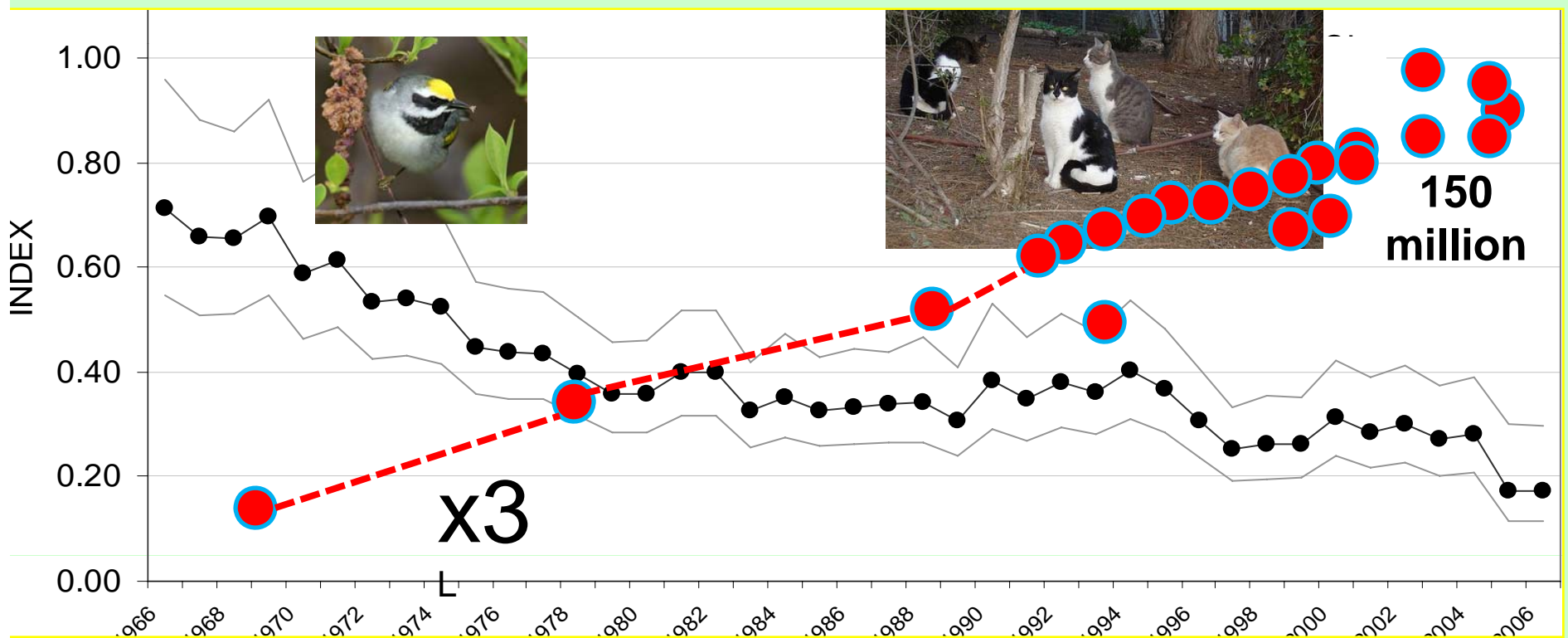
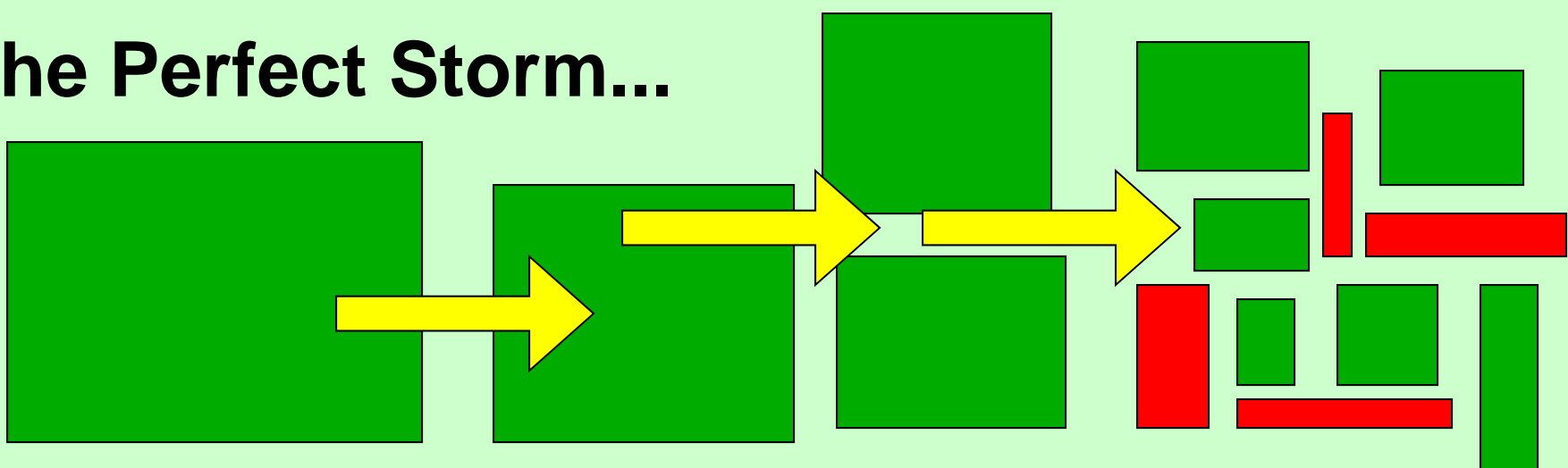


What Can Federal Agencies Do? Policy Options to Address Cat Impacts to Birds and Their Habitats



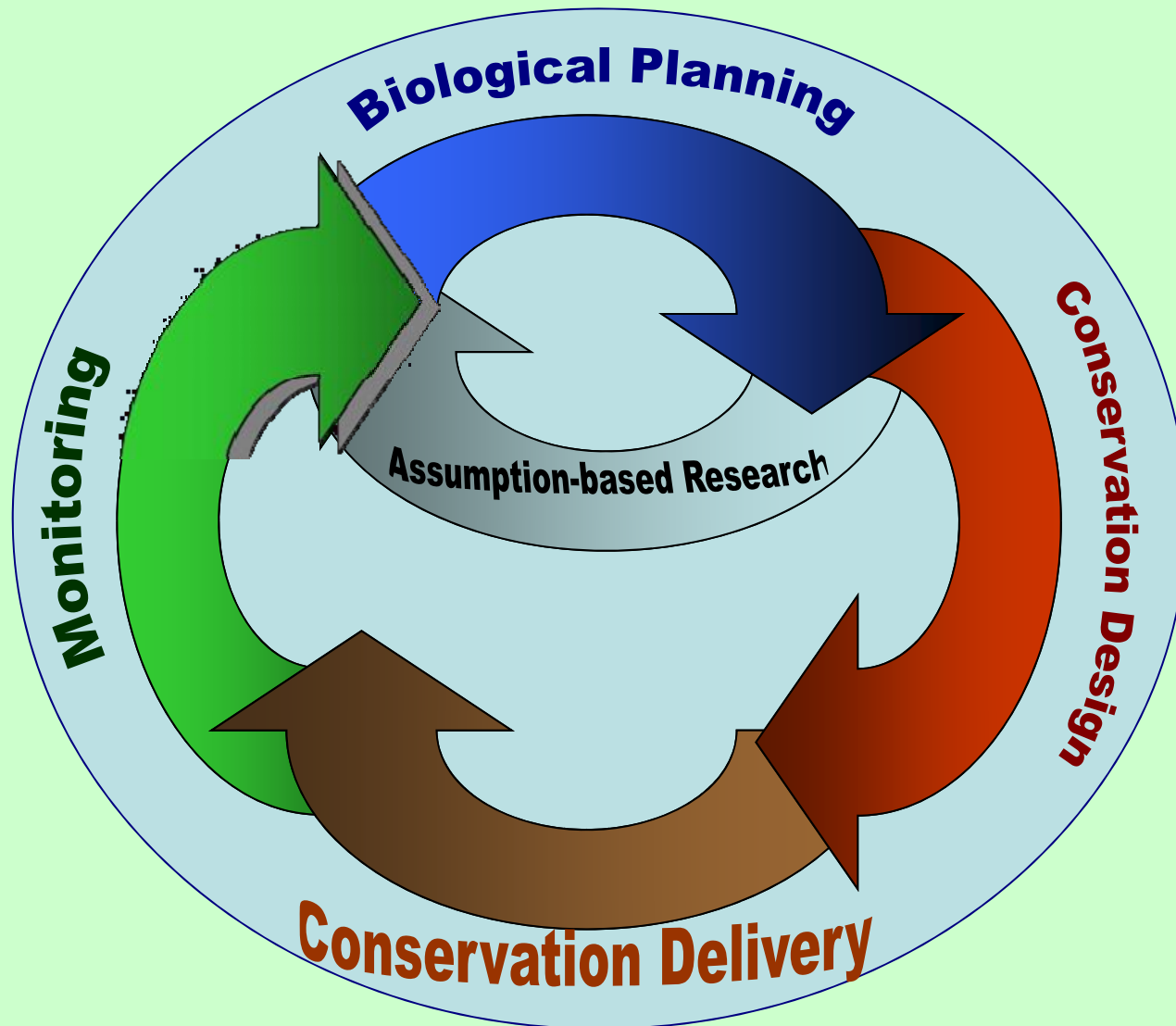
***Tom Will, US Fish & Wildlife Service – Fort Snelling, MN
Bird Conservation Alliance Teleconference – 28 January 2010***

The Perfect Storm...

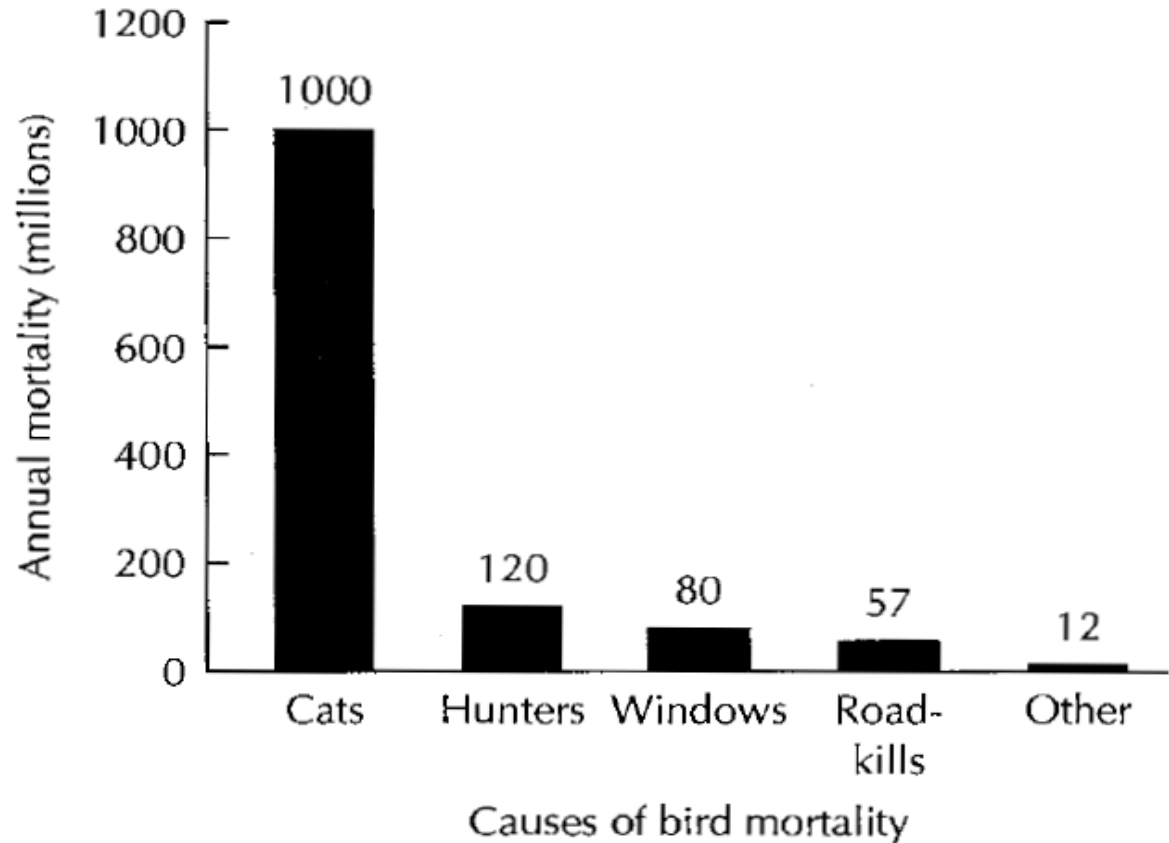


40 years →

Strategic Conservation



One of the biggest sources of direct anthropogenic-caused bird mortality



A contentious, complex, rapidly proliferating problem... **but solvable.**

What can the Service do about it?

- **ASSUME A LEADERSHIP ROLE**
- **Support science (research & monitoring) needed to address the key questions that impede our ability to convince appropriate decision makers.**
- **Approach invasive, feral, abandoned cats — and TNR colonies in particular — as an environmental & ecological issue, not only a social issue.**
- **Firm policy statement** — clear, definitive, easily available — as a tool for partners. We are unlikely to change behavior of TNR advocates or even domestic cats-outdoor owners, so focus on decision makers.

Legislation Guiding the Service's Work with Migratory Birds



Migratory Bird Treaty Act

Endangered Species Act

Presidential Executive Order (2000)

Who are the decision makers?

- **Individual home owners who let their cats roam**
- **County boards and city councils who are faced with pressure to enforce existing laws**
- **County boards, city councils, and States pressured to endorse TNR as a management strategy**



Existing policy?



Charleston SC ES Office (2007) in response to inquiry:

1. **Is it still FWS policy to promote legislation banning feeding of wildlife?**

Yes. The U.S. Fish and Wildlife Service (Service) stands firmly behind its recommendations promoting legislation banning the feeding of wildlife, especially nuisance species such as feral cats. **Local governments are better equipped than are Federal and State agencies to regulate feral and free-ranging cats since most local governments have ordinances in place to address domestic animal issues as well as animal control services and personnel to implement those ordinances.**

2. **Is it still FWS policy opposing free ranging cats and**

establishment of feral cat colonies? Yes. The Service continues to oppose the establishment of feral cat colonies as well as the perpetuation and continued operation of feral cat colonies. **As an agency responsible for administering the regulatory provisions of the Endangered Species Act (ESA) and the Migratory Bird Treaty Act (MBTA), the Service's position is that those practicing Trap-Neuter-Release (TNR) could be subject to prosecution under those laws.**



Existing policy? [2]

Charleston SC ES Office (2007) in response to inquiry (2):

3) Is it still FWS policy opposing TNR programs? **Yes.**

... the **Service's New Jersey Field Office** correctly states that “a municipality that carries out, authorizes, or encourages others to engage in an activity that is likely to result in take of federally protected species, such as the establishment or maintenance of a managed TNR cat colony, may be held responsible for violations of Section 9 of the ESA.”

Existing policy? [3]



New Jersey ES Field Office (Nov 2009)

in response to NJ Dept. Environmental Protection,
Division of Fish & Wildlife:

... **The Service strongly opposes** domestic or feral cats (*Felis catus*) being allowed to roam freely within the U.S. due to the adverse impacts of these non-native predators on federally listed threatened and endangered (T&E) species, migratory birds, and other vulnerable native wildlife. Therefore, **the Service opposes TNR programs** that allow return of domestic or feral cats to free-ranging conditions.

Existing policy? [4]



New Jersey ES Field Office (Nov 2009)

**in response to NJ Dept. Environmental Protection,
Division of Fish & Wildlife (2):**

- ... Migratory birds are Federal trust resources and are afforded protection under the MBTA**, which prohibits the take of a migratory bird's parts, nest, or eggs. Many species of migratory birds, wading birds, and songbirds nest or migrate throughout New Jersey. Migratory birds could be subject to predation from State municipality, or land manager-authorized cat colonies and free-ranging feral or pet cats. **Predation on migratory birds by cats is likely to cause destruction of nests or eggs, or death or injury to migratory birds or their young, thereby resulting in a violation of the MBTA.**

A contentious, complex, rapidly proliferating problem... but solvable.

What can the Service do about it? (2)

- **LEADERSHIP**
- **Science to address strategic questions**
- **Policy statement**
- **Practice active removal of feral and unrestrained cats on all Service-protected lands using non-TNR humane methods.**
- **Where there is a federal nexus, require environmental impact statements by jurisdictions considering the endorsement of TNR programs.**
- **Policy enforcement – Service and/or MOU federal lands as a start? In cases of direct responsibility, targeted prosecutions under the MBTA or ESA?**

A contentious, complex, rapidly proliferating problem... but solvable.

What can the Service do about it? (3)

RECOMMENDATIONS to partners and decision makers:

- **Promote responsible pet ownership**
- **Support cat licensing and leash laws**
- **Challenge policies that promote feral colonies and TNR as a means of controlling feral cat populations**
- **Encourage science-based decision making**
- **Support the enforcement of existing animal control laws and regulations**
- **Increase open dialogue and partnership with the animal welfare, sheltering, veterinary, and public health communities**



(c) North Atlantic Skyline 2007

**A contentious, complex, rapidly proliferating
problem... but solvable.**

What can the Service do about it? (4)

RECOMMENDATIONS to partners and decision makers:

- **What do you want to see the Service recommend?**