

Received & Inspected

DEC 22 2010
FCC Mail Room

Dear Chairman Genachowski,

As a supporter of Defenders of Wildlife and someone who cares about migratory birds, I am delighted to see that the Federal Communications Commission (FCC) is finally conducting an environmental review of its tower registration program.

I strongly urge you to conduct an environmental impact statement rather than an environmental assessment of the impacts of communication towers on birds. I also urge you to conduct this review before more towers are constructed as part of the broadband expansion.

As you know, according to the Fish & Wildlife Service, each year at least 5 million birds are killed by communications towers and related structures across the United States.

Around 230 species of birds -- over one-quarter of all avian species found in the U.S. -- have been documented as being killed by towers. Many of these species are in decline. Several species are suffering mortality equivalent to several percent of their estimated total population size.

The FCC has not only the legal authority to regulate these antenna structures, but also the legal obligation to do so.

Federal laws -- including the National Environmental Policy Act, the Endangered Species Act, and the Migratory Bird Treaty Act -- require the FCC to adopt measures to prevent, or at least minimize, bird fatalities caused by FCC registered antenna structures.

As FCC moves forward with the environmental review of its tower program, please consult with the U.S. Fish and Wildlife Service and prepare a Memorandum of Understanding that outlines how the FCC will meet its obligations under the Migratory Bird Treaty Act in order reduce bird deaths from antennas and structures regulated by the FCC.

Thank you for your consideration.

Sincerely,

Joe Salazar
610 Cherrywood Dr.
Santa Rosa, CA 95407

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