



East Link Extension
Migratory Bird Treaty Act Compliance





What is the Migratory Bird Treaty Act (MBTA)?

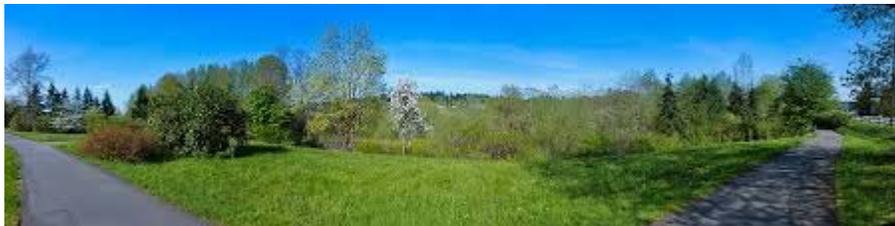
The Migratory Bird Treaty Act (MBTA) is a federal law enforced by the U.S. Fish and Wildlife Service (USFWS). Under the law, it is illegal for anyone to "take" migratory birds, their eggs, feathers or nests. "Take" includes by any means or in any manner, any attempt at hunting, pursuing, wounding, killing, possessing or transporting any migratory bird, nest, egg, or part thereof unless authorized through regulations or permits. The MBTA does not distinguish between intentional and unintentional take.

MBTA first enacted in 1918

- Almost all birds in U.S. are covered (even some non-migrating species)
- Does not include pigeons, European Starling, and House sparrow
- Interpretation and law of the MBTA varies circuit-by-circuit
- A wide variety of land-use activities may be technical violations of MBTA



MBTA Highlights



Habitats to be disturbed

What is Sound Transit doing to Comply?

- Contracting with U.S.D.A Wildlife Services (APHIS-WS)
 - **Nest Survey PRIOR to grading, demolition, land disturbance**
 - Proactive survey, remove nest before eggs are laid
 - If after survey a nest is found, APHIS-WS has permit to remove nest/eggs but - due diligence first!



Bird Mitigation Actions

- Limited Glass at Park and Ride
- Structures designed to avoid roosting
- Bird Surveys during construction
- Develop Bird Management Plan for Operations





**THANK YOU!
QUESTIONS?**



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