

# DESERT MANAGERS GROUP EAGLE PERMITS AND MANAGEMENT UPDATES





# Eagle Act Take Definitions

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- **Take** - pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest or disturb
- **Disturb** - to agitate or bother a Bald or Golden eagle to a degree that causes, or likely to cause, based on best scientific information
  - injury to an eagle
  - decrease in productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior
  - nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior

# Conservation Perspectives of the Eagle Act and Rule



- Eagle Act - take will be authorized only where it is “compatible with the preservation of the eagle”
  - Rule defined as “consistent with the goal of increasing or stable breeding populations”
- In other words, we are not managing eagles to the point they need to be listed under the Endangered Species Act (ESA), but for preservation

# Conservation in Rule & NEPA



- Management objective to ensure authorized actions do not result in declines in breeding populations of either
- FEA established thresholds for take



# Analysis in Final EA

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## Population modeling by species

- Bald Eagle: 5% = 7.2 birds per year in R8
- Golden Eagle: currently zero
- Thresholds will change over time

# Mitigation Standards in Permits



- All permittees are required to avoid and minimize the potential take to the degree practicable
  - Must provide evidence in application
- Programmatic permits standard is *maximum degree technically achievable* - any take that occurs is unavoidable
- Should be related to the impacts of the take, and be demonstrably effective

# “No Net Loss”



- Unavoidable mortality caused by the permitted activities must be offset by compensatory mitigation that reduces another, ongoing form of mortality by an equal or greater amount,

OR

- which leads to an increase in carrying capacity that allows the eagle population to grow by an equal or greater amount.

# Effective Equivalents



## ❖ Golden Eagles

- permanent loss of a nest territory or abandonment of a territory = permitted take of 4.26 individuals from the management population.
- disturbance at 1 nest for only 1 breeding season = 0.79 individuals from the threshold for 1 year.

# Effective Equivalents



## ❖ Golden Eagle

- 1 nest take resulting in the permanent abandonment of a territory = 0.79 individuals from the threshold the first year, and a reduction in 4.26 individuals from the annual threshold each year thereafter until data show the number of breeding pairs has returned to the original estimated, or until it can be demonstrated that the predicted loss has not occurred.

# Compensation



- Address any pre-existing mortality source affecting the eagle management unit impacted by the project **that was in effect at the time of the FEA in 2009.**

OR

- Address increasing the carrying capacity of the eagle population in the affected eagle management unit.

# Compensation



- Ongoing sources of mortality:
  - Transmission Lines
  - Lead Poisoning
  - Vehicle Collisions
  - Wind Energy Facilities

# Region 8 Efforts



- ❖ Electrocutions and line strikes
  - “above and beyond” plan
  - underground transmission lines
- ❖ Take at existing wind facilities
  - Buy out facilities with ongoing take
  - Repowering with fewer turbines - experimental