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Capitol Hill Virtual Fly-in for the 117th Congress

Mark your calendars for the week of February 16th. American Bird Conservancy (ABC) will be hosting a virtual lobby fly-in in place of our usual legislative briefing, reception, and Bird Conservation Alliance meeting. We have an exciting migratory bird conservation package to present to members of Congress, and need your help to share just how important it is to provide strong legislation for conserving birds and their habitats. For groups and individuals who wish to meet virtually with their congressional delegates to lobby on behalf of priority migratory bird conservation bills, please contact Jennifer Cipolletti to coordinate meetings with your legislators. Scheduling availability will be February 16-19, 2021. We will conclude our lobby week with a virtual happy hour for all who can join. Let's get to work and bring birds back!

[Contact to Lobby!](#)



ABC Launches New Online Tools to Reduce Window Collisions

In December, ABC expanded and overhauled its online Collisions presence. The update provides architects, homeowners, and activists with a host of new tools designed to help combat bird-and-glass collisions. Among other things, it includes a new gallery filled with bird-friendly design strategies, guidance on writing bird-safe building legislation, and an enlarged product and solutions database. Please take a look and feel free to pass on any feedback to collisions@abcbirds.org.

[Visit Website!](#)



Virginia Takes Groundbreaking Steps to Protect Migratory Birds

The Commonwealth of Virginia has issued a precedent-setting draft regulation that aims to reduce the loss of migratory birds from “incidental take” — the unintentional but foreseeable (and in many cases, preventable) killing of birds. This regulation would require certain industries to obtain a permit for killing migratory birds and require the use of best management practices to reduce impacts. This would provide regulatory

clarity for industry as well as protections for birds — a win-win scenario. **Act Now: [ABC is urging Virginia residents to voice their support for this measure.](#)**

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Groups Challenge Assault on the Endangered Species Act

Earthjustice filed a lawsuit in the District of Hawai'i in response to a new regulation that strips vital protections from federal lands and other areas that the best available science indicates are necessary for the conservation of federally Threatened and Endangered species. The critical habitat case seeks to reaffirm protection of federal lands and other areas that the best available science indicates are necessary for the conservation of Threatened and Endangered species.

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Owl Extinction Risk Grows as Feds Exempt 3.4 Million Acres from Protection

The previous [Administration finalized](#) a new [Northern Spotted Owl](#) critical habitat rule on January 13 that has the potential to hasten the extinction of this declining subspecies. The rule originally proposed to exempt only about 200,000 acres from critical habitat protections. However, the final rule instead exempts 3.4 million acres — a huge expanse of territory totaling about one-third of the owl's protected habitat. This decision comes on the heels of a determination that the owl is already moving toward extinction, even before this loss of habitat protection. [Read More.](#)

[Take Action!](#)



Lawsuit Filed to Restore Bird Protections

ABC, together with a coalition of national environmental groups, filed litigation ([Case Number: 1:21-cv-00448](#)) challenging the outgoing Administration's move to eliminate longstanding protections for waterfowl, raptors, songbirds, and other birds under the Migratory Bird Treaty Act (MBTA). The move challenges a new rule by the outgoing Administration that would end enforcement against "incidental take" of birds —

the predictable and preventable killing of birds by industrial practices. The past Administration sought to codify this in spite of the fact that last August, a federal judge struck down this opinion. [Read more](#), and **Act Now: [Ask the incoming 117th U.S. Congress to ensure that devastating rollbacks to the MBTA are overturned.](#)**

[Take Action!](#)



New York's Renewable Energy Regulations Neglect Bird Impacts

New York's renewable energy development process overhaul continues to move forward with draft regulations, which do little to address renewable energy projects' substantial negative impacts on birds. ABC led a group of 25 bird conservation organizations in developing comments to express concerns about these regulations. The groups [propose commonsense solutions](#) that would correct some of the regulations' major flaws and provide better protection for birds. By incorporating the recommended changes from these bird conservation experts, the State could set a positive precedent for environmentally friendly renewable energy development. But to make this

happen, substantial revisions to the current draft regulations would be needed.

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Existing Wind Facility Prepares for Expanding Range of Condors

The U.S. Fish and Wildlife Service is [now accepting public comments](#) on the expected unintentional killing (or “incidental take”), under the Endangered Species Act, of California Condors at an existing wind energy facility. As the species has recovered from near-extinction, its range has expanded, bringing the birds more and more frequently into areas where wind facilities have been built. This presents a challenging situation — how to address possible harm to one of our rarest and most iconic birds when the risk factor (wind turbines) already exists? One facility owner has worked with the U.S. Fish and Wildlife Service to try to answer that question.

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Inside Bird Conservation is produced by American Bird Conservancy for those who want a closer look at bird conservation policy and related issues. Past editions and other issue updates are available on the [Bird Conservation Alliance website](#). Please forward to interested conservationists. To subscribe, please send a message to sholmer@abcbirds.org.

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