

# Migratory Bird Program Update

November 7, 2024

- **General Permits for Eagle Incidental Take in CA and NV**
- **Barred Owl Letter**
- **Migratory Bird Program HQ's Tribal Webinars**
  - Purpose
  - Several proposed regulation changes



# General Permits for Eagle Incidental Take in CA and NV

- In February 2024 USFWS revised the Bald and Golden Eagle Act Regulations to allow General Permits for Wind, Power Lines, Bald Eagle Nest Take, and Bald Eagle Disturbance for certain (but not all) projects.
- General Permits are issued by MB HQ through an automated process.
- During rulemaking some Tribes expressed concern they would not know about the automated permits.
- MB HQ regularly publishes a list of [Eagle Take General Permits Issued To-Date](#).
- We are using this coordination meeting to proactively inform you about what General Permits have been issued in Region 8.
- Two general permits have been issued, both for wind power projects:
  1. Ocotillo Express Wind project in Imperial County, and
  2. Avangrid's Tule Wind in San Diego County



# Barred Owl Letter

- Region 8 MB is publishing an Environmental Assessment for a permit to increase the number of barred owls lethally removed from California for research.
- On Oct. 28 we sent letters to Tribes in CA, inviting your input.
- The permit is statewide, but only a few barred owls may be collected from the Cleveland, Angeles, and Los Padres National Forests.
- Most work would be in northern California and the Sierra Nevada.



# Migratory Bird Program HQ's Tribal Webinars

- Established regular webinars in 2024
  - Share information about upcoming migratory bird regulations, policies.
  - Ask for ideas and feedback at the staff level.
  - April & Oct, will establish a regular day and time.
  - Eldon will send out notices.



# Migratory Bird Program HQ's Tribal Webinars

HQ will start writing a draft rule for Possession and Acquisition of Migratory Bird and Eagle Remains, Feathers, and Parts in November 2024.

- Accepting input from Federally Recognized Tribes throughout the process.
- HQ held webinars earlier this year. If you missed them, please contact Eldon for a link.
- You can also review a short handout, which includes HQ contacts.



# Migratory Bird Program HQ's Tribal Webinars

HQ has proposed revising/creating regulatory authorizations (see [Federal Register notice](#)):

## 1. Law Enforcement Authorization

- Regulations authorize DOI law enforcement personnel to conduct certain activities without a permit may:
  - take or otherwise acquire, hold in custody, transport, and dispose of migratory birds or their parts, nests, or eggs as necessary in performing their official duties
- Proposed clarifying that this authorization applies to all law enforcement agencies authorized to enforce laws consistent with the MBTA or Eagle Protection Act, *including Tribal law enforcement.*
- Proposed allowing law enforcement agents to temporarily designate authority to other individuals.



# Migratory Bird Program HQ's Tribal Webinars

HQ has proposed revising/creating regulatory authorizations (cont.):

## 2. Migratory Bird Salvage Authorization

- Proposed changing salvage permits to an authorization.
- Requirements would be the same as under permits, but no permit required.
- Would allow donation of bird remains to non-eagle repositories, **including Tribes that hold Migratory Bird Remains permits.**
- Eagle remains could be sent directly to the National Eagle Repository.



# Migratory Bird Program HQ's Tribal Webinars

HQ has proposed revising/creating regulatory authorizations (cont.):

## 3. Natural Resource Agency Employees Authorization

- Service and State wildlife agency employees are authorized under special purpose permits to:
  - salvage birds,
  - use migratory bird specimens for educational programs,
  - transport birds to medical care, and
  - relocate birds in harm's way.
- Proposed new authorization for these activities (no permit needed).
- Proposed authorization also includes Tribal natural resource agency employees.





# Thank you for your time!

For questions please contact:

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