

5 June 2017

Magda Hogness, SDCI Land Use Planner  
Seattle Department of Construction & Inspections  
700 5th Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

Dear Ms. Hogness:

I am writing to express my concerns about the possible effects of Project #3020338 (2939 E. Madison St., Seattle WA 98112) on local and migratory birds.

I am writing as a resident of the Madison Valley, but I do also have some professional qualifications. I am a professor at the University of Washington in both Quantitative Ecology and Resource Management and in Applied Mathematics. My research is on animal and plant populations. I obtained my Ph.D. in Ecology and Evolutionary Biology at the University of Arizona, where much of my training was in ornithology, the study of birds. Finally, I have been a member of the American Ornithological Society (or of its ancestor, the American Ornithologists' Union) for over 30 years.

I am writing in part because, on May 5th of this year, Seattle became an Urban Bird Treaty City. The goals of the treaty include protecting urban habitats and reducing urban hazards for birds.

Let me first say a few words about the birds on or in the immediate vicinity (within one block south and east) of Project #3020338. There are several interesting birds that use this area on a seasonal basis. None of the species are endangered but all of the species are listed as protected species under the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703–712).

In the winter, 2–6 California Scrub-Jays, *Aphelocoma californica*, (formerly Western Scrub-Jays) frequent this area. In the December 31, 2016 Audubon Society Christmas Bird Count, there were 12 Scrub-Jays for all Seattle, and so this is a significant proportion of the city's population of these birds.

There are also a 8–12 Golden-crowned Sparrows, *Zonotrichia atricapilla*, that regularly winter in this area. The Audubon Society recorded 228 Golden-crowned Sparrows for all Seattle in their Christmas Bird Count.

In mid-May, migrating Western Tanagers, *Piranga ludoviciana*, frequently stop and feed on fruiting vines in this area. Western Tanagers are among our flashiest migrants. (The males have yellow and black bodies and bright red heads). These birds winter in southern Mexico and Central America, but breed in coniferous forests throughout the western United States and Canada. This past May, I saw 8–10 Western Tanagers feeding for a week on fruiting vines in the area near the proposed construction site. That same week I also saw a migrating Black-headed Grosbeak, *Pheucticus melanocephalus*, which winters in central Mexico, foraging in this area. A number of resident birds, e.g., Bewick's Wrens, *Thryomanes bewickii*, also use the site.

The current site is not ideal bird habitat. It is too weedy and despoiled for that. Unfortunately, I fear that the new project will make matters far worse. In particular, replacing the current grove of trees with an extremely tall building (with lots of glass and lighting) could easily turn the site into a major hazard for migrating birds, especially since this site is so close to the Arboretum. This is especially true for nocturnally migrating birds, which are especially prone to collisions. The net result of this building could be the inadvertent taking of migratory birds.

If the project is approved, the builder should take serious precautions to prevent migratory birds from colliding with this building. Examples of such mitigation could include bird-friendly lighting and glass. I suspect, however, that it would be simpler and safer to build a smaller building with less glass. I encourage you, therefore, to reduce the size of this building.

Thank you for your time and attention.

Mark Kot  
506 30th Avenue East  
Seattle, WA 98112-4205