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Great Salt Lake Audubon
www.greatsaltlakeaudubon.org

U.S. Fish and Wildlife Service
www.fws.gov/utahfieldoffice

Utah Division of Wildlife Resources
www.wildlife.utah.gov

Tracy Aviary
www.tracyaviary.org

For MBTA Information or Consultation
U.S. Fish and Wildlife Service
2369 Orton Circle, Suite 50
West Valley City, UT 84119
Phone: (801) 975-3330

www.fws.gov/migratorybirds

To Report a Violation
Utah Division of Wildlife Resources
1594 W North Temple
Salt Lake City, UT 84116
Phone: (801) 538-4700

Special Agent
U.S. Fish and Wildlife Service: Office of Law Enforcement
2155 W. Forest Street
Brigham City, UT 84302
Phone: (435) 734-6446

Our Shared Responsibilities & the Migratory Bird Treaty Act

How to Avoid Illegal “Take” of Birds During Tree Trimming, Brush Removal and Other Improvement Projects

Printed on 100% post-consumer waste paper.
**Utah Has 247 Species of Birds That Breed in the State**

Each bird species uses different nesting habitats and different types of nests.

**Urban Nesting Sites**

1. High-Rise Buildings
2. Chimneys
3. Utility Poles
4. Building Eaves
5. Roadside Gravel
6. Culverts
7. Bridges

**Natural Nesting Sites**

1. Wetland Vegetation
2. Tree Branches
3. Holes in Dead/Live Trees
4. Shrubs
5. Ground
6. Stream Banks
7. Gravel

**The Migratory Bird Treaty Act (MBTA)**

The MBTA was established in 1918 and forbids the “take” (pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect) of migratory birds (50 CFR § 10.12).

[www.fws.gov/migratorybirds](http://www.fws.gov/migratorybirds)

**When to Plan Disturbance**

Compliance with the MBTA and avoiding impacts to breeding birds can generally be accomplished by conducting habitat-altering projects when birds are not breeding. Planning ahead can keep projects on schedule, within budget, and from violating the MBTA.

In Utah, the peak breeding season, when most birds breed, is April through July.

The entire breeding season for all birds, including raptors and eagles, is January through August.

**How Are Birds Impacted?**

Birds and nestlings may be killed or injured when their nests are destroyed, damaged, or disturbed. Projects that could impact birds include:

- Trimming trees, cutting down dead and live trees, removing brush
- Mowing, driving over vegetation, ground disturbance
- Prescribed burns, burning vegetation or “slash” piles
- Stream and habitat enhancement, invasive species management
- Noise disturbance

- Peak Nesting Season, Protective of Most Nesting Birds, AVOID Projects
- Entire Nesting Season, Protective of All Nesting Birds, AVOID Projects to the Extent Possible
- Best Timing for Project Implementation

If the project cannot be conducted outside of the breeding season, contact the U.S. Fish and Wildlife Service for information on avoidance and minimization measures and other practices.