



Santa Cruz Bird Club

P.O. Box 1304
Santa Cruz, CA 95061
santacruzbirdclub.org

Attention:

October 6, 2025

Jeff Gaffney, Santa Cruz County Parks Director, County of Santa Cruz
Jesse Williams, Parks Superintendent, Maintenance
Cc: Manu Koenig, Santa Cruz County Parks Commission

Dear Mr. Gaffney and Mr. Williams:

Thanks for your protection of nature and biodiversity in Santa Cruz County, and making it accessible and safe for all County residents.

It was brought to our attention, however, that a Swallow nest was removed from the women's bathroom adjacent to the playing fields at Anna Jean Cummings Park on or about August 10, 2025. The California Department of Fish and Wildlife (CDFW) February 15 to September 1 to be the swallow nesting season, and per the Migratory Bird Treaty Act, aka MBTA in California, active nests during the breeding season may not be disturbed without a permit from the U.S. Fish and Wildlife Service. ("Active" includes nests that have viable eggs or chick, or are still being used by juveniles.) During the nesting season, removing an active nest is a violation of MBTA that can lead to a \$15,000 fine and/or six months in jail. Outside of these dates, the nests may be removed without a permit.

We understand that it can be difficult to know when the nest is truly abandoned, and it is important for you and staff to be aware that some chicks return to the nest after fledging for several weeks before they leave the nest for good. That is why the CDFW establishes September 1 as the end of active nest use season. In light of this, you could also have a CDFW-qualified biologist do a survey to determine whether the nest can be removed.

At the time the nest was removed, there were two juvenile (baby) Swallows still utilizing the nest. During this time, the young swallows are being fed by the parents, but still need a safe and weather protected place for sleeping. Without the nest, the young swallows are more likely to be killed by predators as they have to seek an unfamiliar and exposed place to roost for the night. Please adjust your maintenance rules and guidelines to reflect this seasonal restriction, and direct this information to any related personnel.

A side benefit to having swallows nest at Anna Jean Cummings Park, is that they can eat thousands of mosquitos a day when feeding their young. Please keep the benefits of having swallows around in mind even after the nest can legally be removed.

Thank you for your attention to this matter and we would appreciate receipt of this letter.

Jane Orbuch
Santa Cruz Bird Club Conservation Officer
On behalf of the Santa Cruz Bird Club Board