

Treasure Coast FSA

Post-season meeting 10/22/18 notes

American Oystercatcher

- The AMOY population in the Indian River Lagoon Aquatic Preserve was discussed. Habitat preference was noted to be atypical in that birds will nest on islands in close proximity to tall vegetation, although often near the interior lagoons that exist on some islands.
- Habitat management to maintain early successional sites on spoil islands will continue for this species in the IRL AP.
- Also notable for this population was the presence of birds that appeared to be defending a nesting territory but did not nest. It was hypothesized that some environmental condition may be preventing the birds from nesting physiologically, like insufficient food resources or perhaps something more insidious like an environmental contaminant. Monitoring will continue.
- The AMOY pair at MC2 AKA Bird Island Critical Wildlife Area in Martin county nested and fledged one chick.
- Interest was expressed in banding the AMOY in the area to better understand movement patterns, site fidelity, survivorship, etc. A similar suggestion has been made for the AMOY in the Lake Worth Lagoon (Palm Beach County).

Black Skimmer

- Rooftop-nesting Black Skimmers were successful at one Martin County rooftop site.
- One ground-nesting colony of Skimmers was present near the St. Lucie inlet in Martin County but were over washed before fledging any chicks. This represented the farthest south that any ground-nesting BLSK were observed in 2018.

Least Tern

- Least terns successfully nested on one rooftop in each of our 3 counties.
- The Office Depot rooftop in Vero Beach had issues throughout the season with emergency rooftop/AC repairs. The companies were responsive and cooperative with FWC about getting Incidental Take Permits and following recommendations to minimize impacts on the nesting terns. Fencing had been placed around the edge of this rooftop prior to the nesting season but some birds nested outside of the fenced area regardless leading to some issues with chicks falling off of the roof.
- The “abandoned” Outlet Mall site in St. Lucie Co. also was active and successful for Least Terns in 2018. Issues with terns falling off of the rooftop occurred and there is a need at this site to establish better communication with the property manager to get rooftop access to return fallen chicks to the roof and also to raise awareness of the birds presence on site with employees, etc.
- The Treasure Coast Plaza rooftop complex in Martin Co. was active and successful this year.
- Indian River Co. had two ground nesting LETE (Least Tern) colonies that failed due to overwash. Methods that may be available to raise the elevation of these sites to allow successful nesting were discussed and included armoring with oysters/riprap, direct sediment deposition, and

placing temporary/artificial structures on top of the island which may avoid permitting concerns associated with other suggested techniques.

- Martin Co. had two unsuccessful ground nesting attempts by LETE on “mainland” beaches on Jupiter Island. The largest LETE colony on the east coast was successful at the St. Lucie inlet sandbar with ~250 nests at its peak. This site was formerly a party sandbar in an area with lots of boat traffic. However the favored party sandbar has shifted to a more protected area nearby. The site was posted by FWC and compliance by the boating community was excellent. Due to the importance of this site it was suggested that a pre-season education push be made, and also to post the site as early as possible in the season.

General Discussion

- Suggestion for FSD to develop a way to attach photos of a site along with site description. Would be helpful to know what exact building one is looking for, especially if name of business on building has changed, and also to know what vantage point surveys have been done from previously to maintain consistency.
- Suggestion to provide signs for vehicles, name tags, or other methods to identify FSA volunteers surveying near sensitive sites (schools, daycares, etc.).
- Suggestion to increase the emphasis on migratory and wintering shorebirds during Beach Sensitivity Training that is required for conservation personnel to be allowed to drive on the beach. Two ESA protected species (Red Knot and Piping Plover) can sometimes be flushed by vehicles on the beach
- Suggestion to keep an eye out for LETE nesting in non-traditional areas such as recently cleared construction sites, infrequently used gravel roads and parking lots, etc. In Palm Beach Co. several sites were found in these kinds of areas in 2018.
 - One potential site to keep an eye on in the Treasure Coast is along Indian River Dr.
- Question about habitat management at Fort Pierce Marina Island: The City is not required to maintain appropriate beach nesting bird habitat onsite. Management requirements instead pertain to mangrove and oyster habitat metrics. The city indicated they would manage this site for nesting birds but are not bound by any regulation or contract to do so. As a result, public input supporting this kind of management is the only avenue available to this Partnership to influence the actions of the City in this matter. A contract to perform work on this site to repair damage from Hurricane Irma is in place but is running far behind schedule.

Incidental Take Permit (ITP) Update

- ITPs designed to allow a process for emergency repairs to be made on rooftops with nesting colonies
- It is not politically feasible to prevent all rooftop access- so by requiring an ITP, it ensures that a property owner/manager or repair crew at least receive instruction on how to minimize impacts (e.g. performing work as early as possible in the day, limiting amount of time on rooftop, etc)
- Permitting process also dissuades people from doing work that is not truly an emergency.
- This is still a new process and improvements are being pursued

- Currently all permits go through Tallahassee – allowing local control may streamline process for applicants and limit the number of people that may choose to do unpermitted work because the process is too difficult
- It is very difficult to enforce this law. People need to be caught in the act. Cases are also strengthened by demonstrating that the violators are knowingly breaking the law. If possible document yourself notifying any violators you observe that they are breaking the law, if you find yourself in that position. Contact FWC Law Enforcement and make sure to be mindful of your personal safety when confronting any violators.
- Because rooftops are manmade structures, no mitigation is required for the incidental take that is permitted through this mechanism

Law Enforcement Patrols Update

- FWC biologists have been working with FWC Law Enforcement to get shorebird nesting areas patrolled more frequently for violations
- FWC biologists provide a list of priority locations that Officers use a specific code for when logging their time.
- This allows officers to know where to concentrate efforts and for the agency to track how frequently sites are visited and how much time is being spent by officers to protect these areas
- Next year the St. Lucie inlet site will be added to the list of priority sites to ensure the area is patrolled regularly
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Migratory Bird Treaty and HB631 Update

- The MBTA was recently reinterpreted to provide less protection for birds that are harmed by incidental take (i.e. otherwise lawful activities that cause take of birds as an unintended consequence)
- Florida is one of many states that have complimentary laws to the MBTA, the interpretation of which has not changed
- So while some activities may no longer be considered illegal on a federal level, they still are according to state law
 - This always has been a gray area that has been difficult to enforce
- Many lawsuits are pending regarding this change in interpretation
- HB631 complicated the issue of beach access in Florida and is also the subject of pending litigation
- Access to private beaches above mean high tide may now be considered illegal depending on local ordinances
- This is of interest to our partnership because of the implications it may have for surveying and posting nesting sites on privately owned beaches.
- Please be aware of this new law and check ownership and access status of any areas you regularly survey

Florida Shorebird Database Explore Data Tutorial

- Please see attached PowerPoint
- Survey 123 was suggested as a future addition to the FSD which is used to some Sea Turtle and Bald Eagle databases already and is reported to be very user friendly to the FSA members that have used it

Fish and Wildlife Research Institute Shorebird Study Update

- FWRI investigated the accuracy of flush counts at determining the number of birds nesting on roofs by comparing flush counts to actual nest counts on a subset of rooftops this season
- Flush counts underestimate numbers of Least Terns since some birds do not flush and others may flush in a direction not visible from the observer's viewpoint
- To compensate for this a correction factor was devised based on the data collected this year to provide a more accurate estimate of the rooftop nesting LETE
- This method was not as successful for BLSK and the study was also limited by a small sample size for rooftop nesting BLSK
- Wilson's Plovers were detected at greater rates than in previous years in many areas following the encouragement from FWRI for partners to search for them this year
- We did not have any in our partnership or anywhere in the east coast or keys south of Cape Canaveral.
- Next year the keys will be a major focus of FWRI's WIPL efforts