

Supplemental Communications (1)

(The following are communications received after packet was published on **February 23**, by noon, **February 28**.)

From: Erin Diehm <erindiehm@hotmail.com>
Sent: Monday, February 28, 2022 11:36 PM
To: Pearson, Alene <apearson@cityofberkeley.info>
Subject: Planning Commission - March 2 - Item #11 - Bird Safe Berkeley

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Dear Alene,

I am submitting comment on Item #11, "Approach to Bird Safe Berkeley Requirements Referral". Could it be shared with the commission, prior to Wednesday's meeting if possible?

Best regards,
Erin

Dear Planning Commission and Staff

Thank you for taking up this important item! We have a opportunity to enact meaningful legislation.

Birds need our help more than ever. We've lost almost one-third of all birds in North America, that's 3 billion fewer birds. Collisions with window-glass and other structures are the second most common human-induced bird mortality, up to 1 billion birds lost per year. Windows in low residences, in one- and two- story homes, are a threat, too. **See attached.** Birds can't "see" glass. Instead, they see the reflections of sky and trees in the glass (or potted plants in the interior, behind the glass), think they're real and fly into the glass, causing eye damage, concussions, broken bones, and death. Resident and migrating birds are at risk.

Now is the time for us to act to protect our beautiful bird friends. 

Please consider the following suggestion to staff's outlined approach.

1. **Instead of using Alameda and Emeryville as model ordinances, please use, or augment with (1) ABC's "Model Ordinance", (2) New York City (2019), (3) the North Bayshore Precise Plan of Mountain View**

CA, &/or (4) Federal General Services Administration. Emeryville and Alameda's have certain features that can put birds at risk and are not fully supported by the American Bird Conservancy (ABC).

- a. *ABC's Model Ordinance*. A 100/100/100 approach - 100% of all glass, for the first 100 ft, of 100% of the building, all locations (<https://abcbirds.org/wp-content/uploads/2020/12/American-Bird-Conservancy-Model-Bird-Friendly-Building-Ordinance-Dec-2020.docx>)
- b. *New York City*. Minimum 90% bird-friendly materials, for 0'-75' height, no min glass size, all locations in city (https://www1.nyc.gov/assets/buildings/local_laws/ll15of2020.pdf)
- c. *North Bayshore Precise Plan (of Mountain View)*. A minimum 90% bird-friendly for 0'-60' height, no min. glass size, all locations (see pp. 125-126 in <https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=29702>)
- d. *Federal General Services Administration* 100% glass for 0'-40' height minimum, no min glass size, all glazed corners, all glass 15' above a green roof, all locations (<https://www.collidescape.org/copy-of-illinois>)

Additional input

2. **Codify the standards into the Berkeley Municipal Code (cf. staff's "Planning Regulations")**. Do not settle for less protective "guidelines", "conditions or approval", or mere "suggestions" that will put birds in harms way.
3. **Require protection from ground level (0') up to at least 75', 100', or for the best protection, the entire height of the building**. People often think that only skyscrapers are a threat. However, one-, two-, three- and four-story buildings are dangerous, too. Birds may perch in trees nearby, mistake the reflection of their street or garden trees as real, and fly into the window.
4. **Apply the Ordinance citywide**. Do not limit the protections to a certain proximity from open space (cf. San Francisco's ordinance). Instead, because birds fly through cities to get to other habitat, they can be harmed anywhere in the city. The protections should be citywide.
5. **Require all glass corners to incorporate protection**. Glass corners are especially dangerous. Birds see vegetation or sky through the corner glass and try to fly through, flying into the glass instead. All glass corners should include protection.
6. **Require protections on glass of all sizes, large and small**. Some ordinances limit protections to glass of a certain size (e.g. Emeryville's protections are triggered by 12 ft.² contiguous glass). But any unmarked glass larger than 2" x 4" poses a threat. Roof top windscreens and glazing near green roofs must include protections, too.
7. **Coordinate with Golden Gate Audubon &/or the American Bird Conservancy** to ensure our protections are cutting-edge and truly protective for decades to come.
8. **Remove "Light-colored blinds and curtains" as a protective treatment**. (Proposed BMC 23C.27.040 Standards, #2). People in the building may open the blinds or curtains and never close them, putting birds at ongoing risk.

American Bird Conservancy page on "Legislation, Ordinance, and Codes", includes list of existing ordinances in the U.S. (<https://abcbirds.org/glass-collisions/legislation/>)

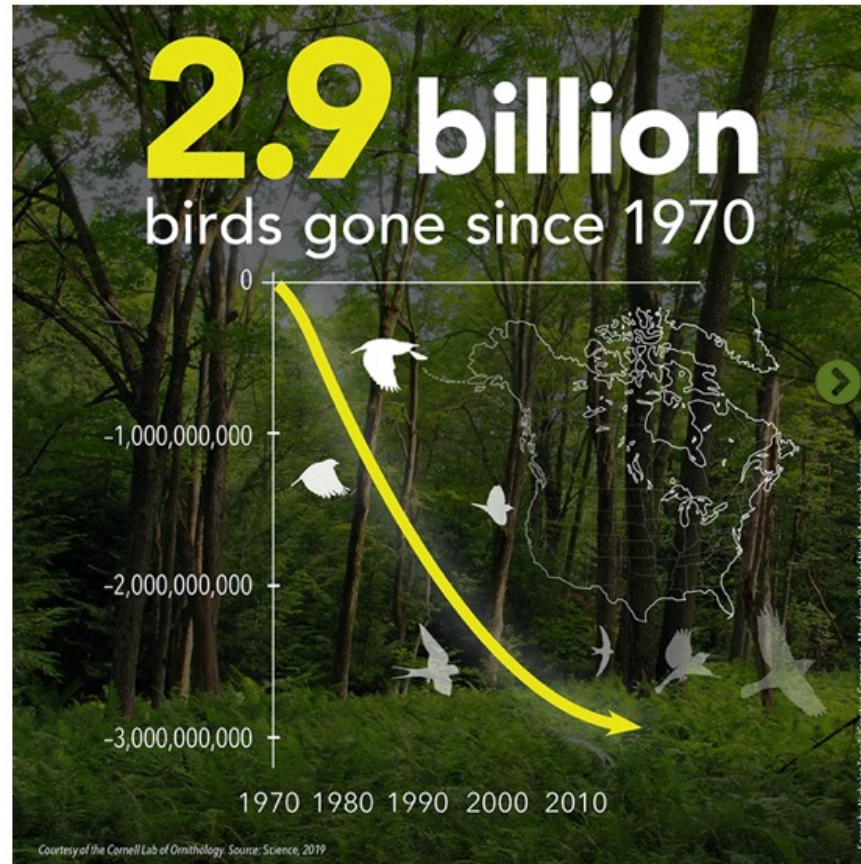
Thank you for your service and consideration.

Best regards,
Erin Diehm
Berkeley, CA

Bird Declines in the Last 50 Years

“Nearly one-third of the wild birds in the United States and Canada have vanished since 1970, a staggering loss that suggests the very fabric of North America’s ecosystem is unraveling.”

<https://www.nytimes.com/2019/09/19/opinion/crisis-birds-north-america.html>



<https://www.birds.cornell.edu/home/bring-birds-back>

Window Strikes are #2 Threat

Top Threats to Birds (U.S. only. Ordered by Median Estimate of Bird Mortality Annually. As of 2017.)			
Hazard/Type	Min Range	Max Range	Median/Avg. Estimated
Habitat Loss/Conversion	N/A	N/A	N/A
Collision - Building Glass Loss et al. 2014a	365,000,000	988,000,000	599,000,000
Collisions - Communication towers Longcore et al. 2012			6,600,000
Collisions - Electrical lines Loss et al. 2014c	8,000,000	57,300,000	25,500,000
Collision - Vehicles Loss et al. 2014b	89,000,000	340,000,000	214,500,000
Collisions - Land-based Wind Turbines Loss et al. 2013b	140,438	327,586	234,012
Collisions - Offshore Wind Turbines	N/A	N/A	N/A
Collisions - Solar Panels	N/A	N/A	N/A
Electrocutions Loss et al. 2014c	900,000	11,600,000	5,600,000
Burning -Solar Towers	N/A	N/A	N/A
Poison			72,000,000
Cats Loss et al. 2013a	1,400,000,000	3,700,000,000	2,400,000,000
Oil Pits Trail 2006	500,000	1,000,000	750,000
All	549,140,438	5,182,427,586	3,324,184,012

Building Glass kills up to
 1 billion birds every year

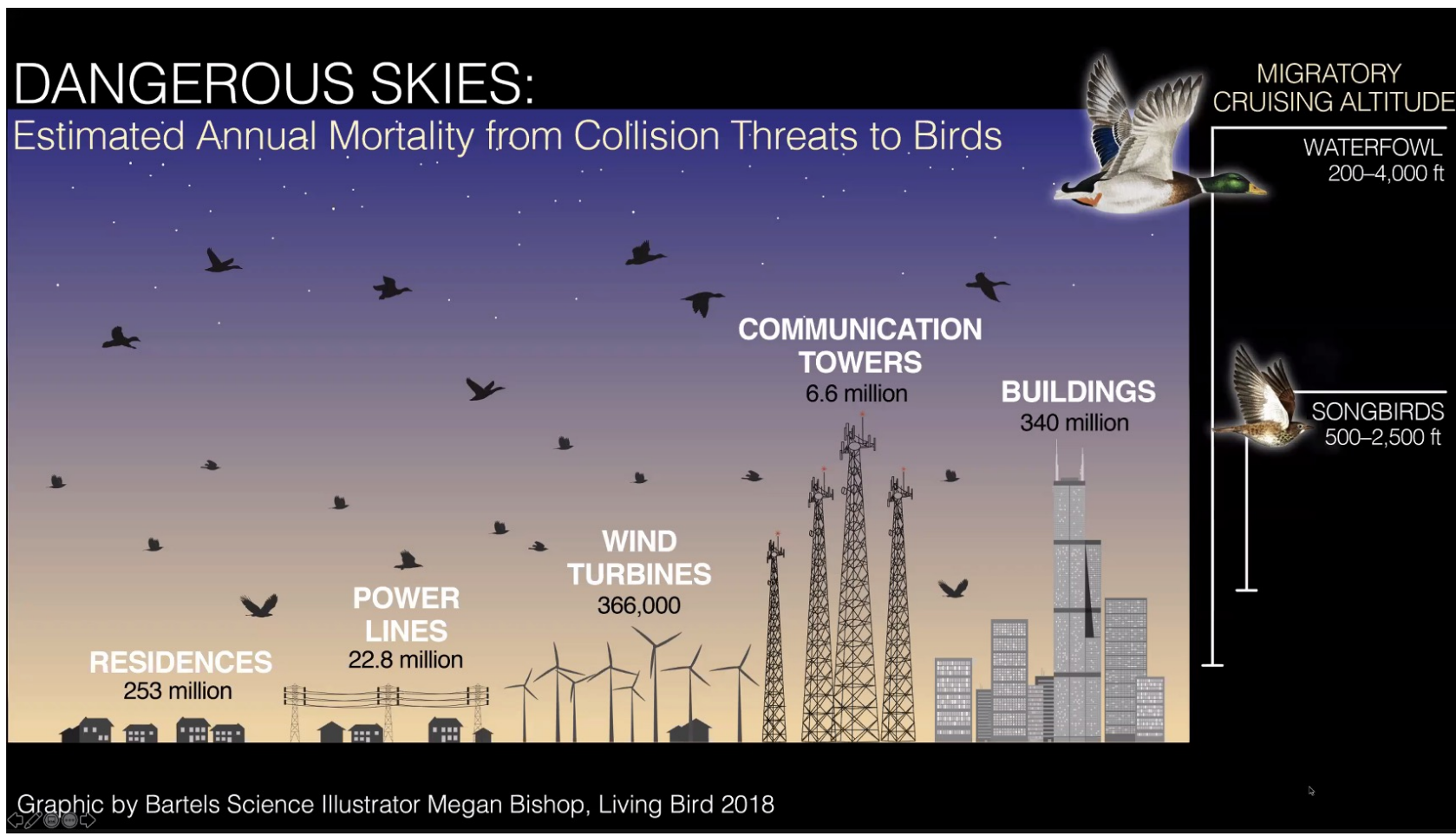


<https://rtpi.org/preventing-window-strikes/>

<https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>

Migrating Birds and Collisions

Residences approach danger of skyscrapers



From Cornell Lab of Ornithology Webcast on creating Bird Migration Forecasts: Birdcast
September 24, 2021

<https://academy.allaboutbirds.org/live-event/how-the-birdcast-team-created-super-accurate-bird-forecasts/>