

**Listing Proposal
for
McCown's Longspur (*Rhynchophanes mccownii*)
in Nebraska**



Photo by Shawn Billerman

**Prepared by Melissa J. Panella and Joel G. Jorgensen
Nebraska Game and Parks Commission
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Introduction

The Nebraska Game and Parks Commission (hereafter, Commission) is authorized under the Nebraska Nongame and Endangered Species Conservation Act (NESCA; Neb. Rev. Stat. § 37-801 to 37-811) to determine what species should be placed on the list of threatened or endangered species maintained under the act. Species that are listed as threatened or endangered federally are automatically placed on the state's list of threatened or endangered species; however, there are additional unlisted species whose continued existence within our state is at-risk and who are candidates for state listing. The Commission is obligated to conduct a review of species when monitoring data or emerging issues indicate concern. In 2017, Commission staff undertook a review of the state's wildlife, including plants, to determine whether any species warranted placement on the list or whether any species currently listed as threatened or endangered should be removed from the list. The last full review and revision of the list occurred in 2000. The purpose of the current statewide review is to maintain an accurate list of threatened and endangered species, based on the best information available, to help the Commission complete its mission of effectively conserving the wildlife resources of Nebraska. Over the last several months, Wildlife Division staff received input from species' experts, conducted extensive literature reviews, and coordinated with the Commission's Fisheries and Planning and Programming divisions to develop a list of species to consider for listing action. An in-house committee (Appendix 1) further refined the list based on multiple criteria of relevance, including but not limited to those described in Nebraska statute 37-806 (process and legal requirements; see Appendix 2). Wildlife Division staff concluded McCown's Longspur (*Rhynchophanes mccownii*) has experienced significant, well-documented declines in abundance in Nebraska and throughout its range and should be placed on the state list.

Species Description:

McCown's Longspurs are medium-sized birds in the Order Passeriformes, Family Calcariidae. The average size of McCown's Longspur is 15 cm (6 in) long with wing spans of 28 cm (11 in), and body mass of 23 g (0.8 oz). Both male and female longspurs have white outer tail feathers with dark central feathers forming an inverted T-shape. The plumage of breeding males is streaked above, with black crown, whitish face, black whisker markings below the eye, gray rump, chestnut wing bar, and black band across the upper breast. The females and winter males are duller in color and more streaked; males may maintain a vestige of the black breast band. It has a large conical bill which is stouter than other longspurs.

Habitat Requirements:

McCown's Longspurs are a species of the western Great Plains of North America. In Nebraska, McCown's Longspurs occur in the wide expanses of high-plains shortgrass prairie located west of the Sandhills in the Panhandle (Sharpe et al. 2001). They are typically found in sparse shortgrass prairies, plowed and stubble agricultural fields, and other areas with little

vegetative litter or bare ground (Felske 1971, Sharpe et al. 2001, Dechant et al. 2002). Breeding habitat is generally dry, shortgrass plains. Rosche (1982) reported that longspurs nest in light to moderately grazed native shortgrass prairie, frequently at prairie dog colonies. McCown's Longspurs apparently avoided using agricultural fields until recently (DuBois 1935, Mickey 1943, Dechant et al. 2002). The first report of their nesting in agricultural fields in Nebraska was in 2007 when 21 nests were found in Kimball County (Snyder and Bly 2009). It is possible that agricultural fields were providing breeding habitat prior to 2007, but there are no known records to determine this with certainty. Change in habitat use may be the result of loss of native shortgrass prairie, agricultural conversion, and habitat fragmentation. Territory size requirements vary by region and habitat quality, with a range of 0.5–1.5 ha (Dechant et al. 2002). McCown's Longspurs feed primarily on insects (e.g., grasshoppers, beetles, and moths) and other arthropods in the summer and seeds from grasses and forbs in fall and winter (With 2010).



FIG. 1. Sparse shortgrass prairie is the nesting habitat of McCown's Longspurs. The ecosystem supports many species of native wildlife such as this mother American badger (*Taxidea taxus*) carrying her baby. This photo was captured by JGJ during a trip to see longspurs, which he was unable to photograph that day, in the same area.

Distribution and Temporal Occurrence:

McCown's Longspurs are migratory; the species' breeding and wintering range is entirely within North America (Fig. 2, With 2010). The southern limit of the breeding range is in east-central Colorado (Colorado Bird Atlas Partnership 2016), and the northern limit extends into the Canadian provinces of Saskatchewan and Alberta (With 2010). McCown's Longspurs winter in the southwestern U.S., primarily west Texas, Oklahoma, and New Mexico, and northwestern Mexico (Mickey 1943, Krause 1968), ranging into the grasslands of the Chihuahuan Desert (Partners in Flight 2016).

McCown's Longspurs have always been part of the ornithological landscape with records since the time of settlement by Europeans. Bruner et al. (1904) considered the species to be an uncommon migrant and noted its breeding occurred in Sioux County. The McCown's Longspur's distribution within Nebraska is limited currently to the westernmost parts of the state (Figs. 2–3). It is a common spring and fall migrant in the western Panhandle and breeds locally within two areas, the southwestern Panhandle including most of Kimball, southern Banner, and western Cheyenne counties and the prairies of central and southern Sioux County (Rosche 1982, Sharpe et al. 2001, Johnsgard 2013). Within Nebraska, as in nearby Wyoming (Faulkner 2010), McCown's Longspurs nest in localized areas likely because of the patchy distribution of suitable habitat (Rosche 1982, Sharpe et al. 2001). Rosche (1982) noted the eastern edge of the breeding range expands eastward during dry years and retreats westward during wet years.

Sharpe et al. (2001) reported that migrants are common in the Panhandle but casual elsewhere in Nebraska. Spring migrants arrive typically in April but sometimes as early as March (Sharpe et al. 2001). Fall departure occurs normally in late October, sometimes November (Sharpe et al. 2001). Occurrence of McCown's Longspurs during winter in Nebraska is hypothetical; there are reports of them wintering in the state prior to 1974, but these reports are undocumented and are likely errors (Sharpe et al. 2001). There are no data on individual distances traversed during migration (With 2010).

Reproduction:

McCown's Longspurs likely begin breeding at 1 year of age (With 2010). Breeding occurs mid-March to mid-August (With 2010), but individuals may remain on breeding grounds as late as October to November (Johnsgard 1980). Nests are most often located on top of hills and buttes where males sing and perform courtship displays (With 2010, Mollhoff 2016).

The female lays 2–5 pale green eggs with dark brown and black spots in a grass-lined hollow or scrape on open ground (With 2010). Nests are sometimes associated with dung from cattle (With and Webb 1993) or horses (DuBois 1935) but usually associated with bunch grasses, some shrubs, or cacti (With 2010). The female incubates 12 days (DuBois 1937, Mickey 1943); she alone is responsible for all the incubation (With 2010). Both parents then tend young that leave the nest after 10 days and can fly 12 days after hatching (DuBois 1923). McCown's Longspurs frequently produce two broods in a single nesting season, but this may be limited by the energy reserves of the female (Felske 1971, With 2010). Subsequent or replacement nests

within individual territories may be located an average of 30.4 m from the first nest (With 2010). Brood parasitism by Brown-headed Cowbirds (*Molothrus ater*) can occur, but it is unclear if this has a significant effect on populations of McCown's Longspurs (Friedmann 1963, Maher 1973, Dechant et al. 2002).

Pairs may nest in close proximity to each other (Mickey 1943, Felske 1971). Felske (1971) reported that territory size varied from 5,000–10,000 m², with the smallest territories located on the steepest inclines and competition occurring for the better nesting sites. Greer and Anderson (1989) suggested a small territory size when McCown's Longspurs are in uncrowded habitat with plentiful food resources. While McCown's Longspurs may find a patch of habitat sufficient for nesting attempts, the lower territory size limits where number of nest failures begins to increase is unknown (Dechant et al. 2002).

In Nebraska, Snyder and Bly (2009) observed nesting McCown's Longspurs in fallow agricultural fields in Kimball County in 2007 when 21 nests were located during surveys for Mountain Plovers. These observations suggest that McCown's Longspurs are more flexible in their habitat use than previously believed. However, it is unknown if nesting in agricultural fields occurs regularly, if the observations in 2007 are unique, or if agricultural habitats can serve as a suitable substitute to natural grassland habitats. It seems that McCown's Longspurs are attempting to accommodate the changes in their grassland nesting habitat, which has been greatly reduced.

Abundance and Status:

The McCown's Longspur is considered a species of significant conservation concern because of its relatively small range and well-documented broad, long-term population declines. The species' breeding range has been substantially reduced (Bent 1968, Krause 1968) and numbers of individuals have declined precipitously (With 2010). It is listed as a Tier 1 at-risk species in Nebraska (Schneider et al. 2011) and as a species of greatest conservation need (SGCN) in the bordering states of Kansas (Tier 2), Colorado (Tier 2), and Wyoming (Tier 2). It is recognized as a U.S. Fish and Wildlife Service Bird of Conservation Concern and a U.S. Forest Service Sensitive Species.

According to eBird data, citizen scientists only detected McCown's Longspurs at 46 locations in Nebraska over the last 10 Years (Sullivan et al. 2009). Under those same reports, birders usually only detected one or a few McCown's Longspurs at a time, but a high of 65 individuals was reported just south of Kimball on 1 May 2016 (Sullivan et al. 2009).

The Nebraska Breeding Bird Atlas reported 5 confirmed, 4 probable nesting McCown's Longspurs in 9 blocks (9 square-miles each) surveyed from 1984–1989 (Mollhoff 2001). In the Second Nebraska Breeding Bird Atlas, citizen scientists only reported 1 confirmed, 3 probable, and 3 possible nesting McCown's Longspurs in 7 survey blocks over the data collection period (Mollhoff 2016). Reports of McCown's Longspurs using upland shortgrass prairie exhibited a decline from 2% ($n = 9$ reports) to 1% ($n = 6$ reports; Mollhoff 2016).

North American Breeding Bird Survey trend analysis for the McCown's Longspur shows sharp annual declines of -5.9% (95% credibility intervals; -9.06, -2.83) survey-wide during the period 1966–2015 (Table 1; Sauer et al. 2017). The species is listed on the Partners in Flight Watch List with up to a 94% decline range-wide (appendix A: species assessment information; Partners in Flight 2016). Twelve percent of the entire breeding population of McCown's Longspurs are found in Bird Conservation Region (BCR) 18 (Shortgrass Prairie; RMBO 2005) which spans the Panhandle of Nebraska. In BCR 18, McCown's Longspurs have exhibited declines in both breeding and non-breeding numbers (RMBO 2005).

Partners in Flight estimates the global population of the McCown's Longspur to be 950,000 individuals (Partners in Flight 2016). Nebraska's population has been estimated to be ~5,000 individuals, although this is an estimation based on the available data (JGJ). The range of McCown's Longspurs in Nebraska is consequential and an important component of the species' population.

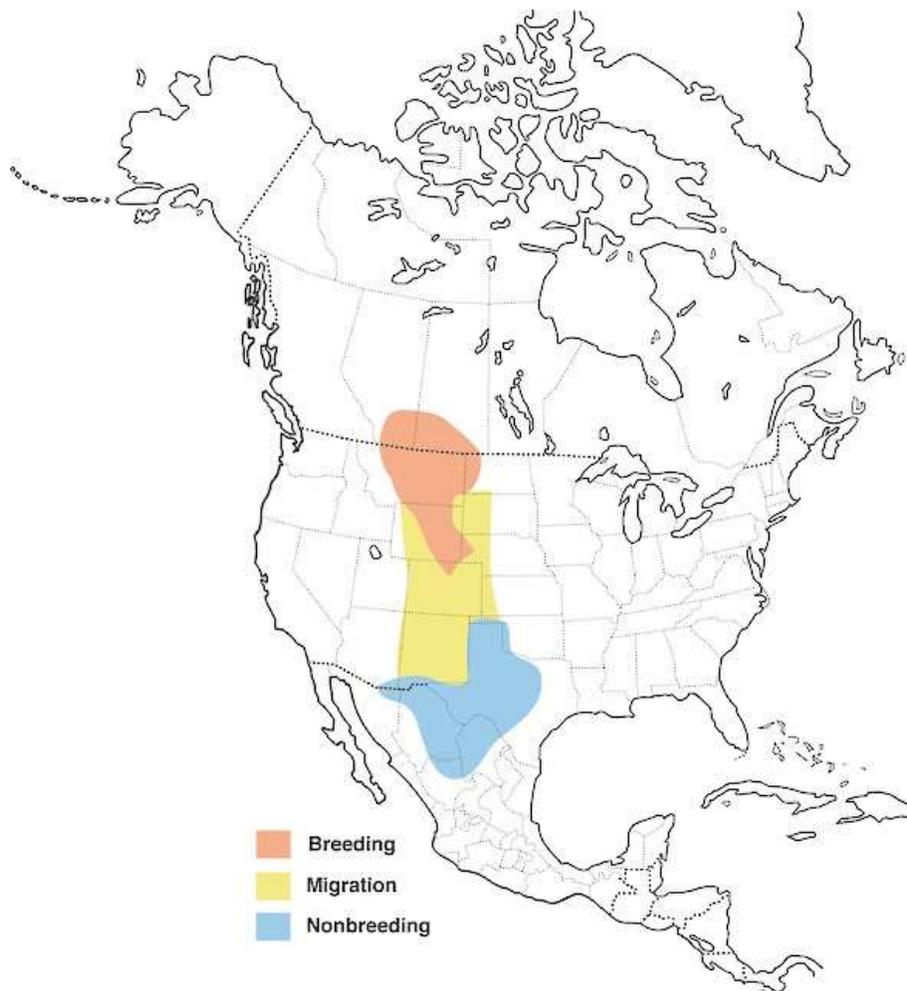


FIG. 2. Range-wide distribution of the McCown's Longspur. The portion of the species' range within Nebraska includes migratory and breeding habitat. Map from With 2010.

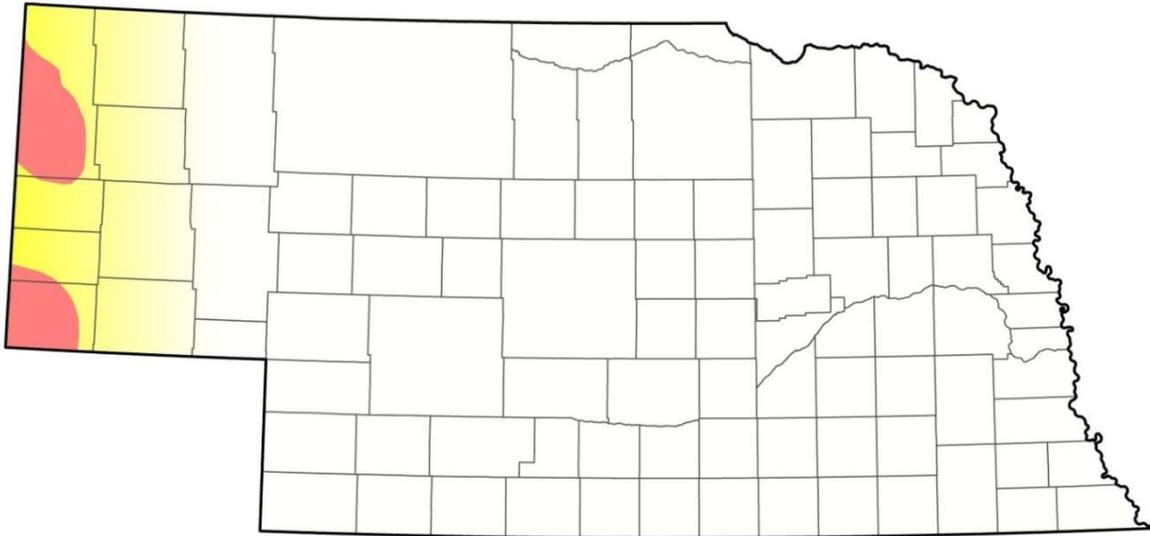


FIG. 3. Range of the McCown's Longspur in Nebraska. Red shaded areas indicate breeding range and yellow shaded areas show where the species is observed during migration. Map from Silcock and Jorgensen (2018).

TABLE 1. Trend estimates (interval-specific estimates of population change) for the McCown's Longspur from the North American Breeding Bird Survey (1966–2015). The sample size for shortgrass prairie is limited; however, the data clearly show an overall decline for the species survey-wide on a total of 117 routes (Sauer et al. 2017).

Region	Sample Size (No. of Routes)	1966–2015 Annual Trend Estimates	1966–2015 Credible Interval for Trend Estimate
Northern Rockies	20	-2.68	(-6.80, 1.65)
Prairie Potholes	69	-7.06	(-10.44, -3.48)
Badlands and Prairies	20	-1.00	(-5.43, 3.31)
Shortgrass Prairie	8	1.36	(-3.32, 6.26)
Alberta	31	-7.90	(-10.90, -5.11)
Colorado	8	1.36	(-3.32, 6.26)
Montana	24	-1.35	(-4.63, 1.78)
Saskatchewan	25	-7.99	(-12.05, -3.04)
Wyoming	29	-0.18	(-4.57, 4.38)
Central BBS Region	97	-6.11	(-9.32, -2.88)
Western BBS Region	20	-2.68	(-6.80, 1.65)
Canada	56	-8.00	(-11.57, -4.06)
United States	61	-0.73	(-3.29, 1.75)
Survey-wide	117	-5.90	(-9.06, -2.83)

Factors Affecting the Species:

Section 37-806 (2) of the Nongame and Endangered Species Conservation Act states that the Nebraska Game and Parks Commission shall determine whether any species of wildlife or wild plants normally occurring within this state is an endangered or threatened species as a result of any of the five factors described therein. These factors and their application to McCown's Longspurs are as follows:

(A) The present or threatened destruction, modification, or curtailment of its habitat or range.

Populations of McCown's Longspurs have exhibited drastic declines in northern and migratory parts of their range (NatureServe 2016). Their breeding habitat has become fragmented as the landscape has been converted from grassland to other uses (Schneider et al. 2011). Loss of native shortgrass prairie has been detrimental to the wintering range of McCown's Longspur as well (Sedgwick 2004). Management practices that maintain higher vegetation structure create conditions unsuitable for McCown's Longspurs (Schneider et al. 2011). The elimination of colonies of black-tailed prairie dogs (*Cynomys ludovicianus*) negatively impacts habitat for McCown's Longspurs (Schneider et al. 2011).

The infrastructure required for oil, gas, and wind developments can fragment wildlife habitat and affect many species. The Commission provides environmental review and guidance documents to reduce negative impacts on wildlife (Nebraska Game and Parks Commission 2017). Few studies have investigated potential negative effects of energy development on McCown's Longspurs (Mahoney and Chalfoun 2016), so it is worthwhile to minimize these types of disturbances on this Tier I species (Sedgwick 2004). It is estimated that 82% of avian fatalities at wind turbines, excluding those in California, are of migratory passerines (Erickson et al. 2002). Development may also alter predator communities; for example, utility structures may provide perching sites for avian predators and lead to increased predation on McCown's Longspurs (Committee on the Status of Endangered Wildlife in Canada 2016).

(B) Over-utilization from commercial, sporting, educational, or other purposes.

Not currently a threat.

(C) Disease or predation.

High predation rates appear to limit populations of McCown's Longspurs (Greer and Anderson 1989). Development and fragmentation of shortgrass prairie can alter predator communities that can negatively impact McCown's Longspurs. Their predators include thirteen-lined ground squirrels (*Spermophilus tridecemlineatus*), Short-eared Owls (*Asio flammeus*), Swainson's Hawks (*Buteo swainsoni*), and Loggerhead Shrikes (*Lanius ludovicianus*) (Dubois 1937, With 1994, Sedgwick 2004). Other likely predator species in Nebraska include the American badger (*Taxidea taxus*), Wyoming ground squirrel (*S. elegans*), striped skunk (*Mephitis mephitis*), red fox (*Vulpes vulpes*), swift fox (*V. velox*), coyote (*Canis latrans*), long-tailed weasel (*Mustela frenata*), deer mouse (*Peromyscus maniculatus*), American Crow (*Corvus*

brachyrhyncos), and snakes (Dubois 1937, Mickey 1943, Felske 1971, Greer and Anderson 1989, With 1994, Sedgwick 2004). Blancher (2013) estimates that predation from free-roaming cats is a serious threat to longspurs. Nestlings are much more susceptible to predation than adults during the breeding season (Felske 1971).

(D) Inadequacy of existing regulatory mechanisms.

The federal Migratory Bird Treaty Act (MBTA) of 1918 makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulation. McCown's Longspurs and their nests are also afforded similar protections from state laws (e.g., Neb. Rev. Stat. § 37-540). However, these protections only apply to birds, nests, and their; they do not protect habitat. Habitat loss is a significant reason for the decline in populations of McCown's Longspurs across their range. If a species is placed on Nebraska's list, the Nongame and Endangered Species Conservation Act would offer additional protection on state and private lands through Section 37-807 involving conservation programs and state agency consultation.

(E) Other natural or human-induced factors affecting its continued existence.

Ground-nesting McCown's Longspurs may suffer from reductions in clutch size early in the breeding season (late Apr to early May) because of low temperatures and moisture levels in the environment. The ground may become saturated and egg temperatures can drop too low to maintain embryonic development (With 2010). Overuse of pesticides may increase mortality of McCown's Longspurs through ingestion and may limit availability of insect prey such as grasshoppers (Dechant et al. 2002).

Proposal:

Based on long-term declines, continued habitat loss, and the threats described therein, we believe the species' continued existence in the state of Nebraska is uncertain. Therefore, **we recommend the McCown's Longspur for listing as Threatened** under the Nebraska Nongame and Endangered Species Conservation Act (37-801 to 37-811) and will follow all legal requirements (Appendix 2) in pursuit of this status change for the species.

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APPENDIX 1.

Nebraska Game and Parks Commission staff members formed the Listing Action Committee to evaluate information for all species being considered for listing action during this review.

Committee Member	Division
Melissa Panella (Chair)	Wildlife
Carey Grell	Planning and Programming
Rick Holland	Fisheries
Michelle Koch	Planning and Programming
Rick Schneider	Wildlife
Kristal Stoner	Wildlife

APPENDIX 2. Nebraska Statute 37-806 outlines the legal requirements of endangered or threatened listing action.

37-806. Endangered or threatened species; how determined; commission; powers and duties; unlawful acts; exceptions; local law, regulation, or ordinance; effect.

(1) Any species of wildlife or wild plants determined to be an endangered species pursuant to the Endangered Species Act shall be an endangered species under the Nongame and Endangered Species Conservation Act, and any species of wildlife or wild plants determined to be a threatened species pursuant to the Endangered Species Act shall be a threatened species under the Nongame and Endangered Species Conservation Act. The commission may determine that any such threatened species is an endangered species throughout all or any portion of the range of such species within this state.

(2) In addition to the species determined to be endangered or threatened pursuant to the Endangered Species Act, the commission shall by regulation determine whether any species of wildlife or wild plants normally occurring within this state is an endangered or threatened species as a result of any of the following factors:

- (a) The present or threatened destruction, modification, or curtailment of its habitat or range;
- (b) Overutilization for commercial, sporting, scientific, educational, or other purposes;
- (c) Disease or predation;
- (d) The inadequacy of existing regulatory mechanisms; or
- (e) Other natural or manmade factors affecting its continued existence within this state.

(3)(a) The commission shall make determinations required by subsection (2) of this section on the basis of the best scientific, commercial, and other data available to the commission.

(b) Except with respect to species of wildlife or wild plants determined to be endangered or threatened species under subsection (1) of this section, the commission may not add a species to nor remove a species from any list published pursuant to subsection (5) of this section unless the commission has first:

(i) Provided public notice of such proposed action by publication in a newspaper of general circulation in each county in that portion of the subject species' range in which it is endangered or threatened or, if the subject species' range extends over more than five counties, in a newspaper of statewide circulation distributed in the county;

(ii) Provided notice of such proposed action to and allowed comment from the Department of Agriculture, the Department of Environmental Quality, and the Department of Natural Resources;

(iii) Provided notice of such proposed action to and allowed comment from each natural resources district and public power district located in that portion of the subject species' range in which it is endangered or threatened;

(iv) Notified the Governor of any state sharing a common border with this state, in which the subject species is known to occur, that such action is being proposed;

(v) Allowed at least sixty days following publication for comment from the public and other interested parties;

(vi) Held at least one public hearing on such proposed action in each game and parks commissioner district of the subject species' range in which it is endangered or threatened;

(vii) Submitted the scientific, commercial, and other data which is the basis of the proposed action to scientists or experts outside and independent of the commission for peer review of the data and conclusions. If the commission submits the data to a state or federal fish and wildlife agency for peer review, the commission shall also submit the data to scientists or experts not affiliated with such an agency for review. For purposes of this section, state fish and wildlife agency does not include a postsecondary educational institution; and

(viii) For species proposed to be added under this subsection but not for species proposed to be removed under this subsection, developed an outline of the potential impacts, requirements, or regulations that may be placed on private landowners, or other persons who hold state-recognized property rights on behalf of themselves or others, as a result of the listing of the species or the development of a proposed program for the conservation of the species as required in subsection (1) of section 37-807.

The inadvertent failure to provide notice as required by subdivision (3)(b) of this section shall not prohibit the listing of a species and shall not be deemed to be a violation of the Administrative Procedure Act or the Nongame and Endangered Species Conservation Act.

(c) When the commission is proposing to add or remove a species under this subsection, public notice under subdivision (3)(b)(i) of this section shall include, but not be limited to, (i) the species proposed to be listed and a description of that portion of its range in which the species is endangered or threatened, (ii) a declaration that the commission submitted the data which is the basis for the listing for peer review and developed an outline if required under subdivision (b)(viii) of this subsection, and (iii) a declaration of the availability of the peer review, including an explanation of any changes or modifications the commission has made to its proposal as a

result of the peer review, and the outline required under subdivision (b)(viii) of this subsection, if applicable, for public examination.

(d) In cases when the commission determines that an emergency situation exists involving the continued existence of such species as a viable component of the wild fauna or flora of the state, the commission may add species to such lists after having first published a public notice that such an emergency situation exists together with a summary of facts which support such determination.

(4) In determining whether any species of wildlife or wild plants is an endangered or threatened species, the commission shall take into consideration those actions being carried out by the federal government, by other states, by other agencies of this state or political subdivisions thereof, or by any other person which may affect the species under consideration.

(5) The commission shall issue regulations containing a list of all species of wildlife and wild plants normally occurring within this state which it determines, in accordance with subsections (1) through (4) of this section, to be endangered or threatened species and a list of all such species. Each list shall refer to the species contained therein by scientific and common name or names, if any, and shall specify with respect to each such species over what portion of its range it is endangered or threatened.

(6) Except with respect to species of wildlife or wild plants determined to be endangered or threatened pursuant to the Endangered Species Act, the commission shall, upon the petition of an interested person, conduct a review of any listed or unlisted species proposed to be removed from or added to the lists published pursuant to subsection (5) of this section, but only if the commission publishes a public notice that such person has presented substantial evidence which warrants such a review.

(7) Whenever any species of wildlife or wild plants is listed as a threatened species pursuant to subsection (5) of this section, the commission shall issue such regulations as are necessary to provide for the conservation of such species. The commission may prohibit, with respect to any threatened species of wildlife or wild plants, any act prohibited under subsection (8) or (9) of this section.

(8) With respect to any endangered species of wildlife, it shall be unlawful, except as provided in subsection (7) of this section, for any person subject to the jurisdiction of this state to:

(a) Export any such species from this state;

(b) Take any such species within this state;

(c) Possess, process, sell or offer for sale, deliver, carry, transport, or ship, by any means whatsoever except as a common or contract motor carrier under the jurisdiction of the Public Service Commission or the Interstate Commerce Commission, any such species; or

(d) Violate any regulation pertaining to the conservation of such species or to any threatened species of wildlife listed pursuant to this section and promulgated by the commission pursuant to the Nongame and Endangered Species Conservation Act.

(9) With respect to any endangered species of wild plants, it shall be unlawful, except as provided in subsection (7) of this section, for any person subject to the jurisdiction of this state to:

(a) Export any such species from this state;

(b) Possess, process, sell or offer for sale, deliver, carry, transport, or ship, by any means whatsoever, any such species; or

(c) Violate any regulation pertaining to such species or to any threatened species of wild plants listed pursuant to this section and promulgated by the commission pursuant to the act.

(10) Any endangered species of wildlife or wild plants which enters this state from another state or from a point outside the territorial limits of the United States and which is being transported to a point within or beyond this state may be so entered and transported without restriction in accordance with the terms of any federal permit or permit issued under the laws or regulations of another state.

(11) The commission may permit any act otherwise prohibited by subsection (8) of this section for scientific purposes or to enhance the propagation or survival of the affected species.

(12) Any law, regulation, or ordinance of any political subdivision of this state which applies with respect to the taking, importation, exportation, possession, sale or offer for sale, processing, delivery, carrying, transportation other than under the jurisdiction of the Public Service Commission, or shipment of species determined to be endangered or threatened species pursuant to the Nongame and Endangered Species Conservation Act shall be void to the extent that it may effectively (a) permit that which is prohibited by the act or by any regulation which implements the act or (b) prohibit that which is authorized pursuant to an exemption or permit provided for in the act or in any regulation which implements the act. The Nongame and Endangered Species Conservation Act shall not otherwise be construed to void any law, regulation, or ordinance of any political subdivision of this state which is intended to conserve wildlife or wild plants.

Source:Laws 1975, LB 145, § 5; R.S.1943, (1993), § 37-434; Laws 1998, LB 922, § 356; Laws 2002, LB 1003, § 33. Cross References Administrative Procedure Act, see section 84-920.