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# Migratory Bird Treaty Act: Lessons Learned

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## Migratory Bird Treaty Act of 1918

Along with 800 other species, bank swallows are protected by the Migratory Bird Treaty Act of 1918 (Act) during the migratory season. Violating the Act anywhere--not just on federal land--is a federal offense that may result in criminal prosecution.



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## Event Background

- 2007** ▶ PNNL subcontractor excavated topsoil during construction of the Physical Sciences Facility
- Late 2009** ▶ Another subcontractor removed some topsoil from the pile
- Spring 2010** ▶ Additional topsoil removed from the pile
- June 2010** ▶ PNNL biologist interns noticed nests in the vertical face of the pile



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## Contractor Actions Taken

- ▶ **Stop Work Initiated–USFWS Contacted**
- ▶ **Raised Awareness Among Staff**
- ▶ **Briefed Construction Oversight Staff**
- ▶ **Updated Subcontractor Manual**
- ▶ **Modified Contractor Procedures**



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## Lessons Learned

### PNSO Expectations for Our Contractor:

- ▶ Be aware of federal law
- ▶ Be Watchful for birds
- ▶ Be alert to signs of nesting



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## PNSO Expectations Reflected in Corrective Actions:

- ▶ Teaching reporting responsibility
- ▶ Delegation of responsibility





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## PNSO Expectations...continued

- ▶ Prepared a Communication Plan
- ▶ Revised internal contractor procedures
- ▶ Revised subcontractor health and safety manual
- ▶ Performance of Quarterly Assessments



  
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# Conclusion

# Why is this important to you?



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