DOE-RFO Supplemental Comments to EG&G Rocky Flats Document Entitled, "Migratory Bird Evaluation and Protection 1-G98-EPR-END.04"

February 1994

- **Page 5, OVERVIEW·** Consider modifying the second sentence to read as follows "Additionally, *as part of the current Resource Protection Program,*, END performs "

- **Page 5, DEFINITIONS·**

- **Migratory Birds** Consider modifying the definition to read as follows " all species of wild birds protected under the Migratory Bird Treaty Act (MBTA) are classified as migratory birds *Most* wild birds found at RFP *are considered migratory species,* including, but not limited to, "

- **Page 7, 6.1 Proposed Field Activity Evaluation·** Consider modifying this section as follows "Under the MBTA, *and except under the authority of a written permit obtained from the U S Fish and Wildlife Service, harming* protected bird species " "*Under the authority of a written permit from the U S Fish and Wildlife Service, Law Enforcement Division, Region 6,* bird nests of all species, other than threatened or endangered species, may be removed *and/*or destroyed during "

- **Page 8, Item [7]:** Consider modifying the sentence to read as follows " and prepare a migratory bird protection strategy, *including necessary MBTA permit applications to be forwarded to the U S Fish and Wildlife Service,* for the affected project as required "

- **Page 10, Field Survey and Evaluation (continued), NOTE.** Consider modifying the note as follows "The presence of *an avian* nest may cause postponement "

- **Page 11, Field Survey and Evaluation (continued):** Consider adding the following items

END Manager

[6] Report significant observations and/or events involving migratory birds and fax important supporting documentation to the DOE/RFO MBTA Coordinator within 24 hours

[7] Provide the DOE/RFO MBTA Coordinator with a quarterly summary of significant observations, events and occurrences involving migratory birds and MBTA compliance issues by the 15th of the month following the end of a quarter within each fiscal year

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