



# Migratory Birds and Habitat Program Pacific Region

## What's the latest?

Migratory Bird Treaty Act  
Bald and Golden Eagle Protection Act

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**Michelle McDowell, Permits Branch Chief**



# Overview

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**MBTA & BGEPA  
Overview**

**Avian Predation  
Conflict – Regs**

**Resources**

**Your Questions!**



# Guess which 4 countries, for MBTA?



# Migratory Bird Treaty Act (16 U.S.C. 703–712)

MBTA 10.13 List (50 CFR 10.13)  
Prohibits take, including parts,  
feathers, in-use nests, or eggs,  
without authorization

Common authorizations (50  
CFR Part 21):

Depredation

Scientific Collecting

Special Purpose Utility

Live Possession (e.g.,  
Rehab, live education)

Import/Export



# Regulatory Authorizations for Migratory Birds

**Birds in Buildings:** Anyone may humanely remove a bird from the interior of a building or structure

**Infectious disease:** Government health/wildlife agencies may collect sick or dead birds for disease analysis

**AZA Zoos & Public Scientific/Education Institutions:** Can possess & sell birds among themselves (not collect)

**Good Samaritan:** Anyone may transport sick, injured, or orphaned birds to a permitted rehabilitator

**Veterinarians:** Licensed vets can triage/ euthanize sick or injured birds



**AND...**

# Regulatory Authorizations for Migratory Bird and Eagle Possession by the General Public, Educators, and Government Agencies

**December 31, 2024.**

Clarified language in regulatory authorizations

Can add drone use on permits

New regulatory authorizations (replace permits):

Salvage,

Agency natural-resource employees, and

Exhibition of eagle specimens.

# Regulatory Authorizations Natural Resource Agency Employees

## Authorized activities

- Salvage
- Exhibition use
- Transport
- Relocate



# Missing – Incidental Take Regulation

## Director's Order

- MBTA prohibits incidental take of migratory birds and will enforce the statute accordingly

## BMP's

- - Nationwide Avoidance & Minimization Measures for Birds



# Migratory Bird Permitting Handbook



## Migratory Bird Permitting Handbook

U.S. Fish and Wildlife Service  
January 2025



[https://www.fws.gov/sites/default/files/policy/files/mb\\_permitting\\_handbook-jan2025\\_final.pdf](https://www.fws.gov/sites/default/files/policy/files/mb_permitting_handbook-jan2025_final.pdf)

Updates include revisions to the quick reference tables

Part 3 has a Q on the Reg Auths and a Q on AHA

# Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d)

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“BGEPA” (also protected under MBTA)

Prohibits take, including parts, feathers, nests, or eggs, without authorization

Common authorizations (50 CFR Part 22):

- Disturbance
- Nest take
- Incidental take
- Hazing
- Scientific collecting
- Education (Dead or alive)
- Tribal use (members and tribal leaders)



# Other recent changes

Policy re: hazing eagles



# **Current Regulations – Avian Predation Conflict**

**Scientific Collection  
Permit**

**Depredation Permit**

**Special DCCO Permit**

**Special Purpose  
Miscellaneous, Agency  
Species Protection**



# Scientific Collection Permit



*Photo Credit: Colleen Moulton*

**For research**

**Needs a study design**

**Used to determine  
conflict**

# Depredation Permit

Human health and safety

T/E or species of high  
conservation concern

Agriculture/Aquaculture

Property damage



# Special Double-crested Cormorant Permit



- State or federally recognized Tribal fish and wildlife agencies
  - Aquaculture (hatcheries)
  - Human health and safety
  - T/E or species of high conservation concern
  - Property damage
  - Wild and publicly stocked fish
- Expanding Management of Conflicts Associated with DCCO, links to regulation, NEPA, and permit application

# Special Purpose Agency Species Protection Permit

- **Government Agency**
- **Management Plan**
- **Species of Concern Protection**
  
- **Localized population control**
- **Additional tools (blinds, lures, baits, calls etc.)**



# Migratory Bird-related Resources

## **Mig Bird Memo Series:**

<https://www.fws.gov/library/collections/migratory-bird-permit-memorandum-series>

**USDA Wildlife Services OR Phone #:**  
503-326-2346

**Find a Migratory Bird Rehab Facility Near You:**

<https://fws.maps.arcgis.com/apps/insant/nearby/index.html?appid=6e5a1e28771543f5ba195f85ffb95b17>

**Migratory Bird Permits Website:**

<https://www.fws.gov/program/migratory-bird-permits>

**ePermits System:**

<http://ePermits.fws.gov>

**Living with Birds website:**

<https://www.fws.gov/program/migratory-bird-permits/living-around-birds>



# **Keep In Mind – Planning!**

**NEPA – Permit issuance = Federal action**

**60 days minimum**

**Renewal requests**

**-if simple renewal request, all needed information and annual report submitted prior to 30 days of expiration**

**-then work is authorized to continue under current permit**

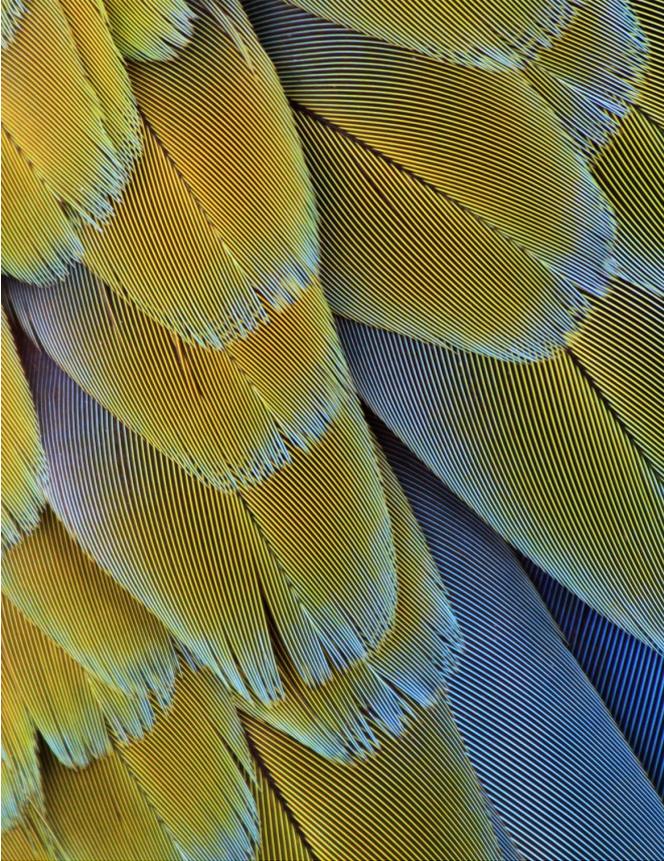
An aerial photograph of a dense forest, showing a mix of green foliage and bare, grey tree trunks. A large, bold, white question mark is centered over the image.

**QUESTIONS?**

*Photo: Idaho Department of Fish and Game*

# Migratory Birds and Habitat Program

## Key Contacts



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