



**NEW YORK STATE  
ORNITHOLOGICAL ASSOCIATION, INC.**  
*For the Birders and Birds of the Empire State since 1948*

April 22, 2007

To Whom It May Concern:

I am writing on behalf of our organization regarding the FCC Notice of Proposed Rulemaking on Communication Towers and Birds, WT Docket No. 03-187. Please accept this letter as formal comments on this proposed rulemaking.

The New York State Ornithological Assoc. is the umbrella organization for bird clubs in NY State. In addition to 48 organizational members in the State, we have nearly 700 individual members. Our organization is involved in documenting the ornithology of NY State, as well as education, conservation and research activities.

The impacts of lighted communications towers on birds is a great concern to us and to our members. Estimates of millions of bird deaths from collisions with these towers make this one of the largest preventable causes of bird mortality in the US.

We urge the FCC to adopt rules as soon as possible to reduce this threat to birds. Allowing significant numbers of protected birds to die in this manner conflicts with existing laws and treaties, including the National Environmental Policy Act the Endangered Species Act, and the Migratory Bird Treaty Act. The FCC has failed its responsibilities in this regard.

The US Fish & Wildlife Service has prepared useful Tower Siting Guidelines that would significantly reduce bird mortality at communications towers. The FCC should require use of these guidelines in tower location, construction and operation.

Specifically, antennas should be co-located to as great a degree as possible, to lessen the number of towers. In addition, the height of towers should be minimized and ideally reduced to less than 200 ft. so that lighting is not required. Any necessary lighting should be strobe lights, which are less attractive to birds than steady or slow pulse red lights. The existing steady and slow lights should

be phased out as quickly as possible. In addition, guy wires, which are a major threat to birds, should be kept to a minimum. Technology to utilize monopoles exists for towers under 500' and should be mandated.

Research has shown that these changes can significantly reduce bird kills. Ongoing delay in implementing improvements in tower construction and lighting will only continue the unacceptable mortality to already declining species. We urge the FCC to act swiftly and strongly in this regard.

Sincerely,

A handwritten signature in cursive script that reads "Andrew Mason".

Andrew Mason, President

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