

The Migratory Bird Treaty Act (MBTA)

Identifying nesting migratory birds for transportation projects



MBTA purpose

It is unlawful to "take" migratory birds or their active nests. (i.e. completed nests containing eggs or young).

Structures cannot be modified or destroyed while providing active nesting habitat.



Avoidance window

Before start of nesting season

Install deterrents or start removing nests.

End of nesting season

Remove deterrents and start construction **or** wait until the nests are empty if deterrents are not installed.

[Avoidance guidance](#)

Depredation permits

A depredation permit may be available if other avoidance methods are not feasible.

Permits are coordinated through USDA-APHIS.

[Depredation permit](#)

Contact

For information or consultation regarding WisDOT projects, contact:

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(608) 266-1017

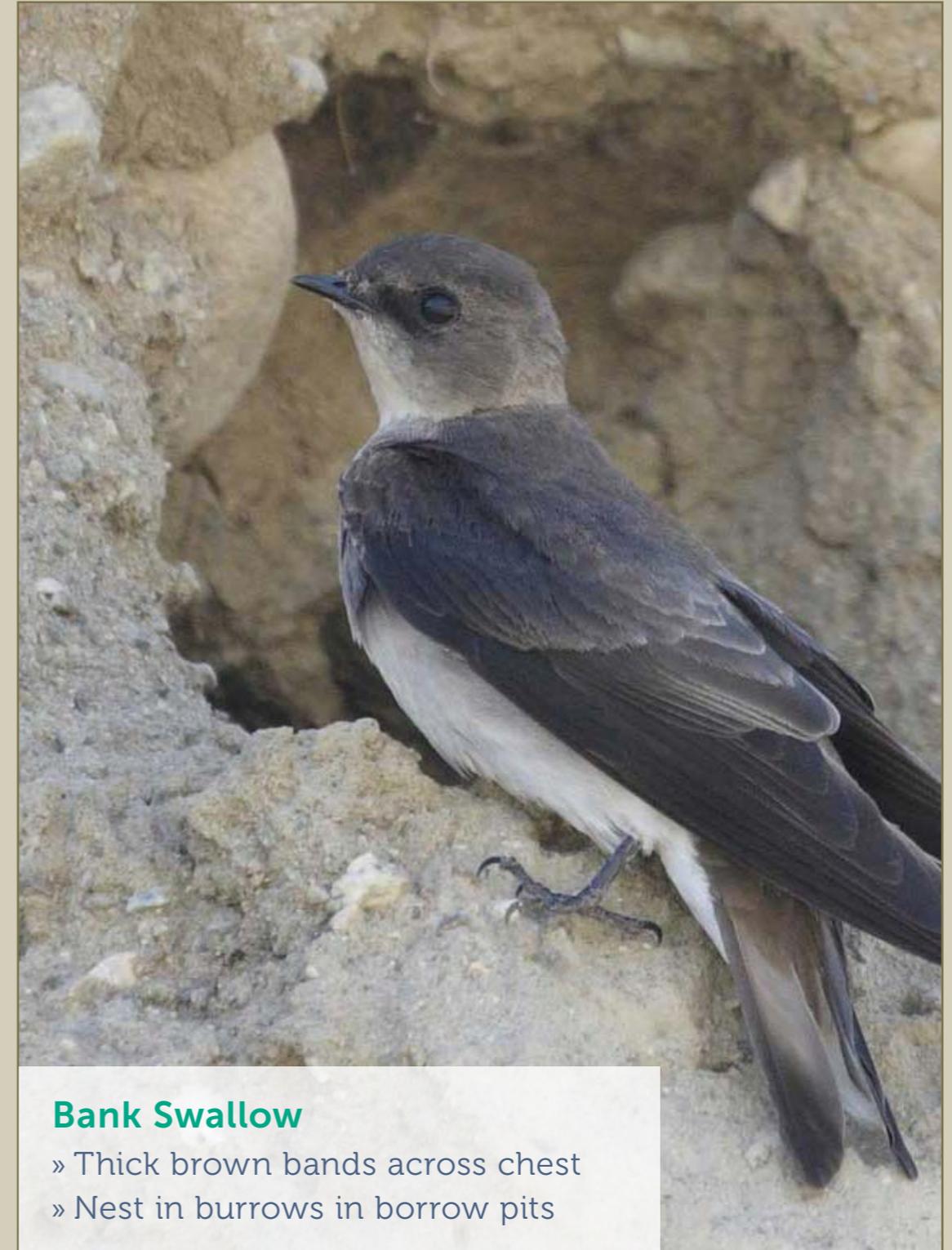
For information or consultation regarding other projects, contact:

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Cliff Swallow

- » Short, square-tipped tail
- » Colonial, gourd-shaped mud nests on bridges and culverts



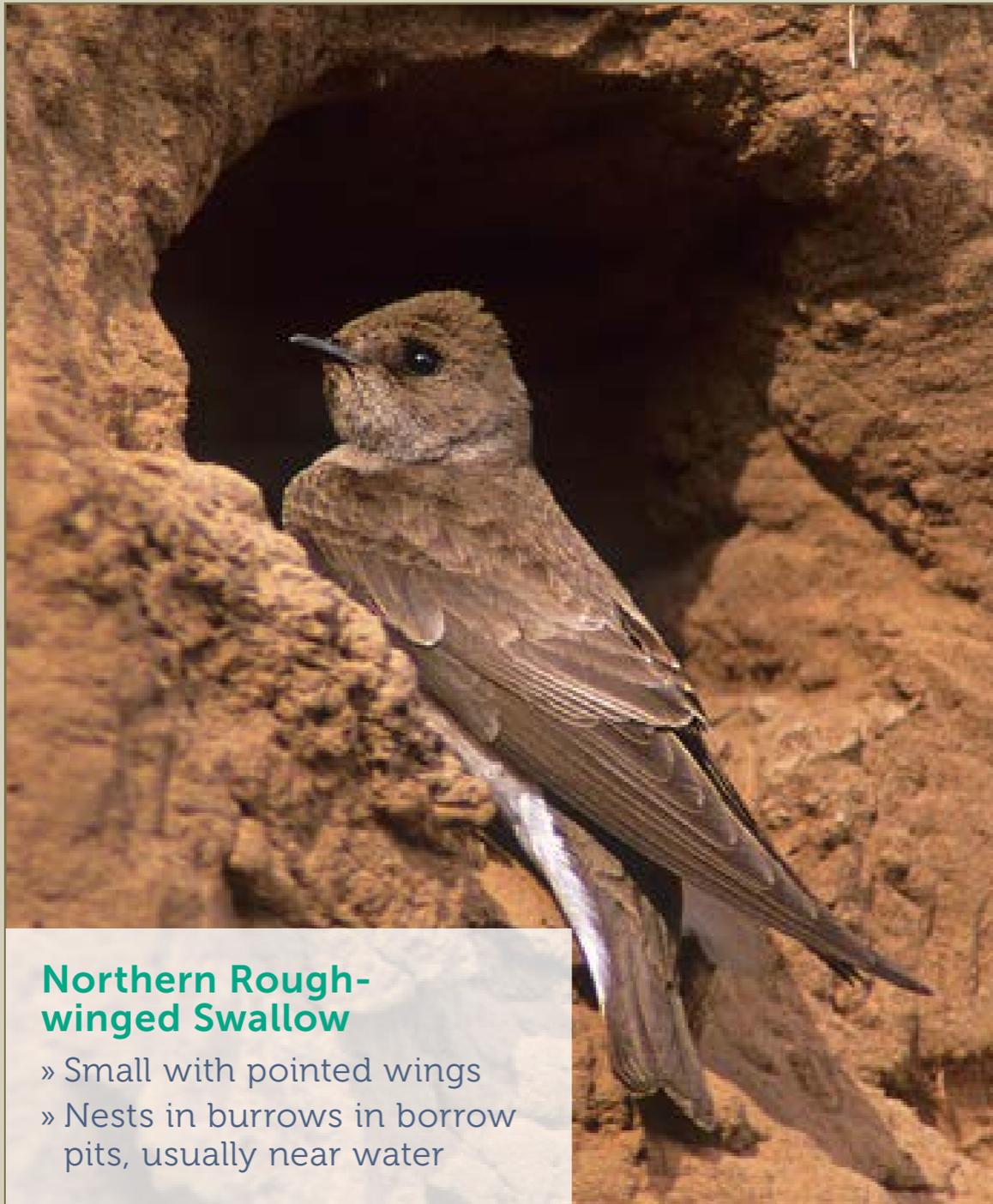
Bank Swallow

- » Thick brown bands across chest
- » Nest in burrows in borrow pits

Barn Swallow

- » Long, forked tail
- » Isolated, bowl-shaped mud nests on bridges and culverts





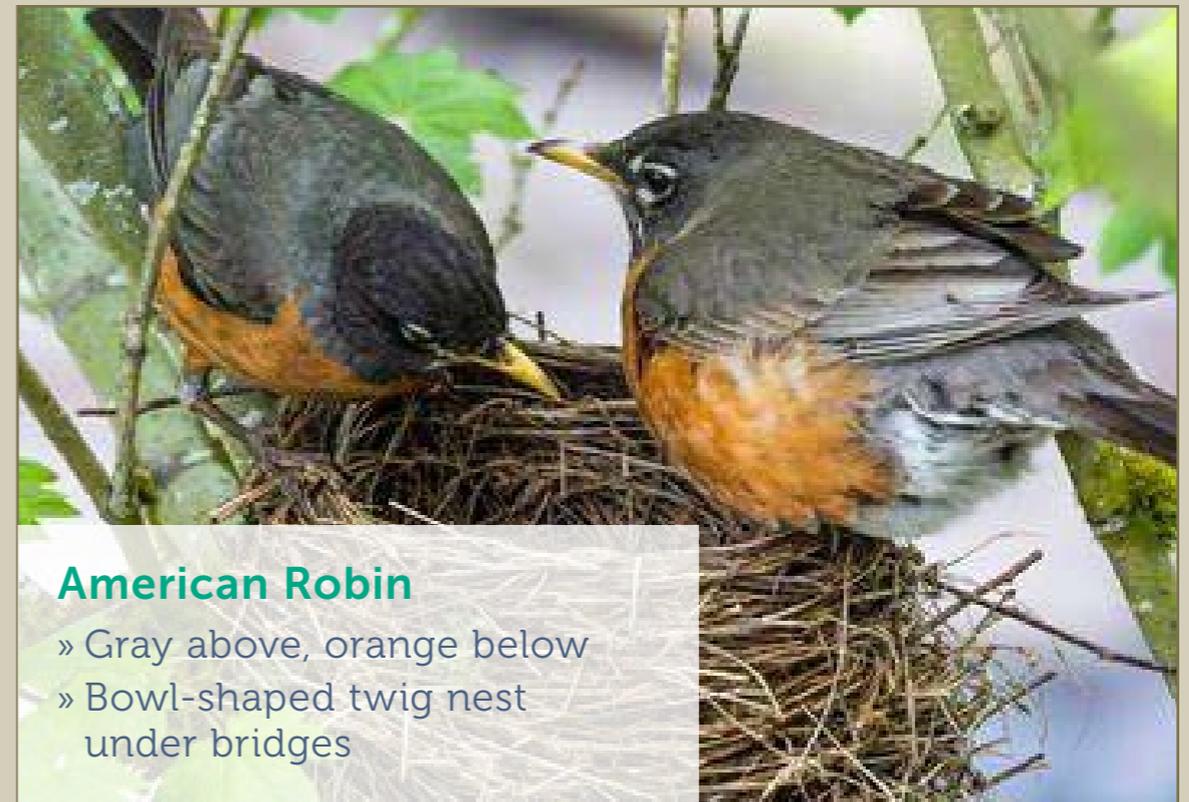
Northern Rough-winged Swallow

- » Small with pointed wings
- » Nests in burrows in borrow pits, usually near water



Eastern Phoebe

- » Brown and white with square tail
- » Large mud-moss nests under ledges



American Robin

- » Gray above, orange below
- » Bowl-shaped twig nest under bridges