



American Bird
Conservancy

State Bird Conservation Legislative Guide

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INTRODUCTION

States, counties, and cities play an integral role in the protection of birds and other wildlife. States and local jurisdictions often have the most up-to-date knowledge on the immediate needs of migratory birds and listed species; and their stakeholders are the most engaged with nearby conservation actions, and feel losses more personally. Governors, delegates and state senators, county commissioners, mayors and city council members inherently have close ties to their constituents and can quickly respond to calls for needed changes to conserve birds and their habitats.

In this guide [American Bird Conservancy](#) outlines solutions to address threats to birds posed by anthropogenic causes, to fund state bird conservation, and to provide needed protection for migratory birds and endangered species.

Each section contains:

- **Issue:** A description of the issue at hand
- **ABC's Work:** A brief description of ABC's involvement in that particular issue
- **Policy Solution(s):** Approaches for lessening impacts from, addressing, and/or neutralizing the described threat through policy proposals
- **Legislative Examples:** Bill numbers and descriptions of enacted or introduced legislation to address the described threat
- **Additional Guidance:** Other actions, thoughts, and considerations from ABC experts, plus who to contact for more information

Please note, this is not intended to be a copy-and-paste resource; state legislation works best when it is tailored to the needs and mindset of the state in which it is being applied. Please use the language and examples in this document as a starting point or source of inspiration for original legislation.



Marbled Murrelet2_Tim Zurovski/Shutterstock

STATE FUNDING FOR BIRD CONSERVATION

The Issue

How wildlife conservation is funded in each state varies widely, but overall, there is a severe shortage in funding for non-game wildlife conservation in most states, where the historic focus on game species continues to be the main priority. Some states have widened their conservation programs to include non-game species, and this has often been made possible through the creation of new funding streams.

ABC's Work

ABC has historically focused its advocacy for wildlife funding in the national and international arenas. As part of our policy analysis regarding Hawaiian bird recovery efforts in 2009 we discovered that the amount of funding going to Hawaii was insufficient to meet the need, and considerably less than what other states were receiving from the federal government. This, in part, led to the creation of the State of the Birds Activities line-item in the Interior Appropriations bill that has supported tens of millions of dollars in recovery projects.

ABC has supported new revenue-generating programs through legislation at the state level in different regions of the United States. We also work to ensure that the federal budget continues to provide funding opportunities for states through programs like the Neotropical Migratory Bird Conservation grants, National Fish and Wildlife Foundation, EPA Categorical Grants, and Migratory Bird Joint Ventures.

We're now working to meet the funding needs in other states to address additional bird conservation issues. For example, in 2025 and 2026, [ABC supported the 1.25% for Wildlife bill](#) in Oregon recently enacted to boost non-game and habitat conservation.

Policy Solutions

To boost state wildlife conservation some states allocate funds in the annual budget. In addition, a variety of funding mechanisms have been created ranging from state sales and tourism taxes, to trust funds, to conservation stamp sales. Hunting/Angling/Trapping-centered groups do not wish to see funds diverted away from game species management, making their support more likely. Similarly, non-consumptive wildlife activity supporters (birding/hiking/wildlife watching/wildlife feeding) are eager to find new ways to accomplish their goals and not be entirely reliant upon federal support. Here is a brief summary and relevant links:

State annual budgets in Florida, California, and New York provide significant funding for wildlife and habitat conservation and acquisitions. [The Florida Forever program](#) and [Rural and Family Lands program](#) are proposed to provide \$315 million in 2026. [California is using cap-and-trade auction](#) funds to state lands and coastal areas. New York's Environmental Protection Fund proposes to spend \$425 million in 2026.

Oregon Tourism Tax enacted [House Bill 4134](#) in 2026 increases the state transient lodging tax by 1.25% on hotels, motels, and campgrounds. This law will provide an estimated \$30 million annually to fund non-game wildlife and habitat conservation projects.

[Missouri Sales Tax of 1/8 of 1%](#) generates \$60 million annually for the Missouri Department of Conservation. This steady source of funding has allowed the department to become a leader in migratory bird conservation. This has included supporting the Southernwings program to support migratory bird wintering and stopover sites.

[Minnesota](#) voters passed a constitutional amendment supporting the Clean Water, Wildlife, Cultural Heritage and Natural Areas fund. [Arkansas Sales Tax of 1/8th of 1%](#) sales tax passed in 1996, supports the Arkansas Game and Fish Commission

[Nebraska Wildlife Conservation Fund](#) supports wildlife and habitat conservation. Donations can be made via state tax forms (line 46), special license plates, and direct donations through the Game and Parks website.

[The Nebraska Environmental Trust's grants](#) are funded through the proceeds of the Nebraska Lottery. Around 44% of the money remaining after the payment of prizes, operating expenses, and the initial transfer to the Compulsive Gamblers Assistance Fund is transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act.

There are many more examples the [National Caucus of Environmental Legislators](#) has produced an excellent reference:

Legislative Examples

Location	Bill Number	Description	Year	Status
Oregon	HB 4134	Increases state transient lodging tax by 1.25% to raise money for non-game wildlife conservation; raises up to \$40 million per year	2026	Enacted
Colorado	HB 21-1145	Establishes a voluntary program to buy pollinator-themed license plate; funds native pollinator gardens, habitat, and outreach programs	2021	Enacted
Wisconsin	WIS-DOT Program	Voluntary license plate program; \$25/plate goes to International Crane Foundation for in-state work	2025	Offered by WIS-DOT
Texas	HB 158	Establishes a new tax on outdoor gear/sporting gear to benefit the Texas Parks and Wildlife	2015	Enacted

For more information, contact: Steve Holmer, Vice President of Policy, sholmer@abcbirds.org.



MIGRATORY BIRD TAKE PROTECTION

The Issue

The Migratory Bird Treaty Act protects migratory birds at the federal level from take. This has traditionally included industrial sources such as oil spills, and led to adoption of available best practices that reduce or eliminate that take, such as screening off open oil pits, or turning off tower lights that can attract and trap birds.

These protections have become politicized with the current administration adopting the view that the Act's protections are limited to direct take. This has resulted in several states enacting protections for migratory birds that mirror and support the national law.

ABC's Work

ABC supported California's Migratory Bird Protection Act, which was enacted in 2019, and was reauthorized by [AB454](#), and made permanent in 2025 and says that migratory birds in California are subject to the pre-2016 definitions of incidental take under the federal MBTA.

We are working to see similar legislation introduced and regulations developed in other states. [The Migratory Bird Protection Act, H.R. 3188](#) is bipartisan federal legislation that outlines how the MBTA should be applied to known industrial sources of preventable mortality.

Policy Solutions

California and Virginia responded to this threat and the lack of migratory bird protection during the administration's first term by passing laws or adopting regulations reaffirming the protections of the Migratory Bird Treaty Act within their borders.

[Virginia adopted regulations](#) in 2021 (4VAC15-35-70) protecting migratory birds, and identifying situations where best management practices reducing industrial take should be applied.

In 2026, Maryland HB 578 included a section on Migratory Bird Treaty Act protection. The provision was dropped as the bill was amended, and is under discussion for reintroduction in 2027. The Endangered Species Act portion of HB 578 was enacted into law.

Legislative Examples

Location	Bill Number	Description	Year	Status
California	AB 454	MBTA Take Regulations	2019 enacted and 2025 made permanent law	Enacted without a sunset
Virginia	4VAC15-35	MBTA Take Regulations	2021	Enacted
Maryland	HB 578/SB 431	ESA and MBTA protections	2026	ESA Portion Enacted

For more information, contact: Steve Holmer, Vice President of Policy, sholmer@abcbirds.org.



ENDANGERED SPECIES PROTECTION

The Issue

The federal Endangered Species Act is successfully recovering imperiled bird populations and preventing extinctions. Many states have replicated this landmark law to ensure that threatened and endangered species within their borders continue to thrive. At the federal level, science-based listing, adequate land management plans to conserve species, and protection of critical habitat have all become politicized. As a result, application and enforcement of the national Endangered Species Act is increasingly uneven, necessitating a state backstop to ensure species do not fall between the cracks towards oblivion.

ABC's Work

ABC has been deeply involved in the listing, protection and recovery of numerous bird species. This has included filing listing petitions, commenting on numerous US Fish and Wildlife Service decisions, and developing recovery strategies and projects to remove species from the list. We closely monitor the [status of all listed and candidate bird populations](#), and publish an ongoing series of ESA reports in 2007, [2016](#), and [2023](#), highlighting recent recovery successes, as well as identifying the challenge areas.

ABC has also supported the establishment of state-level endangered species laws in order to ensure that the spirit of the original federal law is realized at all levels of government.

Policy Solutions

Forty-six states have already enacted laws protecting endangered species including a number with stringent safeguards including California, Florida, Hawaii, Washington, Maine, and New York. For states without an existing state-level Endangered Species Act, it is expedient and vital to get one in place. Many other states may also need to update or modernize their state-level bills to reflect current trends and practices. For example, in 2026, Maryland just updated its law to better protect all species and their habitats by enacting [HB 578 / SB 431](#).

For more information, contact: Steve Holmer, Vice President of Policy, sholmer@abcbirds.org.



RED KNOT RECOVERY

The Issue

The Red Knot is a threatened species that relies on shores along the eastern seaboard to refuel on horseshoe crab eggs as it migrates north to Canada. Historic overharvesting of the crabs has greatly diminished their population size, and contributed to the dramatic decline in Red Knots. By providing for a greater abundance of eggs, we recover both the horseshoe crab and Red Knot populations.

ABC's Work

ABC and partners first petitioned for ESA protection of the Red Knot in 2005. Following a lengthy effort, the rufa population was finally listed in 2014. Since then, ABC has supported state horseshoe crab harvest moratoriums, and supported development of alternative bait and biomedical products to reduce take of the crabs. Additional restrictions in all of the states with key migratory stopover sites are needed to boost crab egg numbers essential for Red Knot recovery.

Policy Solutions

A number of states have taken steps to prohibit or reduce the amount of crabs taken for bait and pharma harvest. New Jersey has prohibited bait harvest ([N.J. Admin. Code § 7:25-18.16](#)). Connecticut has prohibited hand harvesting ([Public Act 23-6](#)). New York recently enacted a complete ban to be phased in by 2029 ([Senate Bill S 4289](#)). And now Massachusetts is considering a similar bill, [H.5266](#). We recommend Delaware, Maryland, and Virginia take similar action to provide for eggs at the remaining Red Knot stopover sites.

For more information, contact: Steve Holmer, Vice President of Policy, sholmer@abcbirds.org.



CATS

The Issue

The domestic cat (*Felis catus*) is a major threat to birds. Introduced to the United States with European colonists, the number of domestic cats has tripled in the past 50 years (Lepczyk et al., 2022).

Today, more than 100 million cats roaming outdoors function as an invasive species in the United States with enormous impacts. Every year, cats kill 2.4 billion birds in the United States alone. Cat predation is by far the largest source of direct, human-caused mortality to birds in the U.S. and Canada. This stunning level of predation is unsustainable for many already-declining species like Least Tern and Wood Thrush.

ABC is working throughout the Western Hemisphere to protect native birds from invasive species, with a special focus on keeping cats indoors. In addition to cats, we also work hard to protect the endangered birds of Hawai'i from other non-native predators, which often means fencing off habitats.

ABC's Work

[ABC's Cats Indoors program](#) educates the public and policy makers about the many benefits to birds, cats, and people when cats are maintained indoors or under an owner's direct control. Essentially, we support treating cats more like we treat dogs, by supporting responsible ownership behaviors and removal of unowned pets from the landscape.

Consistent with supporting effective, science-based management strategies and policies, we oppose trap, neuter, release (TNR) policies for feral cats because of the persistent and severe threats posed by these cats on the landscape and the failure of TNR programs to achieve meaningful cat population reductions. Other ABC efforts have included distribution of educational materials, such as brochures and public service announcements, to spread the word that cats, birds, and people are better off when cats are kept indoors and legal action that resulted in the removal of feral cats from Jones Beach State Park in New York to protect nesting Piping Plovers.

Policy Solution(s)

Keeping domestic cats indoors and off the landscape is critical to protecting native species and reducing public health risks. Policies that implement microchipping, sterilization, and vaccination and prevent the trespassing of cats on public and private property make a measurable difference in protecting native species supporting healthy communities.

Legislative Examples

Location	Bill Number	Description	Year	Status
Hawaii	HB 1594	Mandatory sterilization for imported cats	2026	Not enacted
Hawaii	HB 1736	Mandatory pet cat sterilization	2026	Not enacted
Virginia	HB 221	Authorize cat management plans	2024	Not enacted

Additional Guidance

Cats are beloved by many. Understanding this, legislative initiatives should communicate the benefits to cats, wildlife, and people. Additionally, cat legislation can successfully address the problem without singling out cats. For example, microchipping is good for all domestic pets.

For more information, contact: Grant Sizemore, Director of Invasive Species Programs, GSizemore@abcbirds.org

COLLISIONS

The Issue

Birds fly into glass because they do not perceive it. Instead they see-through the glass or perceive a reflection as their habitat. This misperception has deadly results. Birds tend to collide with glass at high speeds and their small bodies, composed of hollow bones, leave them particularly vulnerable to injury. Each year [over a billion birds](#) die as a result of collisions in the US alone.

Collisions in the U.S. occur most frequently during spring and fall migration, as many birds move between northern breeding grounds and southern wintering grounds. The largest number of collisions occur during the fall, when migrants include both adult birds and their offspring. Although migratory birds are at a heightened risk, collisions occur year-round. Bird baths, feeders, and areas lit at night are frequent collision hotspots.

ABC's Work

ABC works on multiple fronts to reduce bird collisions, from advocating for [collision-reducing](#) legislation and evaluating new glass products to educating architects, developers, and homeowners and much more. ABC's [Tunnel Testing Program](#) studies how birds react to patterns on glass. The information gathered from testing is used to rate new glass and retrofit [products that prevent collisions](#). The "Threat Factor" or TF score was developed by ABC to show how well one material will perform relative to another, in a standard, controlled test environment, with lowest numbers performing best.

Knowledge is key to reducing bird collisions. ABC is dedicated to providing the public with the information and analyses necessary to prevent bird collisions. The ABC library of downloadable resources contains a collection of materials produced by ABC that offer guidance based on both science and experience. From sample language to construct a model ordinance to a Korean translation of bird-friendly building design, these resources activate the public.

Most recently ABC partnered with the Law, Ethics, and Animals program at Yale Law School to produce the report, “Bird Safer Cities for Birds: How Cities Are Leading the Way on Bird-Friendly Building Policy.” This [report](#) is an excellent reference on policies that help prevent bird collisions.

Policy Solution(s)

Five states have a bird safe buildings law, and 24 cities and towns have local laws and ordinances in place to help prevent bird collisions.

In the Yale report, ABC Glass Collisions Program Director, Dr. Christine Sheppard says that the following three questions must be answered by any successful bird-window collision policy:

1. “What structures are covered by the policy?”
2. “How much and what portions of each structure must be ‘bird-friendly’?”
3. “How is ‘bird-friendly’ defined?”

Building retrofits, lighting changes, and limiting construction in “bird sensitive areas” are all valuable changes that should inform comprehensive and solution-oriented policy.

Legislative Examples

Location	Bill Number	Description	Year	Status
New York City, NY	Int. 1482-B	Requires new buildings to use materials that reduce collisions	2019	Enacted
Washington, DC	24-710	Requires new construction or substantial alterations to use bird-friendly materials	2022	Enacted
Maryland	HB 6	Requires certain state-owned buildings to use bird safe windows and lighting.	2023	Enacted

Additional Guidance

Local action and data are necessary for building momentum and action on bird collisions. ABC’s [“Creating Bird-Friendly Legislation”](#) and [“Existing Bird-Friendly Legislation & Ordinances”](#) webpages are helpful references for citizens and governments working to develop successful legislation.

At the local level, it is also important for citizens to encourage the federal government to act on this issue. The [Federal Bird Safe Buildings Act](#) is a federal bill that would protect birds from collisions by mandating the incorporation of bird-friendly design and materials into the construction of certain federal buildings. Some version of this bill has been introduced for the last decade. More concerted advocacy could move this bill finally, setting a national precedent that would prevent collisions and further motivate local areas to act.

For more information, contact: Kaitlyn Parkins, Glass Collisions Program Coordinator, KParkins@abcbirds.org



LIGHTS

The Issue

Artificial or human-generated light at night is linked to bird-collision deaths. At night, this light disorients migrating birds, luring them toward and into urban centers. Once birds land near buildings, they are at increased risk of glass collisions, one of the most significant human-caused threats to birds in North America. Up to a billion birds die each year as a result of glass collisions. Artificial light can also negatively affect the nesting success of breeding birds, and has been linked to declines in insect populations, which many bird species rely on for food. The dangers posed to birds by artificial light spread as expanding development illuminates more of the night sky each year.

Voluntarily darkening the night sky for birds through “lights out” initiatives may help reduce bird mortality in specific areas. Flashing lights and “smart” motion-sensing lights are other ways to deter birds and cut down on deadly collisions. These strategies, however, are only effective when employed in tandem with bird-friendly design. Birds will travel through cities and the built environment regardless of the amount of artificial light. Addressing lighting is one piece of effectively mitigating bird collisions.

ABC’s Work

ABC educates the public about how lighting contributes to collisions and advocates for comprehensive policy solutions. ABC has also been working with [communication tower operators](#). Tall towers use lights to alert aircraft. Red, steady-burning lights that are used for this purpose are particularly dangerous to birds. The Federal Aviation Administration (FAA), which regulates telecommunications, recommends operators to switch from using steady-burning to flashing lights. The FAA’s guidance is supported by the U.S. Fish and Wildlife Service. Flashing lights maintain safety for aircraft and tower operators, while preventing bird collisions and saving the industry money through operation and energy savings. This is a win-win scenario and an example of how minor lighting changes can make a big difference for birds.

To learn more, visit the Songbird Saver website and app. This tool locates tall towers nearby and enables you to send a letter requesting the steady-burning lights be turned off to protect birds.

Policy Solution(s)

ABC’s [artificial light and collisions position statement](#) includes the following general recommendations for crafting policy solutions:

- Eliminate all unnecessary lighting
- Downshield all external light sources
- Focus light only where needed, especially near sensitive habitat
- Use minimum light intensity required for each task
- Light color: 2200K best, no more than 2700K
- Reduce light transmitted through windows by indoor lights
- Use motion sensors, automatic dimmers and timers whenever possible (so that lights are off whenever possible)
- Avoid uplights and other vanity lights
- Remember that even downshielded lighting can impact insects, bats and other wildlife

Legislative Examples

Location	Bill Number	Description	Year	Status
Maryland	HB 6	Unless necessary, interior and exterior lighting is shielded and minimized from midnight to dawn from March 1 - May 31 and from August 1 - October 31.	2023	Enacted
Cupertino, CA	Cupertino Municipal Code 19.102.040	Requires most outdoor lighting to use shielded fixtures, limits illumination levels, and sets design and other standards.	2021	Enacted

Additional Guidance

Light legislation needs to be crafted holistically, accounting for how it factors into collisions, as well as negative health outcomes for humans and other wildlife. Understanding the exact lighting concerns in your local area is necessary for effectively creating policies that prevent harm to birds.

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PESTICIDES

The Issue

Chemical pesticides have become a near-ubiquitous part of human society. They are commonly used in our gardens, lawns, parks, homes, schools, manufacturing facilities, and golf courses. Even more prevalently, they are heavily relied upon in our agricultural systems; a single crop may have pesticides applied as a seed coating, a soil drench, an aerial spray, a hand spray, and a post-harvest spray, all in the same growing season.

Many pesticides have directly negative impacts on birds, especially neurotoxic insecticides such as neonicotinoids and organophosphates, or broad-spectrum herbicides like paraquat and atrazine. Other chemicals such as fungicides may have negative impacts on birds if accidentally directly sprayed on them, though these instances are rare. Birds are also directly impacted by rodenticides via rodenticide-contaminated prey (mice, rats, voles, squirrels, gophers, etc.). Most conventional rodenticides will have the same impact on non-target vertebrates as they do on the rodents they are designed for, leading to internal bleeding, organ failure, sensory loss, and death.

Indirect effects are perhaps even more serious. [When insecticides infiltrate water or soil, they inadvertently kill beneficial insects and prey items for birds.](#) Similarly, herbicides which leave their targeted use area and decrease available habitat for beneficial invertebrates has a negative cumulative impact on birds. When birds ingest contaminated prey, or are denied prey, they may suffer from many different negative impacts ranging from decreased reproduction to acute toxicity.

Pesticide-coated seeds are a particularly prominent threat to birds. A single seed coated with a neonicotinoid is enough to [kill a songbird](#) when ingested during spillage or planting. Plants grown from pesticide-coated seeds often have contaminated pollen, nectar, and fruit, which may impact pollinator species like hummingbirds. Further, most of a systemic insecticide coating leaves the seed hull, contaminating

water and soil, thus contributing to decreased prey availability.

It should be noted that ABC does NOT advocate for full bans on pesticide use. Rather, we support implementation of Integrated Pest Management strategies and reducing unnecessary applications of chemicals.

ABC's Work

ABC is active at the federal and state level. Federally, we work to advise the Environmental Protection Agency through formal meetings, advisory boards, and submission of comments. We engage in legal challenges such as lawsuits and petitions to existing policy, when called for. We also brief congress on pesticide issues, help craft legislation, advocate for better appropriations for wildlife protection in the federal budget process, and work to defeat harmful pieces of legislation, regulation, and budget riders.



At the state level we do much the same, working in an individual state's legislature to support sensible pesticide reform and, where needed, restriction. We advise state wildlife agencies, engage in grassroots organizing, and extensively educate and support lawmakers and regulators taking a commonsense approach to pesticide reform and mitigation. Our reports and [educational materials](#) are excellent resources.

Policy Solution(s)

ABC supports and advocates for policies which operate in the following ways:

[Neonicotinoids](#)

- Moving neonicotinoids (imidacloprid, thiamethoxam, clothianidin, dinotefuran, acetamiprid) to Restricted Use Pesticide status, meaning only Certified Pesticide Applicators access and use them
- Banning use of neonicotinoids in non-agricultural settings
- Banning use of neonicotinoids in outdoor settings including for turf management
- Banning the use of certain neonicotinoids in agricultural and non-agricultural settings
- Requiring a written prescription from an agronomist before deploying neonicotinoids
- NOTE: All legislation should include clauses making use available to state wildlife agencies and state departments of agriculture by permit in short-term emergency situations

[Pesticide-Coated Seeds](#)

- Prohibiting use of systemic-insecticide coated seeds
- Can be applied only to certain crops
- Requiring a written prescription from an agronomist before using a pesticide seed-coating

Plants and Nurseries

- Require no systemic insecticides to be used in growth of nursery plants
- Preference for native species
- Preference for plants grown without synthetic pesticides

Rodenticides

- Prohibition on the use of second-generation anticoagulant rodenticides
- Prohibition on the outdoor use of chemical rodenticides
- Prohibition on the use of chemical rodenticides in schools, parks, other communal spaces

Integrated Pest Management

- Requirement of integrated pest management plan in communal spaces

Legislative Examples

Location	Bill Number	Description	Year	Status
Connecticut	SB9	Prohibits use of neonicotinoid insecticides for turf management; bans most uses of second-generation anticoagulant rodenticides	2025	Enacted
California	AB 1042	Requires tracking and disclosure of all pesticides used on a seed and sold within the state of California	2024	Enacted

Additional Guidance

The federal government and federal agencies often look to states to make up for gaps in their regulatory processes. Especially with particularly dangerous chemicals, like systemic insecticides, states have enormous power to make better decisions for human, ecosystem, and wildlife health.

For more information, contact: Hardy Kern, Director of Government Relations, Birds and Pesticides Campaign, EHardyKern@abcbirds.org



Western Meadowlark by vagabond54



PLASTICS

The Issue

Each year, approximately 17.6 billion pounds of plastic enters the ocean. Depending on the type of plastic, it can take items from 10 to over 500 years to biodegrade in a marine environment. For birds that inhabit our seas and shores, [plastic pollution poses a major threat](#), claiming the lives of countless birds every year. These deaths are largely driven by ingestion, when birds swallow plastics, and entanglement, when birds are trapped or strangled by plastic materials.

90% of seabirds have ingested some form of plastic, scientists estimate. By 2025 that figure is expected to rise to 99%. Microplastics, plastic particles less than 5 mm in diameter, pose an additional concern. Science is only just beginning to understand their impact on wildlife, human, and environmental health. While seabirds experience the greatest threat from plastic pollution, birds inland also encounter plastic that can harm them.

ABC's Work

ABC supports legislation that would dramatically reduce the amount of plastic that is discarded and washes into our oceans. Currently, ABC is advocating for Congressional action on a range of federal bills, including:

- Save Our Seas 2.0 Amendments Act ([Public Law No. 119-65](#)) to improve the existing federal marine debris law
- Rewarding Efforts to Decrease Unrecycled Contaminants in Ecosystems ([REDUCE](#)) Act, to create an excise tax on virgin plastic resin
- [Break Free From Plastic Pollution Act](#), to reduce single-use plastics, increase product producer responsibility for waste and pollution, and improve recycling
- [Plastic Pellet Free Waterways Act](#), which would establish limits to plastic pellet discharge into waterways
- [Reducing Waste in National Parks Act](#), which would limit and reduce the use of single-use, disposable plastic in the National Parks System

ABC is also engaged in the annual appropriations process, requesting that Congress allocate more federal spending to addressing marine debris and adding more fisheries observers on the water. These priorities will improve ocean habitat and help better track problem areas of marine debris.

On the program side, ABC and partners are working on education and outreach initiatives. [The SPLASh program](#) in Texas conducts monthly trash cleanups to help restore coastal habitat for birds. Data collected are used to develop trash management plans and policies that get to the root cause of plastic litter.



Policy Solution(s)

On the state policy level, there is a great deal of legislative activity advancing the various ways to address plastic pollution. Stopping plastic before it gets in the ocean is the best way to protect seabirds and avoids costly cleanup efforts. Single-use product bans (such as bags or bottles) and enhanced recycling programs are examples of policy changes that do just that. Extended Producer Responsibility (EPR) laws and regulations, taxes on preproduction plastics, and removing marine debris also benefit birds and communities.

Many states have already begun to seriously and successfully pass policies that limit plastic pollution. For example, eight states (California, Colorado, Connecticut, Delaware, Hawaii, Maine, New Jersey, New York, Oregon, Rhode Island, Vermont), and Washington have laws banning single-use plastic bags.

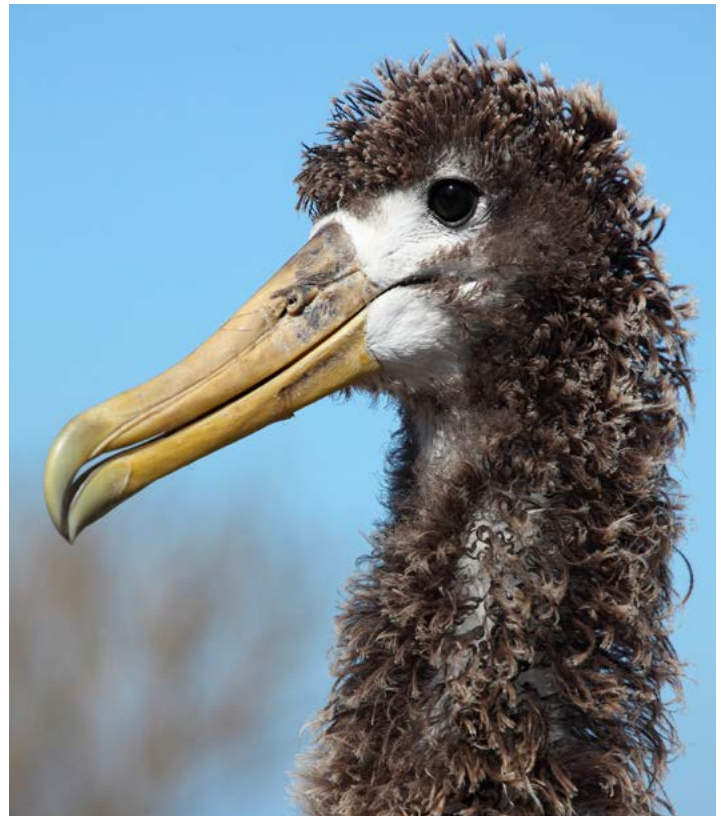
In 2025, Washington enacted the [Recycling Reform Act \(SB 5284\)](#) an EPR bill for residential packaging and paper products. And, New York is now considering the [Packaging Reduction and Recycling Infrastructure Act](#) (S1464A) requiring companies to reduce packing waste.

Below are comprehensive, creative, and ambitious examples of state-level legislation that troubleshoot specific plastic pollution challenges.

Additional Guidance

There are so many ways to address plastic pollution – bans and restrictions on products, extended producer responsibility, increased transparency, infrastructure upgrades, and clean-up efforts. As public awareness and support for bills that address plastic pollution grows, states need to take swift action to protect their citizens and seabirds.

*For more information, contact:
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Waved Albatross chick by Photovolcanica.com



WIND ENERGY

The Issue

Wind energy is a key component of our transition to a clean energy future in our battle against climate change. However, turbines can also have negative impacts upon aerial wildlife populations like birds and bats.

Impacts to birds can generally be classified into direct mortality or displacement. Direct mortality occurs when birds physically collide with the turbine blades, causing injuries or death. Some species, like Golden Eagles or Northern Gannets, are susceptible to collisions as they hunt on the wing or migrate along ridges where turbines are built. Collisions also occur when birds are attracted to turbines through particular lighting regimes, or when unable to detect turbines during times of poor visibility.

Displacement occurs when birds avoid turbines which can cause reduction in available habitat, or increased energetic expenses during migration. For instance, Lesser Prairie Chickens are wary of and avoid tall structures throughout their grassland habitats, as these structures are seen as potential perches for predators. Whooping Cranes generally seem to avoid turbines as well, and this can cause them to take circuitous flight paths during migration and thus increase the energetic costs of long-distance movements.

ABC's Work

ABC's Bird-Smart Wind Energy program works throughout the Western Hemisphere to help guide wind energy development in ways which minimize impacts to birds. We engage with lawmakers, regulators, partner organizations, and industry itself to push for responsible wind energy development. Bird-Smart Wind Energy follows six principles:

- (1) Proper siting of turbines away from high-bird-collision-risk areas;
- (2) Independent, transparent pre-and-post-construction monitoring of bird impacts;
- (3) Effective construction and operation minimization of bird mortality by wind energy facilities;
- (4) Mitigation to compensate for any unavoidable bird mortality and habitat loss;
- (5) Evaluation of wind energy as part of a complete analysis on all feasible renewable alternatives &
- (6) Environmental compliance with a rigorous local, state, and federal regulatory framework.

Policy Solution(s)

Mitigation of wind energy impacts to birds is vital to long-term population health, but the most important component of Bird-Smart Wind Energy is siting. Policy solutions which encourage developers to consider wildlife impacts as they search for new development sites are most effective. Clear statutory language requiring developers to consider and mitigate impacts of wind energy development on birds provides the strongest baseline for future regulation.

Additional Guidance

The U.S. Fish and Wildlife Service's Land-Based Wind Energy Guidelines serve as a strong baseline for evaluating project-level impacts to birds. ABC's Bird-Smart Wind Energy principles similarly provide project-level guidance. The Renewable Energy Wildlife Institute catalogs relevant scientific research in the field.

For more information, contact: Lewis Grove, Director of Wind and Energy Policy, lgrove@abcbirds.org



Tundra Swan, wind turbine by Brian Lasenby



CONCLUSION

Whether cats, collisions, lighting, pesticides, plastics, or wind, there are a wide variety of ways to address each of these threats to birds. In many cases a small win, such as passing an ordinance or a less-intensive law, are great stepping stones to broader change. Solutions also exist for boosting needed funding, and protecting migratory birds, endangered species, and threatened habitats.

Please feel free to reach out to ABC experts on any of these issues. Keep in mind that writing and passing legislation takes patience and perseverance. The path from bill to law is most successful when done with a coalition of support from like-minded groups, local stakeholders, and subject matter and policy experts. By working together, real progress can be made toward conserving wild birds and their habitats.

An overview presentation about the 2025 legislative guide is available at

<https://www.youtube.com/watch?v=jiynnLLXfMo&t=5s>

ABC's Mission:

American Bird Conservancy (ABC) is dedicated to conserving wild birds and their habitats throughout the Americas.

ABC's Strategic Bird Conservation Framework:

The simple yet effective framework outlines the high-level outcomes we work to achieve.

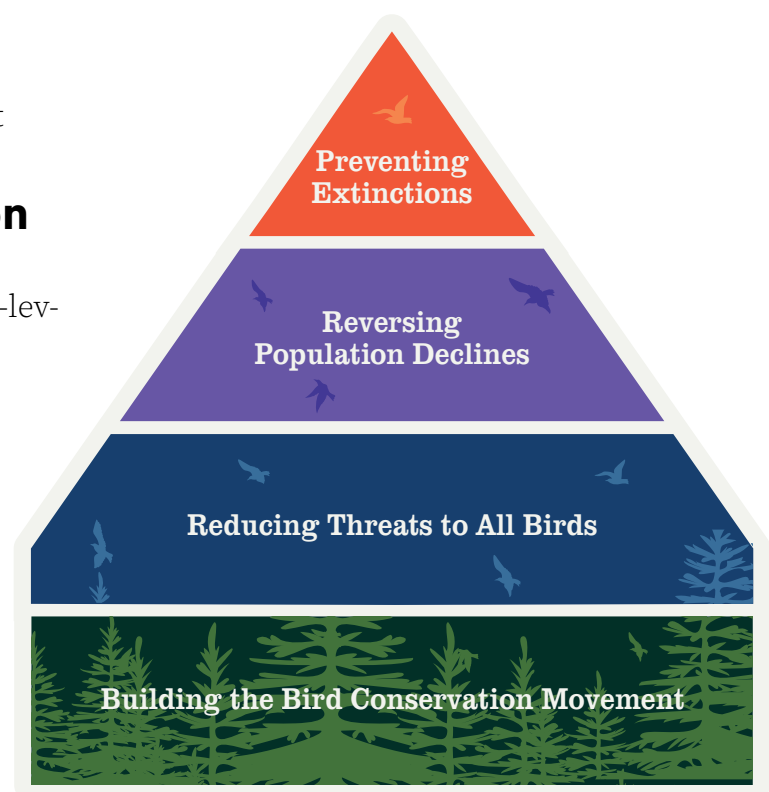
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ABC's Bird Conservation Strategic Framework



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