



Tales from a
Sisters Naturalist
by Jim Anderson

Killing birds for profit

Wind-power investors really know how to use their money: They buy a politician to help them make it — so they can kill more birds.

This year, with unprecedented power and gall, Representative Jeff Duncan of South Carolina, inserted a rider — a type of amendment — into the budget for Commerce, Justice and Science that would prevent federal prosecutors from enforcing the Migratory Bird Treaty Act (MBTA). Undoing a law of such historical importance should be discussed and debated at length. Instead, at orders from the wind-power industry, Representative Duncan wants the law gutted with little-to-no-deliberation.

The MBTA was established in 1918 to put a stop to the indiscriminate killing of several species of water birds that were being slaughtered for their feathers that were then sold to the millinery industry for (literally) more than gold. Since that time it has been implemented to save thousands of birds, hundreds and hundreds of acres of quality habitat, and to stop the wind-industry

from killing eagles, other raptors and songbirds.

The National Audubon Society and the MBTA were formed by the people of the U.S. after one of the Audubon wardens was assassinated by feather poachers. After the law was put into force, William L. Finley — Oregon's first Wildlife commissioner — stalked the streets of Portland in 1918, arresting women with migratory bird feathers in their hats.

It's worth looking into the nature of Senator Duncan's team more closely. The main issue seems to be that in the minds of the representatives who go along with him, the dictates of the Migratory Bird Treaty Act are too detailed and absolute.

After all, no one is killing egrets and herons for their feathers anymore; no one is shooting western grebes for their breast feathers to make "Oregon sable" coats. They don't consider it a hindrance that the same law will help stop the wind-powered investors from killing anymore eagles (and about 50,000 bats a year!)

However, to make this all the more clear, here's the guts-and-feathers of the statute:

[I]t shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause

to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof...

That spells it out pretty clearly. These conditions fit all the birds the wind-power people have killed and maimed since the first turbines went up in California, Oregon, Washington and other parts of the US, over 20 years ago.

Unfortunately, the MBTA doesn't protect the 50,000 bats killed annually by wind turbines, and it appears the states where this happens don't seem interested in fighting the tycoons that invested their money in the industry, so they've just crossed them off as "collateral damage."

The recent fines levied against a Portland-based wind-farm company — the second to be sentenced to fines for killing hundreds of protected birds in Wyoming with its turbines — will force them to pay \$2.5 million in fines, restitution and do community service, an action that was long overdue.

Everyone in avian wildlife circles knows the industry has been slaughtering birds for years, but no one seemed anxious to take them to task and force them to become responsible for their actions. U.S. Fish & Wildlife estimates that the spinning rotors on wind turbines are



PHOTO BY JIM ANDERSON

An adult golden eagle.

killing over 500,000 birds per year, and with wind farms popping out the ground like mushrooms, the death toll could more than double by 2030.

Maybe for U.S. Fish & Wildlife it was just "enough is enough!"

Just a single death of a migratory bird is technically a violation of the MBTA, whether it be eagle or warbler. In their public comments, critics of the act focus on this threat to wind farms, and shortly after introducing the rider Representative Duncan told us who's pocket he's in when he said:

"This is a legitimate concern. A small number of wind-energy producers have been prosecuted for killing migratory birds. In 2013, for example, Duke Energy settled charges that its turbines killed 14 golden eagles and 149 other protected birds in Wisconsin."

He didn't mention Pacific Corp Energy pleading guilty in U.S. District Court in Wyoming in December of 2014 to violating the federal Migratory Bird Treaty Act at two wind projects. Among the dead were 38 golden eagles, and the carcasses — besides the eagles, there were 336 other protected birds; all stashed away at the company's Seven Mile Hill and Glenrock/Rolling Hills wind projects.

Then there's power lines that kill (at least) 4 million birds — perhaps even up to 50 million. Poorly designed windows, especially on towering buildings with huge windows overlooking the world under them, kill another 50 million or so.

Doesn't this make you think again about allowing professional politicians the freedom of running our country?

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