Management Agreement (U.S. Fish and Wildlife Service, U.S. Forest Service, and the State of Michigan), inholdings within the State Forest should be in public ownership. The warbler population has declined from approximately 1,000 birds in 1961, to about 232 nesting pairs at present. Management of the dry-site jack pine community under the strategy outlined in the habitat management plan will simultaneously provide sustained habitat conditions for a wide variety of plant and animal species, including the Kirtland's warbler, and a valuable wood fiber resource for man.

The Service does not need additional funds in FY 1983 since the currently-requested amount is sufficient to implement the present schedule of habitat acquisition for the warbler.