
March 12, 2018

The Honorable Richard Blumenthal
90 State House Square, 10th Floor
Hartford, CT 06103

Dear Senator Blumenthal,

Audubon Connecticut, the state office of the National Audubon Society, is one of Connecticut's premier conservation and environmental education organizations. With four Chapters, nearly 17,000 members, supporters, and partners across the state, and through land stewardship, science, education, and advocacy, we work to preserve habitat and protect bird species that are of state, national and global concern. Our mission is to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats for the benefit of humanity and the earth's biological diversity. We are very concerned about the U.S. Department of Interior's December 22, 2017 announcement of a new legal memorandum (M-37050) reinterpreting the Migratory Bird Treaty Act (MBTA). **The memorandum redefined the prohibition of the killing of birds as just intentional, stripping the MBTA of its power to find reasonable solutions when birds are incidentally harmed. Additionally, legislation pending in Congress, including language added to H.R. 4239, would amend the MBTA to no longer prohibit incidental takes, and therefore end any accountability for bird deaths that result from industrial activity.**

The Migratory Bird Treaty Act is America's cornerstone bird conservation law. Passed in 1918 with leadership from the National Audubon Society, it has since saved millions of birds and numerous species from the brink of extinction, including Great and Snowy Egrets which nests along the Connecticut shoreline. For the past 100 years, the MBTA has protected nearly all of our country's native birds from being killed, whether intentionally or incidentally. Much of the law's power is in that it provides a critical incentive for industries to implement common sense practices that save birds' lives. It also ensures that responsible parties are held accountable for events that kill significant number of birds. Let's recount the devastation caused by the BP Gulf of Mexico oil spill to our coastal communities, birds and their habitats, other wildlife, and the fishery community. If the new legal memorandum (M-37050) or language in H.R. 4239 had been in place at the time of the oil spill, BP would have been off the hook for killing one million birds and would not have been required to pay a \$100 million fine that is helping restore bird habitat.

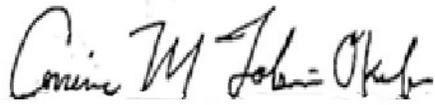
In Connecticut, the MBTA protects birds of forest and field, of marshes and meadows, and those that depend on the resources of the Long Island Sound. The MBTA motivates electrical utility and communications companies to implement best practices that protect migrating songbirds, like the Wood Thrush, Field Sparrow, and Eastern Meadowlark, from collisions with powerlines and towers. It also ensures that all efforts are made to prevent unintentional harm to waterfowl and shorebirds, from Common Mergansers to Semipalmated Sandpipers, in the event of an oil spill or contamination of our waterways. Reinterpreting the MTBA lets industries off the hook, allowing them to disregard best practices and ignore the impacts of environmental disasters on birds and other wildlife.

Considering the importance and success of the MBTA, we must continue to strike a balance between development and conservation. There are many positive stories of industries—oil producers, wind energy companies, and utility companies—working with the government in applying the law to minimize the incidental killing of birds by modifying their business practices.

Audubon Connecticut believes that what is good for birds, is inherently good for people. **As a voice for birds, we implore you to defend and uphold the Migratory Bird Treaty Act and oppose any legislation that undermines the law and makes this reinterpretation permanent.**

Thank you for your consideration.

Most Sincerely,

A handwritten signature in black ink, reading "Corrie M. Folsom-O'Keefe". The signature is written in a cursive style with a large initial "C" and "M".

Corrie Folsom-O'Keefe
Bird Conservation Programs Manager