



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE Migratory Bird Permit Office, Region 6

IN REPLY REFER TO:  
USFWS/PERMITS  
Eagle Depredation

MAILING ADDRESS:  
Post Office Box 25486  
Denver Federal Center (60154)  
Denver, Colorado 80225

STREET LOCATION:  
134 Union Blvd.  
Lakewood, Colorado 80228

Dear Applicant/Permittee:

Thank you for contacting the U.S. Fish and Wildlife Service (Service) regarding an Eagle Depredation permit for eagle hazing activities. Eagle Depredation is damage or loss caused by Bald Eagles and/or Golden Eagles. A federal Eagle Depredation permit can authorize the hazing and/or trapping of bald eagles and/or golden eagles to provide relief for agricultural damage (primarily livestock), private property damage, threats to human health and safety (including airports), and threats to recovery of protected wildlife (50 CFR 22.23). The intent of hazing is to dissuade eagles from causing depredation damage or loss. A typical active-hazing program uses frightening devices to scare eagles, such as pyrotechnics, propane cannons, airhorns, vehicle horns, and other dispersal techniques.

Since the de-listing of the Bald Eagle in 2007, the Service has recommended an Eagle Depredation permit for any active hazing program. This recommendation was based in an abundance of caution due to the potential for hazing to “disturb” eagles.

**Disturb**, as defined in regulation (50 CFR 22.3), means to:

*“agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”*

While the definition of disturbance has not changed, in over a decade of implementation, the Service has developed a better understanding about the resilience of Bald Eagles and what activities are likely to cause disturbance. In particular, several studies that used satellite telemetry on Bald Eagles have shown that the species is increasingly adapting to human activity and human-modified features in the environment. Bald Eagles are capable of moving over long distances quickly, and adapt to new locations by joining communal roosts with other eagles, which facilitates their ability to find food sources in unfamiliar areas. In the few instances where translocated Bald Eagles have been tagged with tracking devices, the individuals have not demonstrated any ill effects from their relocation. Taken together, the available evidence suggests Bald Eagles are unlikely to experience negative effects that rise to the level of disturbance as a result of hazing.

Effective August 3, 2020, the Service has updated their recommendation, clarifying that hazing eagles does not necessarily require a permit. The Eagle Act does not prohibit the activity of hazing. However, a permit is required when hazing of eagles will disturb eagles. When there is potential for purposeful hazing of eagles to disturb eagles, the Service recommends an Eagle Depredation permit, such as if eagle hazing will occur adjacent to eagle nest site, roost site, or important foraging area. A permit is always required for trapping Bald Eagles or Golden Eagles.

Based on the information provided, we find it highlight unlikely for eagle hazing to disturb eagles; therefore, an Eagle Depredation permit is not required. If your circumstances change or if you have any questions, please contact the Migratory Bird Permit Office at [PermitsR6MB@fws.gov](mailto:PermitsR6MB@fws.gov) or (303) 236-8171.