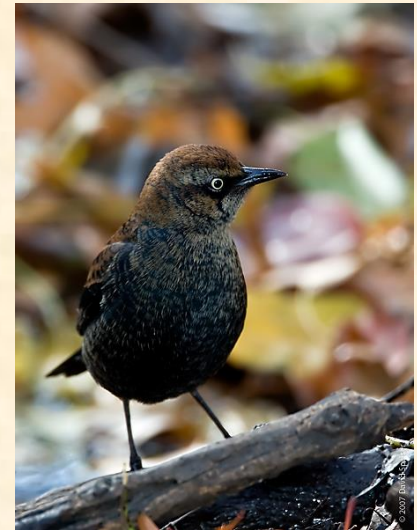


# Overview of Federal Legal & Protected Status of RUBL

## United States

### Migratory Bird Treaty Act

- Implementing legislation for treaties with Gr. Britain, Mexico, Russia, Japan
- Protects 1025 “migratory” species
- Blackbirds/Icterids included



# Overview of Federal Legal & Protected Status of RUBL

## United States

### Migratory Bird Treaty Act - Prohibitions

- Establishes a federal prohibition against unauthorized pursuit, hunting, harm, killing, possession, of the protected species (“take”)
- Does not provide for the protection of habitat, nor mandate proactive conservation and management to sustain populations of protected species.



# Overview of Federal Legal & Protected Status of RUBL

## United States

### Migratory Bird Treaty Act - Take



- Take of protected species can be authorized by Secretary of Interior (designee = USFWS):
  - hunting regulations (waterfowl, dove)
  - permits (scientific collecting, depredation)
  - Conservation Orders (snow geese)
  - Depredation Orders (blackbirds, cormorants)



# Overview of Federal Legal & Protected Status of RUBL

## United States

### Blackbird Depredation Order

- RUBL formerly included in standing Depredation Order for blackbirds, magpies & crows
  - RUBL removed in 2010 thru Federal rule-making
  - Specific depredation permits may still authorize take of blackbirds in “nuisance” situations
  - May involve RUBL, but situations usually not where RUBL likely to be targeted



# Overview of Federal Legal & Protected Status of RUBL

## United States

### Blackbird Control Activities



Remains unclear what the implications of blackbird control activities – either under DO or permitting – may have had on RUBL populations:

- Geography of RUBL vs control activities
- habitats, circumstances differ



# Overview of Federal Legal & Protected Status of RUBL

## United States

### Other Federal Designations

- Endangered Species Act – no designation; no petitions; not a candidate
- Birds of Conservation Concern – national; 5 Regions; 11 BCRs
  - not a legal designation; FWS mandated to maintain this list (focused on nongame species)
- Focal Species – programmatic designation (“focus”)



# Overview of Federal Legal & Protected Status of RUBL

## Canada (70% of breeding range)



### Migratory Birds Convention Act

- Implementing legislation for treaty with US
- Similar protections against take as MBTA in US
- BUT – blackbirds & other “nuisance” groups NOT afforded protection



# Overview of Federal Legal & Protected Status of RUBL

## Canada

### Status & Designations

- Species at Risk Act, COSEWIC (2006) – Special Concern:  
may become threatened or endangered due to combination of biological characteristics and identified threats
- SARA/COWEWIC – establish species at risk; recovery strategy; prohibitions; federal lands
- Provincially – secure → vulnerable → unknown (Nunavut)





# Overview of Federal Legal & Protected Status of RUBL

Government of Canada / Gouvernement du Canada

Canada

Species at Risk Public Registry  
<http://www.registrelep-sararegistry.gc.ca>

Français Home Contact Us Help Search canada.gc.ca

Home > [Canada's Strategy](#) > [Background](#) > Purpose

**Our approach**

- Canada's Strategy
- Species at Risk Act (SARA)
- Species List

**SARA Components**

- A to Z Species Index
- Assessment
- Listing
- Recovery
- Permits & Agreements

**Get involved**

- Public Consultations
- SARA & You
- Education Centre

## Purpose

The purposes of the Act are to prevent Canadian indigenous species, subspecies, and distinct populations from becoming extirpated or extinct, to provide for the recovery of endangered or threatened species, and encourage the management of other species to prevent them from becoming at risk.

More specifically, the Act will:

- establish the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) as an independent body of experts responsible for assessing and identifying species at risk;
- require that the best available knowledge be used to define long and short-term objectives in a recovery strategy and action plan;
- create prohibitions to protect listed threatened and endangered species and their critical habitat;
- recognize that compensation may be needed to ensure fairness following the imposition of the critical habitat prohibitions;
- create a public registry to assist in making documents under the Act more accessible to the public; and
- be consistent with Aboriginal and treaty rights and respect the authority of other federal ministers and provincial governments.

SARA is a result of the implementation of the Canadian Biodiversity Strategy, which is in response to the United Nations Convention on Biological Diversity. The Act provides federal legislation to prevent wildlife species from becoming extinct and to provide for their recovery.

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