

GUIDANCE FROM ENVIRONMENTAL

MIGRATORY BIRD TREATY ACT

What you should know:

Passed in 1918, the Migratory Bird Treaty Act (MBTA) protects birds that live, reproduce or migrate within or across international border areas. The law applies to federal agencies including the U.S. Marine Corps.

This Act states that... it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried or receive for shipment transportation, carriage, or export, any migratory bird, any part, nest or egg of any such bird, or any product...of any such bird or any part, nest or egg thereof.

Through the MBTA, Congress has made it unlawful to harm protected birds or their nests.

At MCMWTC, virtually all birds are protected by this law. One notable exception is the common pigeon (Rock Dove).

What you should do:

- Inspect vehicles (especially tactical vehicles), equipment and buildings frequently. Some birds like to build nests in engine compartments and in/on tactical vehicles.
- Close hangars, K-Spans and other large, open buildings whenever possible, especially during spring, to discourage birds from constructing nests inside.
- Limit tree trimming to maximum possible extent, Feb – Oct (consult ENV).
- You **may** use deterrents such as lights, noise, etc. to discourage nest construction, but deterrents **must stop** if/when eggs are laid.
- You **may not** expose MBTA protected birds to any harm, including intentional injury or death.
- **Movement of nests:**
 - With coordination from the Environmental section, under some circumstances, nests can be moved or dismantled before eggs are laid
 - Only Environmental personnel may move a nest with eggs or hatched young! (This action requires a permit from the United States Fish & Wildlife Service and is allowed only on a case-by-case basis).

Who you should call:

Environmental Section 760-932-1457 /1564 /1545