



Central Pine Barrens Commission
September 16, 2026
Technical Guidance on Implementation of the
Central Pine Barrens Comprehensive Land Use Plan
Standard 5.3.3.7.2 Bird Conservation and Protection

Present:

Mr. McGarry, for the New York State Governor
Ms. Juengst, for the Suffolk County Executive
Ms. DiBrita, for the Brookhaven Town Supervisor
Mr. Charters, for the Riverhead Town Supervisor
Ms. Moore, Southampton Town Supervisor

Whereas, the Long Island Pine Barrens Protection Act of 1993 (the Act) declared the Central Pine Barrens as a major resource area of statewide significance where the hydrological and ecological integrity is endangered. In order to protect unique features of the area, the Act required the preparation and implementation of a State supported regional comprehensive plan, and

Ryan P. McGarry
Chairman

Jerome Halpin
Member

Maria Z. Moore
Member

Daniel J. Panico
Member

Edward P. Romaine
Member

Whereas, implementation of the Plan may occur by agencies other than the Central Pine Barrens Commission, pursuant to Article 57 of the Environmental Conservation Law §57-0123(3)(a), which states:

“Subsequent to the adoption of the land use plan, the provisions of any other law, ordinance, rule or regulation to the contrary notwithstanding, no application for development within the Central Pine Barrens area shall be approved by any municipality or county or agency thereof or the commission, and no state approval, certificate, license, consent, permit, or financial assistance for the construction of any structure or the disturbance of any land within such area shall be granted, unless such approval or grant conforms to the provisions of such land use plan”...

Whereas, on July 19, 2024, the Central Pine Barrens Commission adopted amendments to the Comprehensive Land Use Plan, and

Whereas, Plan Section 5.3.3.7 Protection and conservation of species and communities, states:

“The pine barrens ecosystem hosts several species of rare, endangered or threatened animals and plants, as well as species of special concern. The State of New York has identified such species and has enacted laws to protect their number and habitat. The New York State Natural Heritage Program has also identified unique natural communities and habitats of special concern.”

“The U.S. Fish and Wildlife Service estimates that bird strikes with buildings, windows and other structures account for up to several million bird deaths per year. Bird collisions occur because birds perceive glass and reflections of vegetation, landscapes or sky to be real and they attempt to reach habitat, open spaces or other attractive features visible through either glass surfaces or free-standing glass. Many of these collisions are preventable with appropriate building design.”

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Whereas, Plan Standard 5.3.3.7.2 Bird conservation and protection, states:

“Development projects shall incorporate bird friendly structures, design and site planning elements to reduce bird strikes and mortality to the greatest extent feasible. Seek guidance provided in the American Bird Conservancy et al publication “Bird Friendly Building Design,” available from their website.”

Whereas, current research reveals an alarming estimate that bird collisions with buildings kill more than one billion birds annually in the United States, and

Whereas, for the purposes of succinctness and ease of reading, access and implementation, the Plan omits the supporting rationale and background on this standard, and

Whereas, agencies need clarity to implement Standard 5.3.3.7.2, and

Whereas, the Commission seeks to provide clarity to other agencies that review development projects and implement the Plan to reduce bird mortality when applying the Standard, and

Whereas, the American Bird Conservancy (ABC) developed a Threat Factor (TF) to identify the level of risks and to reduce bird strikes on window surfaces, and

Whereas, the TF is a score that provides a relative measure of how well materials with patterns of visual markers cause avoidance by birds. The ABC report states, “Threat Factors are an index, measuring the relative response to different patterns and different glass builds by songbirds flown in the tunnel. However, where monitoring data on tunnel-tested products are available, they confirm that products with lower threat factors yield fewer collisions. **ABC defines “bird-friendly” materials as having a threat factor ≤ 30 , corresponding to a conservative estimated reduction of collisions of at least 50% under real world conditions.**”

Whereas, development projects in the Central Pine Barrens shall utilize the ABC guidance on TFs that do not exceed a rating of 30.

Now therefore be it

Resolved, the Commission and agencies in the Central Pine Barrens continue to implement the goals and objectives of the Act and the Plan, pursuant to ECL §57-0123(3)(a), and be it further

Resolved, the Commission directs agencies implementing Standard 5.3.3.7.2 Bird conservation and protection to utilize materials having a Threat Factor of 30 or less.

Record of Motion

MOTION BY: Ms. Moore

SECONDED: Ms. Juengst

VOTE:

YES: 5

NO: 0

ABSTAIN: 0

ABSENT: 0

DATE: September 16, 2026