



Photo: Dominick Martino



Bald Eagle Status Update and Rule Revision

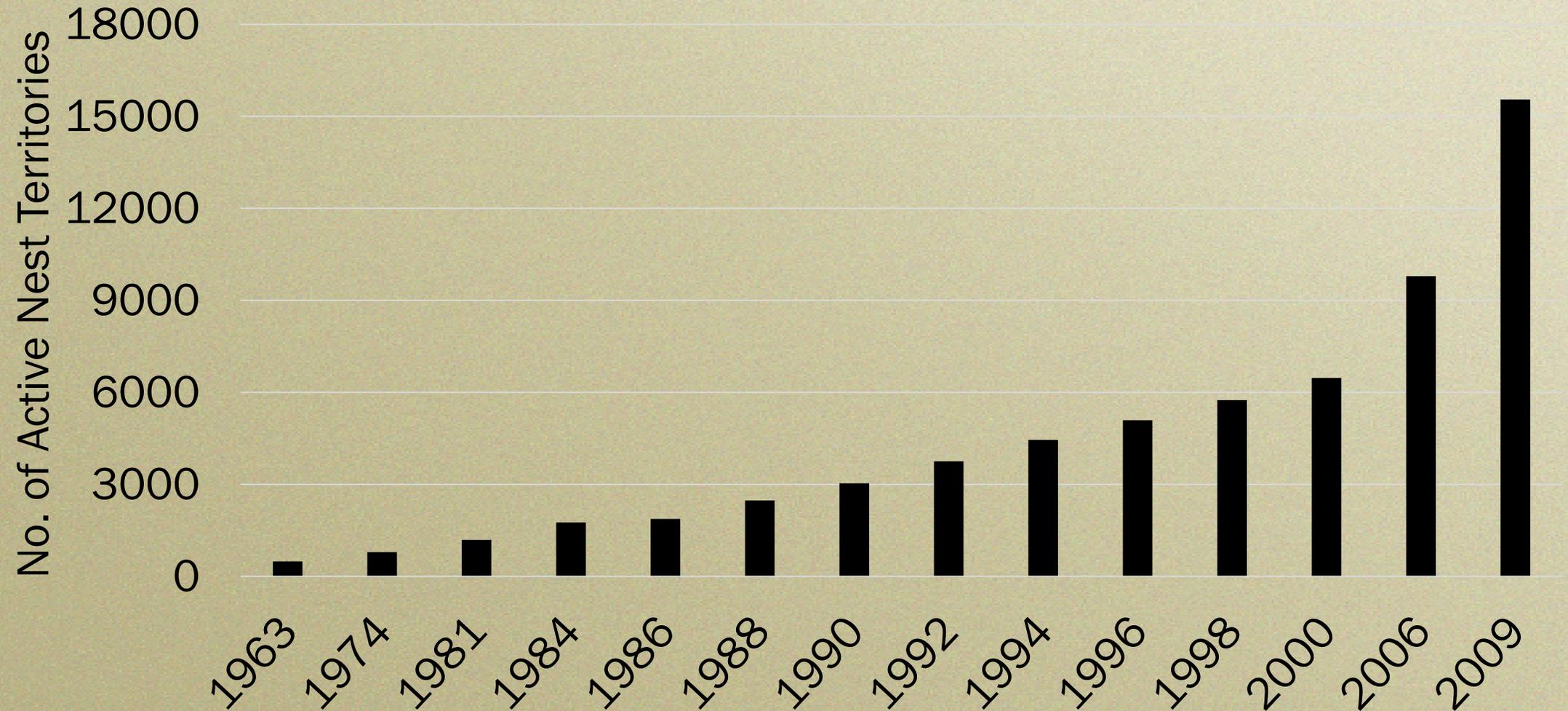
Florida Fish and Wildlife Conservation Commission
Division of Habitat and Species Conservation

Overview

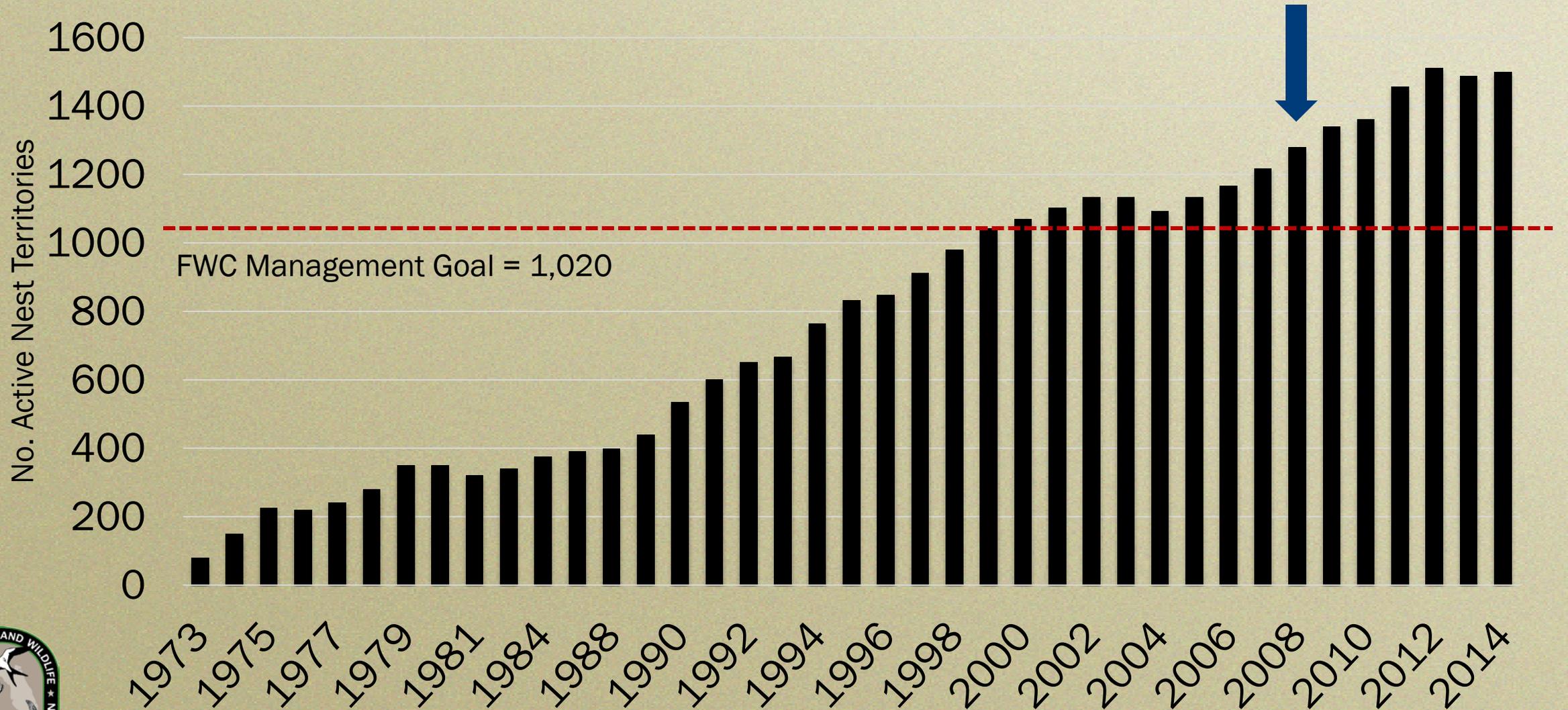
- Biological status of bald eagles
- Bald eagle protections
- Staff concerns
- Staff recommendation



Bald Eagle Breeding Population in Lower 48 States



Florida Breeding Population 1973 - 2014



2017 Federal Rule Revisions

- Changes from prior rules include:
 - Permitting based on flyways rather than regions
 - Increased take thresholds
 - Increased permit application fees
 - Reduced mitigation requirements
- No change to National Eagle Management Guidelines
 - Guidelines are designed to minimize disturbance through buffer distances and seasonal restrictions



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Staff Concerns about Eagle Permitting

- Want to reduce permit duplication and inconsistency
- Federal permitting process sufficient to ensure ongoing preservation of bald eagles
- Cost to obtain Federal permit may be significantly less than the state mitigation fees.
 - Duplicative permitting increases regulatory burden and cost without significant conservation benefit for species
 - Monitoring data suggest that modification of regulations is appropriate



Photo: MyFWC



Proposed Next Steps

- Revise Bald Eagle Rule
 - Maintain protections
 - Remove the need for State permits
- Replace the FWC Bald Eagle Management Plan with a new Bald Eagle Species Action Plan
 - Engage stakeholders and partners
 - Update threats assessment and monitoring protocols
 - Identify high-priority, non-regulatory conservation actions



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Staff Recommendations

- Advertise the proposed revisions to the bald eagle rule (Rule 68A-16.002) and file for adoption as soon as possible
 - If approved, staff will file the rule for adoption as allowed by s. 120.54(3) Florida Statutes without further public hearing
- Sunset the Bald Eagle Management Plan
- Approve staff to develop a Bald Eagle Species Action Plan



Photo: Resee Collins



**The following slides are considered back-up material
and are not anticipated to be part of the actual
presentation**



Bald Eagle Regulations

- 1940 – 1967
 - Federal Bald Eagle Protection Act
- 1967 – 1978
 - Federal Endangered Species Preservation Act
 - State Endangered (1971), Threatened (1973)
- 1978 – 2007
 - Federal Endangered Species Act
 - State Threatened
- 2007 – present
 - Federal Bald and Golden Eagle Protection Act
 - State Bald Eagle Rule (2008)



Photo: Dominick Martino



Proposed Revisions to Rule 68A-16.002

~~(1) No person shall take, feed, disturb, possess, sell, purchase or barter, any bald eagle or parts thereof, or attempt to engage in any such conduct, any bald eagle or parts thereof, or their nests or eggs, except when such conduct is authorized by the U. S. Fish and Wildlife Service.;~~

~~(a) As authorized by permit, which will be issued based upon whether the permit would advance the management plan goal and objectives;~~

~~——(b) When such conduct is consistent with the FWC Eagle Management Guidelines;~~

~~——(c) When such conduct is consistent with a previously issued permit, exemption, or authorization issued by the FWC under imperiled species regulations (Chapter 68A-27, F.A.C.), or by the USFWS under the Endangered Species Act (U.S.C. 1531 et seq.).~~

(2) For purposes of this section, the term “disturb” is defined as, “To agitate or bother a bald eagle to the degree that causes, or is likely to cause (a) injury to an eagle, (b) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (c) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

(3) On public land, it is unlawful for any person to knowingly enter any area posted as closed for the protection of bald eagles, their nests, or their nest trees, except the staff or authorized agents of the managing public entity for that area, or as authorized pursuant to subsection (1).

~~——(4) The section of the Bald Eagle Management Plan entitled “Permitting Framework April 2008,” which includes the FWC Eagle Management Guidelines, is incorporated herein by reference.~~



68A-16.002 Bald Eagle (*Haliaeetus leucocephalus*)

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