



Pomona Valley Audubon Society  
Claremont, California  
*A Chapter of the National Audubon Society*

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FCC Mail Room

c/o W.M. Keck Science  
925 N. Mills Ave  
Claremont, Ca. 91711

May 21, 2009

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, DC 20002

**RE: Docket Numbers 08-61 and 03-187**

Dear Secretary Dortch,

I am submitting these comments on behalf of the Board of Directors of Pomona Valley Audubon Society in Claremont, California, who endorsed the following comments on May 21, 2009. Our chapter has about 1000 members. We urge the Federal Communications Commission to take expeditious action to address the high number of migratory bird kills that unnecessarily occur at communications towers across the country each year.

Our members are deeply concerned about the lack of responsiveness that the FCC has shown to recent court rulings. Solutions to reducing the number of bird kills at communications towers already exist--the FWS issued recommendations in light of the matter regarding tower lighting, location, height, and support system, which the U.S. Forest Service and U.S. Coast Guard have already voluntarily implemented. We are asking that the FCC amend its rules, comprehensively evaluate the impact of communications towers on birds, and consult with the Fish and Wildlife Service.

Over one-third of all avian species found within the United States are fatally affected by communication towers, including many that are of deep concern to conservationists like the Blackpoll Warbler, the Gray-cheeked Thrush, and the Yellow-billed Cuckoo. The vast majority of bird mortality occurs during fall and spring when night-migrating birds are attracted in large flocks to the aviation safety lights on towers. The lights, especially red solid-state or slow pulsing lights, interfere with the birds' celestial navigation cues,

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particularly during poor visibility conditions such as rain and fog. Confused, the birds fly around the towers repeatedly, crashing into one another, the tower, its guy wires, or the ground. Others simply drop from exhaustion.

On behalf of our chapter, I urge you to take action to address this issue as soon as possible. We believe that the FCC should consider the location, height, lighting, and guying of their communication towers with respect to the potential impacts on migratory birds. Please issue new rules to protect our nation's wildlife in compliance with the National Environmental Policy Act, the Endangered Species Act, and the Migratory Bird Treaty Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel A. Guthrie". The signature is fluid and cursive, with a large, stylized initial "D".

Daniel A. Guthrie, President, Pomona Valley Audubon  
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