



## CONTACTS

Northern Flicker © Ron Dudley

### 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](http://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

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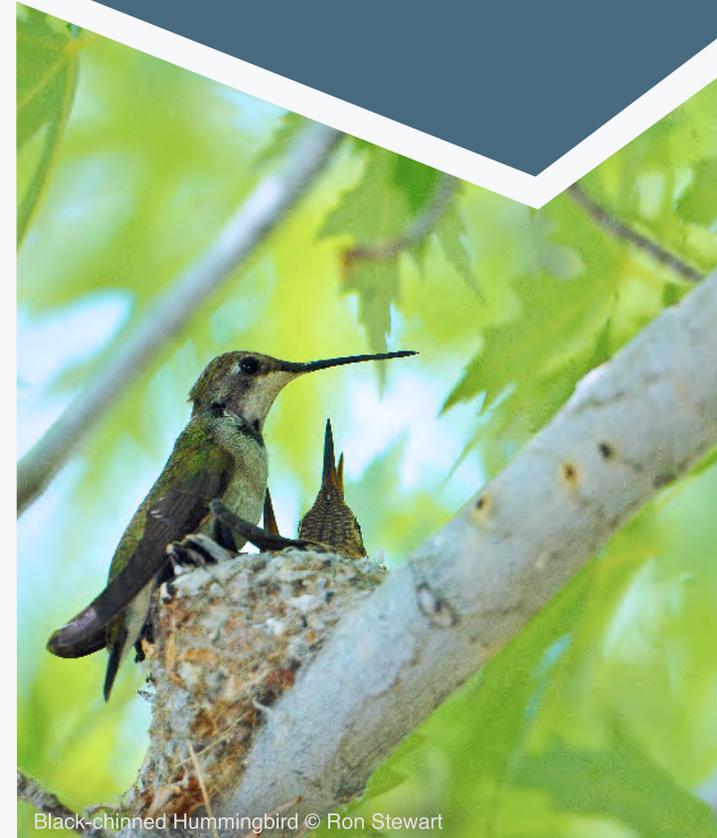
Utah Division of Wildlife Resources  
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# OUR SHARED RESPONSIBILITIES & THE MIGRATORY BIRD TREATY ACT



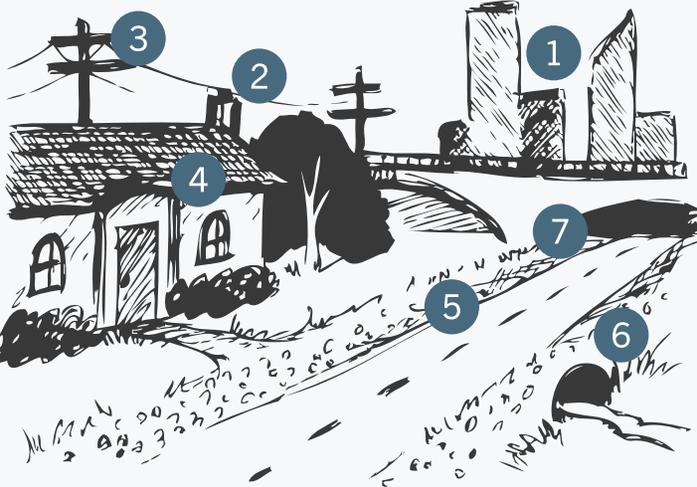
Black-chinned Hummingbird © Ron Stewart

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

## UTAH HAS 247 SPECIES OF BIRDS THAT BREED IN THE STATE

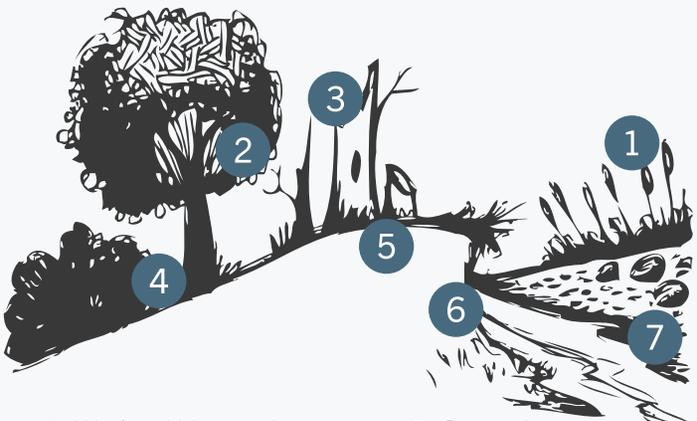
Each bird species uses different nesting habitats and different types of nests.

### 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)

### 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

## WHEN TO PLAN DISTURBANCE

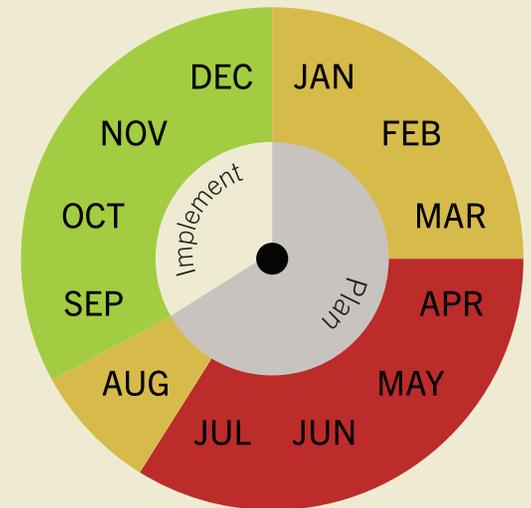
Compliance with the MBTA and avoiding impacts to breeding birds can generally be accomplished by conducting habitat-altering projects **when birds are not breeding**. Planning ahead can keep projects on schedule, within budget, and from violating the MBTA.

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**.

- 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.