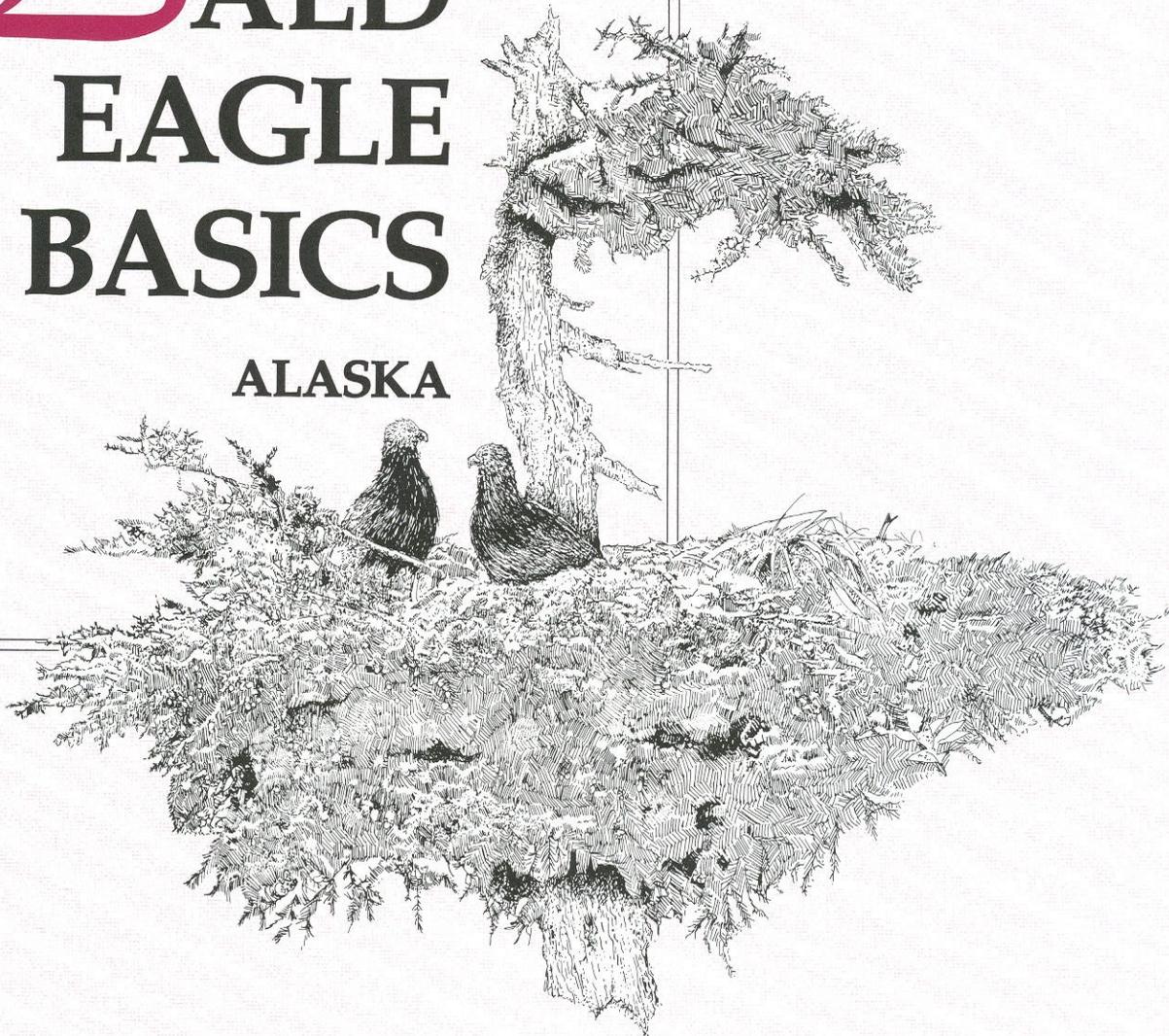




BALD
EAGLE
BASICS

ALASKA



U.S. FISH AND WILDLIFE SERVICE
- ALASKA REGION -

NOTE TO READER:

The management practices and other information discussed in this booklet are advisory and are intended to assist owners, managers, and users of public and private lands in protecting bald eagles, their nests, eggs, and habitat in Alaska. This information is not regulation nor does it represent changes to existing interagency agreements. Compliance with or disregard of the suggested management practices contained herein does not, of itself, show compliance with or violation of the Eagle Protection Act or noncompliance with Federal agency policies.

Funds for this publication were provided by the National Fish and Wildlife Foundation,
Sealaska Corporation, and the U.S. Fish and Wildlife Service.





Bald Eagle Basics



Alaska, a name linked with glaciers, tundra, forests, and mountains, is home to the largest bald eagle population in the Nation. Today, the state's eagle population is strong and secure, unlike many areas in the lower 48 states where habitat loss, chemical toxins, and careless acts of destructiveness decimated eagle numbers.

However, even Alaska has not always been a safe haven for these majestic birds. Once, bald eagles were viewed as a nuisance and competitor by the fishing and fur-farming industries. From 1917 to 1952, the Alaska Territory paid bounties on over 128,000 bald eagles. Despite the number of eagles killed, the population has gradually recovered. Today it may be as large as during pre-bounty days.

The health and recovery of the Alaskan bald eagle population can be attributed to extensive nesting and feeding habitat. However, protection of areas critical to eagles is increasingly in conflict with demands for natural resources, recreation, and development. Land management that incorporates an awareness of bald eagle habitat needs is essential to maintenance of Alaska's eagle population.

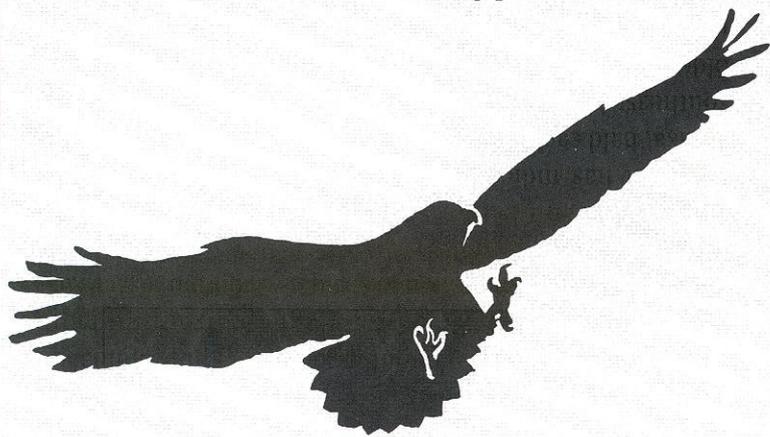
This booklet is intended to help Alaskans avoid problems which contributed to the decline of bald eagle populations in other states. Specifically, the purposes of the booklet are to:

- (1) heighten the awareness of landowners, land managers, and the general public regarding habitat needs of bald eagles and their sensitivity to certain human activities during their nesting season,
- (2) encourage land and resource managers to voluntarily include in their land use and development plans management practices that protect eagles and their habitat, and
- (3) publicize the provisions of the Eagle Protection Act in order to help avoid violations of that Act and maintain a healthy population of eagles in Alaska.

Natural History

Bald Eagles (*Haliaeetus leucocephalus*)

are large, dark brown birds of prey that gradually acquire their distinctive white head and tail as they mature and become adults at five years of age or older. Alaskan bald eagles average 12 pounds with a wingspan of 6.5 to 8 feet.

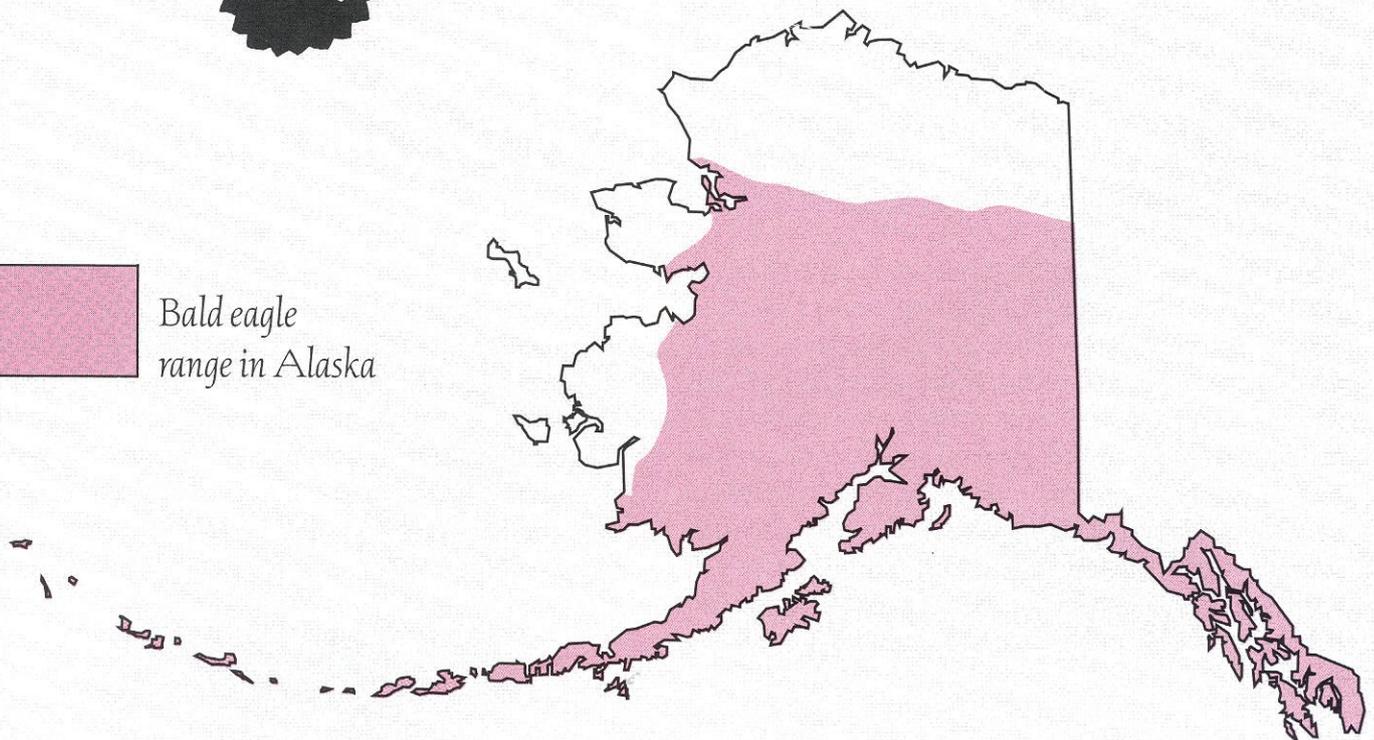


Where Do Eagles Nest?

Bald eagles nest near coastlines, rivers, large lakes, or streams which support an adequate food supply. Alaskan bald eagles nest in greatest numbers along the coastal areas of southeast Alaska, the Gulf of Alaska, Prince William Sound, the Kenai and Alaska Peninsulas, and the Aleutian Islands. Lesser numbers occur along Alaska's major river systems in the Interior and along the Bering Sea coast north to the Noatak River. Bald eagles from the interior of Alaska typically migrate to southeast Alaska and the lower 48 states during the winter. Coastal eagles from southeast and southcentral Alaska do not normally make long distance movements.



Bald eagle
range in Alaska





Most bald eagles in Alaska nest either in mature or old-growth timber or, where there are no suitable trees, on cliffs, sea stacks, and rock promontories. Nests generally are built in locations where early nesting season food supplies are readily available. In forested areas, bald eagles typically select the tallest trees with limbs strong enough to support a nest that may weigh more than 1000 pounds. Additionally, nest sites usually include at least one perch with a clear view of the water. Eagles normally hunt from a perch, and shoreline trees provide the visibility and accessibility needed to locate prey efficiently.

Along the coast, bald eagles prefer Sitka spruce (*Picea sitchensis*) for nesting but also utilize western hemlock (*Tsuga heterophylla*), yellow cedar (*Chamaecyparis nootkatensis*), and red cedar (*Thuja plicata*). In interior Alaska, eagles typically nest in cottonwoods (*Populus balsamifera* and *P. trichocarpa*) and white spruce (*Picea glauca*) that grow adjacent to rivers and lakes. Nearly all nest trees are located within 200 yards of water at a site that provides security and isolation. Nests are constructed of large sticks and lined with moss, grass, plant stalks, lichens, seaweed, and/or sod, and range from 4 to 6 feet in diameter.

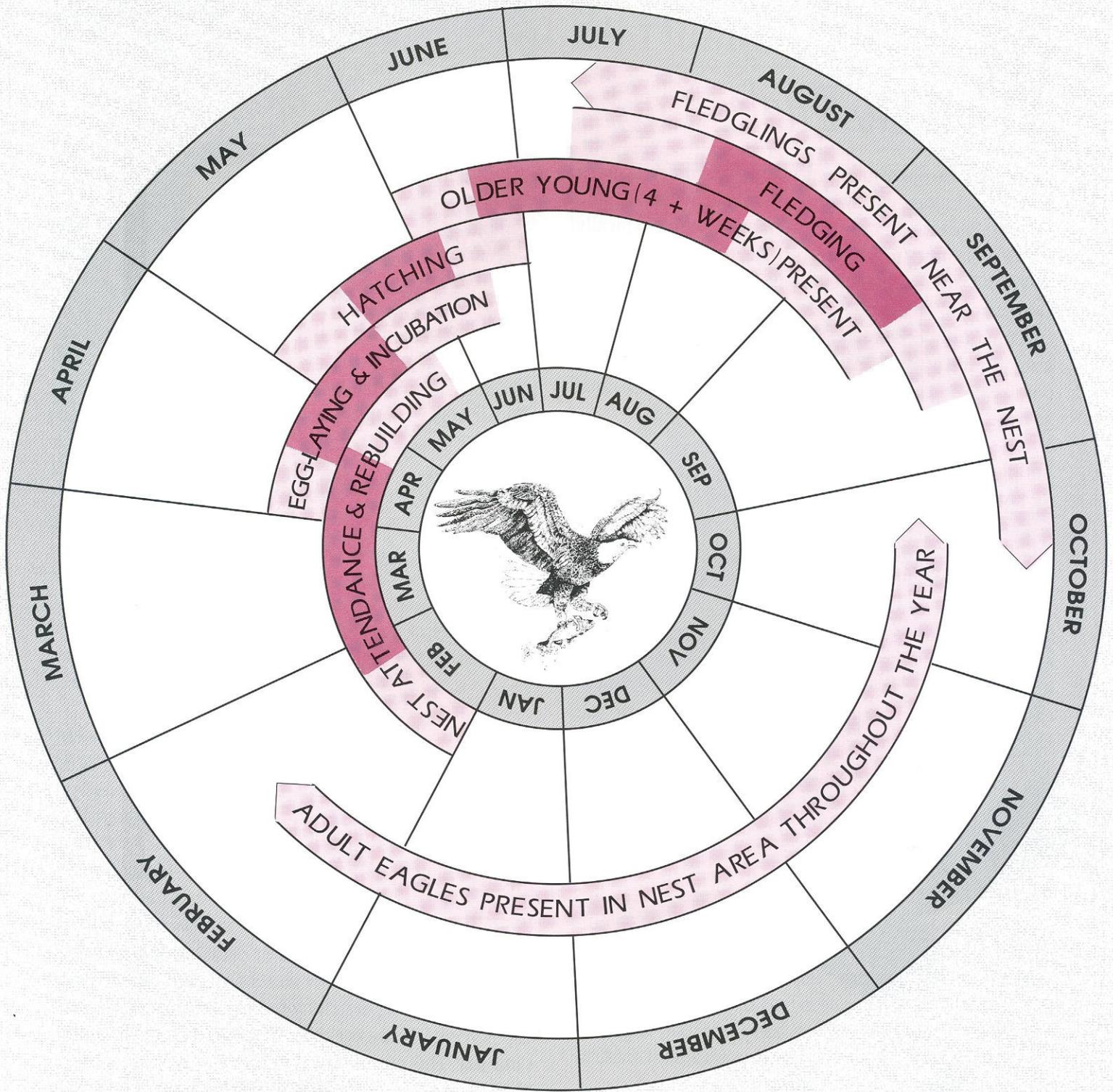
Nests generally are used by a mated pair in successive years, sometimes for many decades. However, eagle pairs may use alternative nest sites. In addition, nest sites may be reoccupied after years of disuse. Unoccupied nests gradually deteriorate from lack of maintenance and eventually fall from the tree.

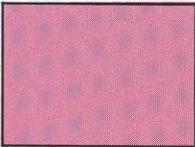
When Do Eagles Nest?

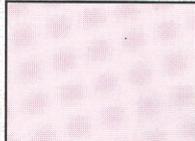
Nesting activity begins as early as February with establishment of the nest territory and construction or addition to the nest. Egg-laying peaks in mid-to-late April in southeast and southcentral Alaska, and late April or early May in the Interior. By the middle of May, the incubation period (about 35 days) has begun in all areas. Eaglets make their first unsteady flights after approximately 11 weeks in the nest and fledge (are capable of strong flight) from most nests by late August. Young birds often remain in the vicinity of the nest for several weeks after fledging.



Bald Eagle Nesting Chronology In Coastal Alaska



 *Peak of Activity*

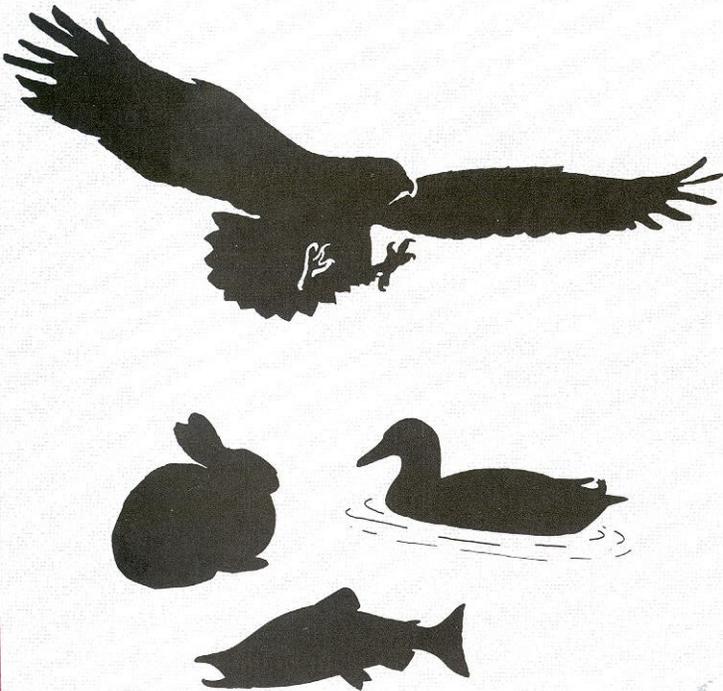
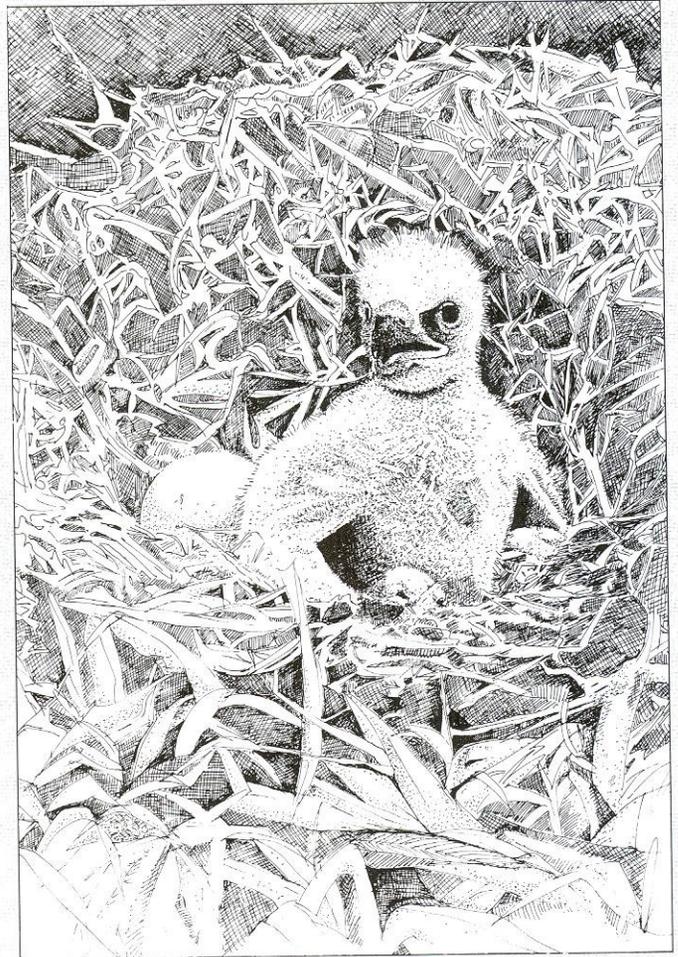
 *Activity Occurs*

What Do Eagles Eat?

Bald eagles are opportunistic feeders. Fish comprise much of their diet along with waterbirds, small mammals, and carrion. Because they are visual hunters, eagles typically locate their prey from a conspicuous perch, then swoop down and strike. Eagles often congregate in large numbers along streams to feed on spawned-out salmon. Intertidal concentrations of spawning eulachon (smelt) and herring also attract many eagles. Late-spawning salmon and possibly winter-kill deer are important winter food sources.

During the nesting season, prey is usually carried to a perch for consumption or delivered to the nest to feed young. Adults feed their chicks by tearing off pieces of food and holding them to the beaks of the eaglets. The nestlings begin to feed themselves at about seven weeks of age.

Immature eagles apparently develop foraging skills slowly and must learn to locate reliable food sources and master feeding techniques. Thus, young eagles often feed upon easily acquired food such as carrion, spawning salmon, and fish found in abundance at the mouths of streams.



How Many Chicks Are Raised?

In most regions of Alaska, two or occasionally three eggs are laid. However, mortality is relatively high between egg-laying and fledging. Hatching success is normally less than 100 percent. Those eggs that hatch seldom do so on the same day. This means chicks in the same nest are often of unequal size. When food is in short supply, the larger chicks successfully compete for most of the food and the smaller chicks may not survive.

Are Eagles Bothered By Human Activity?

Many eagles in Alaska nest within parks and refuges where their habitat is protected. Many others, however, nest on public and private lands subject to resource development and other activities. Although most birds nest undisturbed by human activity and the overall eagle population remains secure, some activities have caused eagles to abandon their nests. Characteristics of the activity such as size, noise intensity, location, persistence, and activity period, and tolerance of the individual nesting pair can influence whether eagles are affected by a particular activity.

Eagles that are affected by an activity are most likely to abandon nesting activities during the early part of the nesting cycle. They are particularly sensitive during nest-building, incubation, and the first five weeks of nestling life. In response to certain human activities, eagles may inadequately construct or repair their nest, expend energy defending the nest rather than tending to it, or abandon the nest.

Human activities that cause the adults to remain away from the nest for a significant time can jeopardize eggs or young. Unattended eggs may overheat or, depending on weather conditions, cool too much to hatch and are more subject to predation. During the first five weeks of life, nestlings are particularly vulnerable and rely on near constant care from the adults to provide warmth or shade. Human activities that cause the adults to remain away from the nest increase the risk of nestlings dying from hypothermia, heat stress, or predation. In addition, adults startled while incubating or brooding young can damage eggs or injure young as they abruptly leave the nest.

Even though the adult may not flush from the nest, human activity near the nest tree may cause changes in nesting and parental behavior that reduce chick survival. Adults may spend more time brooding or shading young and less time maintaining the nest and feeding themselves and their young.



Photo: Lon E. Lauber

Excessive human activity in areas used by nesting bald eagles can interfere with feeding and present problems if the eagles do not have other, undisturbed, productive feeding sites close to the nest. Adults precluded from feeding at preferred sites may not adequately be able to incubate their eggs or feed and care for their young.

The late nestling stage is also a sensitive period for the young eagles. Although the birds no longer require constant attention from the adults, loud or intrusive human activities can startle the young, causing them to jump from the nest before they are able to fly or care for themselves.

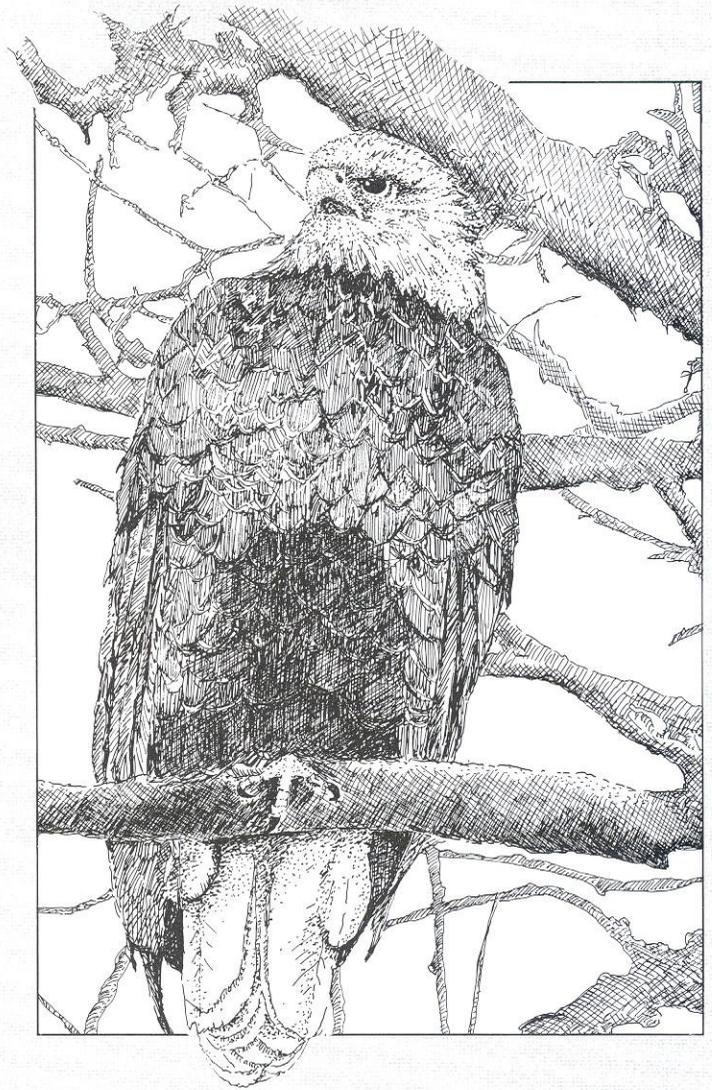


Protection and Management of Bald Eagles

Eagle Protection Act

In 1940, concern over the decreasing number of bald eagles in the contiguous 48 states prompted the passage of the Bald Eagle Protection Act (16 U.S.C. 668-668c). In its current form, the Eagle Protection Act prohibits anyone, except under permits authorized by the Secretary of the Interior, from “taking” bald eagles, their eggs, nests, or any part of these birds. The Act provides criminal penalties for persons who “take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagles... golden eagle, alive or dead, or any part, nest, or egg thereof... or whoever violates any permit or regulations issued pursuant to this subchapter...” The Act defines “taking” as “to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, or disturb.”

Bald eagles are also protected by the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712) and, in the lower 48 states, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended. (Alaskan bald eagles are not protected by the Endangered Species Act because they are not listed as “threatened” or “endangered.”) A violation of the Eagle Protection Act can result in fines of up to \$250,000 or imprisonment for up to two years, or both.



The responsibility for compliance with provisions of the Eagle Protection Act resides with individuals, be they recreational or other users, owners, or managers of land inhabited by bald or golden eagles. To provide greater public awareness, a copy of the Eagle Protection Act is included near the end of this booklet.

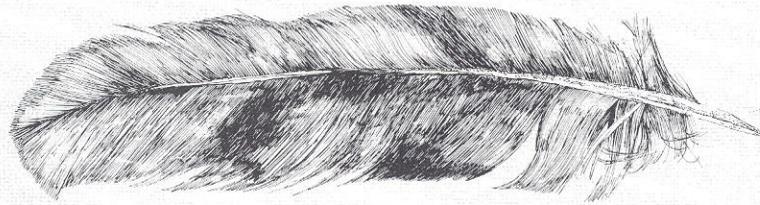


Why is Management Necessary?

Increased demands for natural resources, recreation, and development can affect eagle populations. The key to perpetuating Alaska's healthy bald eagle population is to maintain adequate nesting habitat and food resources. In Alaska, federal and state lands represent much of the land base and are therefore important sources of future nesting habitat. However, private and other public lands also can contribute vitally to future habitat needs, especially in southcentral and southeast Alaska. The U.S. Fish and Wildlife Service is available and willing to cooperate with all land and resource managers to develop plans to protect nesting eagles and their habitat.

Research has indicated that in the forested regions of Alaska, bald eagles nest in mature or old-growth trees. In southeast Alaska, nest trees are typically 400 years old or older. Consequently, providing for the long-term habitat needs of eagles will include maintaining an available supply of suitable nest trees. (Ground nests are utilized in unforested regions such as portions of the Kodiak Archipelago, Alaska Peninsula, and the Aleutian Islands.)

Another important aspect of eagle management is that individual nesting pairs can vary greatly in their sensitivity to human activities. Some pairs nest successfully just yards from human activity while others abandon nest sites in response to activities over 1/2 mile away. This variability may be related to a number of factors including nesting stage, whether the human activity is screened from view of the nest, the duration and area covered by the activity, noise levels, and prior contact with humans.



Is Current Management Adequate?

In southeast and southcentral Alaska, the Fish and Wildlife Service commonly has recommended a 330-foot buffer zone around eagle nest trees.

The U.S. Forest Service, Alaska Native corporations, and State of Alaska have adopted policies to avoid cutting within 330 feet of eagle nest trees during timber operations. Certain other activities can occur within the 330-foot zone in consultation with the Fish and Wildlife Service.

In interior Alaska where the country is more open, the general management practice has been to recommend most activities and permanent facilities be located farther than 1/4 mile from the nest. Limitations on activities within 1/2 mile of the nest also may be recommended in order to protect feeding and roosting sites.

Although the overall bald eagle population in Alaska appears stable and secure, recent research indicates that eagles can be affected by activities at distances well beyond 330 feet. As a result, current management practices around eagle nest trees and areas used by eagles where substantial human activity is proposed or occurring may need to be modified to meet short and long-term habitat requirements (for additional information see References and Information Sources).

Conflict between resource use and eagle habitat requirements appears to be increasing in Alaska. As a result, managers need a heightened awareness of eagle habitat requirements. Additional research will provide more information to better define practices needed to protect eagles and help maintain a healthy eagle population.



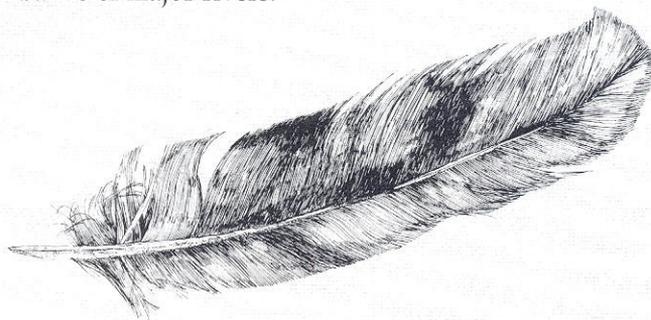
Emphasis on the use of buffer zones around existing trees is a practical approach to managing eagle habitat and protecting bald eagles, their nests, and eggs. However, management practices that only maintain current nest sites may, in intensively developed areas, result in the creation of small islands of habitat that will be insufficient to provide fully for eagle habitat requirements in the future.

In order to be effective, buffer zones should screen nesting eagles from the noise and visual distractions associated with human activity. They should also be large enough to provide long-term eagle nesting habitat by protecting existing nest trees and providing for alternative or replacement nest trees.

The most successful approach, over many years, at providing perch, feeding, and replacement nest trees is to maintain larger areas of contiguous habitat than afforded by buffers around individual nest trees. One of the best management techniques is to retain old-growth beach fringe forests, particularly in areas having a high density of nest trees and perch and feeding sites.

The need for replacement trees adjacent to water is particularly critical in southeast Alaska where bald eagles typically nest in large, mature trees 400-500 years old. The continuous availability of eagle nesting sites can be provided by creating or maintaining mature or overmature timber stands with tree characteristics suitable for eagle nesting. Buffer zones, beach fringe timber, and other reserve areas fulfill some of this need. Additional management practices should include planning timber harvest to avoid certain forest stands or providing rotations that will maintain an adequate supply of mature nest and perch trees.

These stand and tree management objectives also are applicable to interior Alaska where large timber is not abundant and is often confined to islands and well-drained banks of major rivers.



Recommendations for Managing Activities Near Nesting Bald Eagles in Alaska

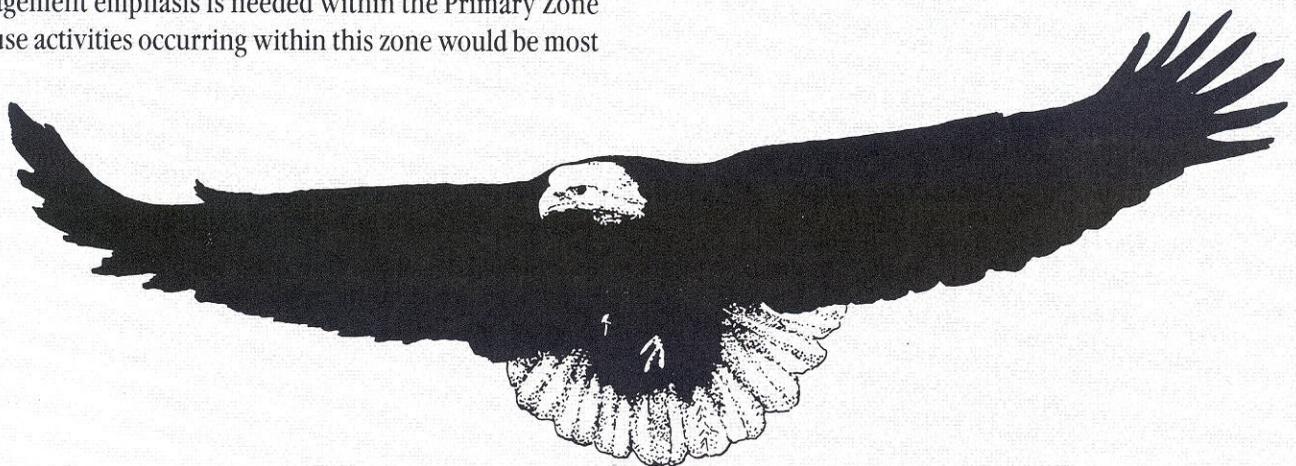
Varying levels of protection may be needed due to individual eagle responses to human activity and site-specific factors such as topography and vegetation. Therefore, land managers and resource planners are encouraged to work cooperatively with the Fish and Wildlife Service to find mutually beneficial solutions to eagle/resource management issues on a case-by-case basis. The management practices recommended below are advisory. They are presented as information that resource managers can use voluntarily in land use and development planning to protect eagles and their habitat. These practices are affirmative measures that may be taken to maintain Alaska's bald eagle population. They are based on evaluation of current management practices throughout the U.S. and may be revised, if warranted, by studies of eagle responses to human activities.

In order to afford maximum protection for nesting bald eagles, a two-zone management system is recommended in areas around nest trees. The greatest degree of management emphasis is needed within the Primary Zone because activities occurring within this zone would be most

likely to affect nesting eagles. Management emphasis in the Secondary Zone should focus on scheduling activities to avoid adversely affecting the birds during the nesting season and planning activities to maintain the integrity of the nesting habitat within the Primary Zone.

When activities occur in proximity to a nest site, extensive observations should be made to assess if the activity is causing nesting eagles to alter their behavior. Indications of significantly altered behavior include the giving of alarm calls, flushing birds from the nest or perch, and aggressive behavior by the birds.

If you have questions about an activity to be conducted in the vicinity of a bald eagle nest, please contact the Fish and Wildlife Service. Appropriate contacts are provided near the end of this booklet under "Contacts for Planning Aid."



Primary Zone

The management objective of this zone is to provide protection of the nest tree and to screen the nest from human activities. Eagles are most likely to be adversely affected by human activities within this zone during the nesting season.

The Primary Zone generally should extend 330 feet from the nest tree. Where nesting occurs in sparse stands of timber, treeless areas, or where activities are to occur within line-of-sight of the nest (in full view of birds on the nest), the project manager should extend the Primary Zone to screen the nest from human activities. Where topography or vegetation do not provide adequate screening or separation between the nest and human activities, the zone may need to be extended up to 1/4 mile. The actual size of the zone would depend on site conditions and the individual eagle's tolerance for human activity.

Activities that significantly alter the landscape and vegetation also can adversely affect eagle use of the Primary Zone. Timber cutting or vegetation clearing can leave eagle nest trees susceptible to blowdown. Consequently, vegetation clearing should be limited to maintain nest viability. Substantial resource use or development activity should be planned to avoid active nest areas during the nesting season. Resource users and planners are encouraged to contact the Fish and Wildlife Service if significant activity or vegetation removal is planned within the Primary Zone.

Land-use Recommendations

Activities such as the following generally should be avoided within the Primary Zone:

- * Significant vegetation clearing, including timber cutting;
- * Development of commercial and industrial sites (including log transfer facilities);
- * Home, road, powerline, and other substantial construction activity;
- * Surface mining.

The following activities generally should be avoided within the Primary Zone during the nesting season (March through August) except in areas where in previous years they have successfully coexisted with nesting:

- * Operation of all-terrain vehicles;
- * Operation of heavy construction equipment;
- * Obtrusive human activities;
- * Concentrations of noisy vessels (e.g., boats involved with commercial fishing or crabbing) or mariculture facilities that are frequently tended.

Secondary Zone

The management objective of this zone is to screen the nest from particularly loud and obtrusive activities and to protect nesting habitat within the Primary Zone. Human activities in this area, particularly irregular loud or sudden noises, may adversely affect eagles during the nesting season (March through August). Land uses within this zone should be compatible with bald eagle habitat values in order to maintain nesting habitat within the Primary Zone.

This zone generally should extend 330 feet beyond the Primary Zone. Because eagles exhibit differing tolerances to human activities, resource managers may need to expand the zone to protect nesting activities of some eagles. Where nesting occurs in sparse stands of timber, treeless areas, or where activities would occur within line-of-sight of the nest, the zone may need to be extended up to 1/2 mile from the nest. The actual size of the zone would depend on site conditions and the eagles' tolerance for human activities.

Land-use Recommendations

Activities such as the following generally should be avoided within the Secondary Zone:

- * Construction of long-term or permanent facilities that are obtrusive or would be associated with noisy or otherwise intrusive activities (e.g., oil refineries, rock-crushing operations, open-pit mines, surface mines, log transfer facilities, log sorting/storage yards, in-water log storage areas);
- * Construction of roads or trails within line-of-sight of the nest.

Resource managers and planners generally should schedule the following activities within the Secondary Zone to avoid the nesting season (March through August):

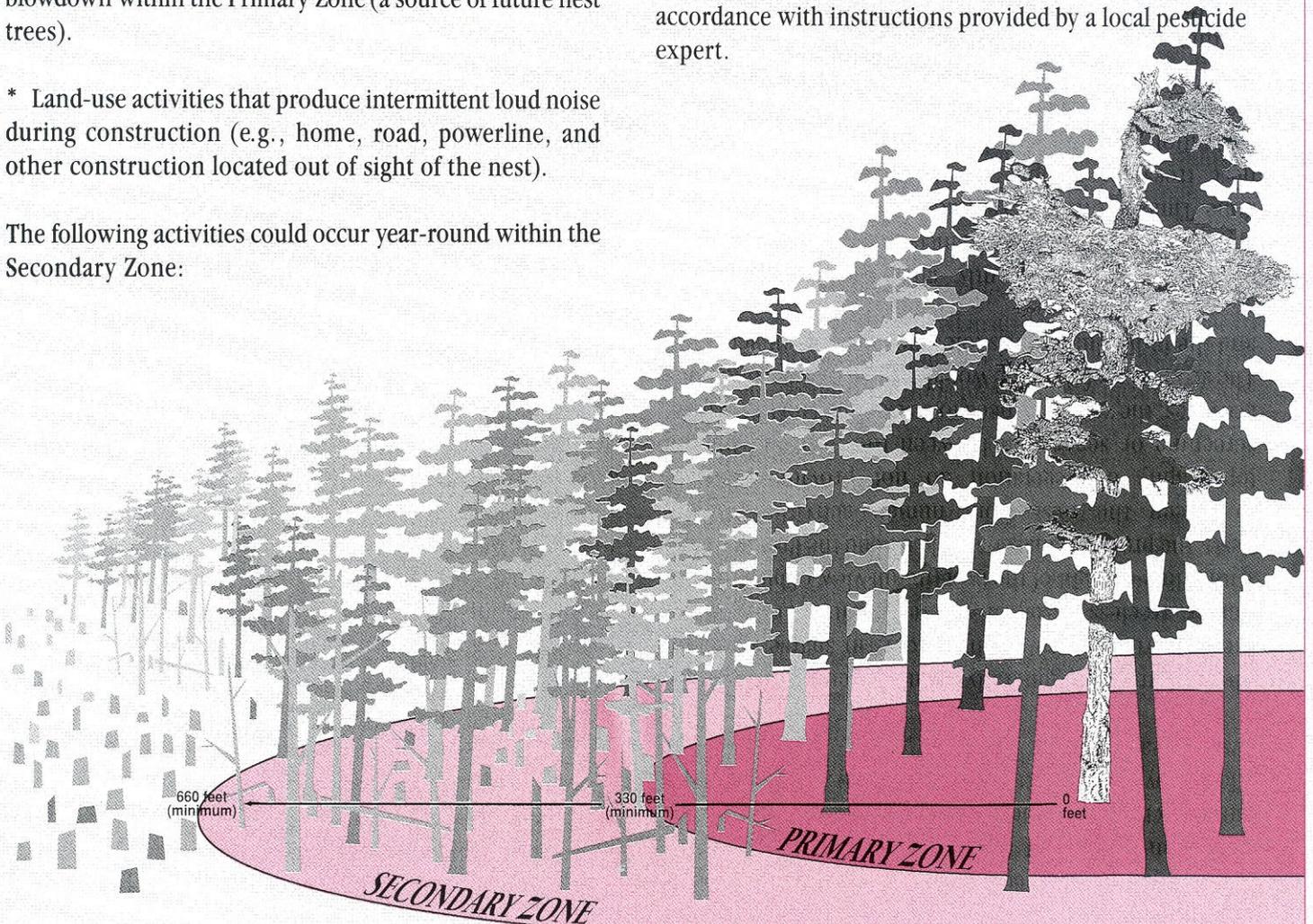
- * Timber harvesting operations, including activities such as road construction and chain saw and yarding operations. After June 15, timber operations could begin at unoccupied nest sites. Timber cuts should be designed to avoid blowdown within the Primary Zone (a source of future nest trees).
- * Land-use activities that produce intermittent loud noise during construction (e.g., home, road, powerline, and other construction located out of sight of the nest).

The following activities could occur year-round within the Secondary Zone:

- * Land-use activities that are short-term, not obtrusive, and/or demonstrated not to interfere with the subject nesting pair of eagles (e.g., use of existing roads, trails, homes, and other facilities).

Other Recommendations

- * Important eagle roosts and food sources should not be destroyed or degraded.
- * Blasting should not occur within 1/2 mile of an active eagle nest during the nesting season without prior coordination with the Fish and Wildlife Service.
- * Aircraft corridors (temporary or permanent) should be located no closer than 1000 feet from an active eagle nest during the nesting season.
- * Toxic chemicals (e.g., pesticides, fertilizers) should not be broadcast or widely applied in areas used by bald eagles. Pesticides should be applied in eagle-use areas only in accordance with instructions provided by a local pesticide expert.



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Contacts for Planning Aid

Juneau:

U.S. Fish and Wildlife Service
Raptor Management Office
P.O. Box 021287
Juneau, AK 99802-1287
Phone: 907/586-7243

Alaska Dept. of Fish and Game
Habitat Division
802 3rd Street
Douglas, AK 99824
Phone: 907/465-4290

Anchorage:

U.S. Fish and Wildlife Service
Anchorage Field Office
605 W. 4th Ave., Room G-62
Anchorage, AK 99501
Phone: 907/271-2888
Toll Free: 800/272-4174

Alaska Dept. of Fish and Game
Habitat Division
333 Raspberry Road
Anchorage, AK 99518
Phone: 907/267-2285

Fairbanks:

U.S. Fish and Wildlife Service
Fairbanks Field Office
101 12th Ave., Box 20
Fairbanks, AK 99701
Phone: 907/456-0203

Alaska Dept. of Fish and Game
Habitat Division
1300 College Road
Fairbanks, AK 99701
Phone: 907/451-6192

You may also contact the nearest National Wildlife Refuge or local office of the Alaska Department of Fish and Game.

Eagle Protection Act

16 U.S.C. 668-668c
(Revised 11/8/78)

§668. Bald and golden eagles

(a) Prohibited acts; criminal penalties

Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as provided in this subchapter, shall knowingly, or with wanton disregard for the consequences of his act take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner any bald eagle commonly known as the American eagle or any golden eagle, alive or dead, or any part, nest, or egg thereof of the foregoing eagles, or whoever violates any permit or regulation issued pursuant to this subchapter, shall be fined not more than \$5,000 or imprisoned not more than one year or both: *Provided*, That in the case of a second or subsequent conviction for a violation of this section committed after October 23, 1972, such person shall be fined not more than \$10,000 or imprisoned not more than two years, or both: *Provided further*, That the commission of each taking or other act prohibited by this section with respect to a bald or golden eagle shall constitute a separate violation of this section: *Provided further*, That one-half of any such fine, but not to exceed \$2,500, shall be paid to the person or persons giving information which leads to conviction: *Provided further*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg, thereof, lawfully taken prior to the addition to this subchapter of the provisions relating to preservation of the golden eagle.

(b) Civil penalties

Whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted to do so as provided in this subchapter, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg thereof of the foregoing eagles, or whoever violates any permit or regulation issued pursuant to this subchapter, may be assessed a civil penalty by the Secretary of not more than \$5,000 for each such violation. Each violation shall be a separate offense. No penalty shall be assessed unless such person is given notice and opportunity for a hearing with respect to such violation. In determining the amount of the penalty, the gravity of the violation, and the demonstrated good faith of the person charged shall be considered by the Secretary. For good cause shown, the Secretary may remit or mitigate any such penalty. Upon any failure to pay the penalty assessed under this section, the Secretary may request the Attorney General to institute a civil action in a district court of the United States for any district in which such person is found or resides or transacts business to collect the penalty and such court shall have jurisdiction to hear and decide any such action. In hearing any such action, the court must sustain the Secretary's action if supported by substantial evidence.

(c) Cancellation of grazing agreements

The head of any Federal agency who has issued a lease, license, permit, or other agreement authorizing the grazing of domestic livestock on Federal lands to any person who is convicted of a violation of this subchapter or of any permit or regulation issued hereunder may immediately cancel each such lease, license, permit, or other agreement. The United States shall not be liable for the payment of any compensation, reimbursement, or damages in connection with the cancellation of any lease, license, permit, or other agreement pursuant to this section.

(June 8, 1940, ch. 278, §1, 54 Stat. 250; June 25, 1959, Pub. L. 86-70, §14, 73 Stat. 143; Oct. 24, 1962, Pub. L. 87-884, 76 Stat. 1246; Oct. 23, 1972, Pub. L. 92-535, §1, 86 Stat. 1064.)

§668a. Taking and using of the bald and golden eagle for scientific, exhibition and religious purposes

Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That on request of the Governor of any State, the Secretary of the Interior shall authorize the taking of golden eagles for the purpose of seasonally protecting domesticated flocks and herds in such State, in accordance with regulations established under the provisions of this section. In such part or parts of such State and for such periods as the Secretary determines to be necessary to protect such interests: *Provided further*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior: *Provided further*, That the Secretary of the Interior, pursuant to such regulations as he may prescribe, may permit the taking, possession, and transportation of golden eagles for the purposes of falconry, except that only golden eagles which would be taken because of depredations on livestock or wildlife may be taken for purposes of falconry: *Provided further*, That the Secretary of the Interior, pursuant to such regulations as he may prescribe, may permit the taking of golden eagle nests which interfere with resource development or recovery operations.

(June 8, 1940, ch. 278, §2, 54 Stat. 251; Oct. 24, 1962, Pub. L. 87-884, 76 Stat. 1246; Oct. 23, 1972, Pub. L. 92-535, §2, 86 Stat. 1065; Nov. 8, 1978, Pub. L. 95-616, §9, 92 Stat. 3114.)

§668b. Enforcement

(a) Arrest; search: issuance and execution of warrants and process

Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this subchapter may, without warrant, arrest any person committing in his presence or view a violation of this subchapter or of any permit or regulations issued hereunder and take such person immediately for examination or trial before an officer or court of competent jurisdiction; may execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this subchapter; and may, with or without a warrant, as authorized by law, search any place. The Secretary of the Interior is authorized to enter into cooperative arrangements with State fish and wildlife agencies or other appropriate State authorities to facilitate enforcement of this subchapter, and by said agreements to delegate such enforcement authority to State law enforcement personnel as he deems appropriate for effective enforcement of this subchapter. Any judge of any court established under the laws of the United States, and any United States magistrate may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

(b) Forfeiture

All bald or golden eagles, or parts, nests, or eggs thereof, taken, possessed, sold, purchased, bartered, offered for sale, purchase, or barter, transported, exported, or imported contrary to the provisions of this subchapter, or of any permit or regulations issued hereunder, and all guns, traps, nets, and other equipment, vessels, vehicles, aircraft, and other means of transportation used to aid in the taking, possessing, selling, purchasing, bartering, offering for sale, purchase, or barter, transporting, exporting, or importing of any bird, or part, nest, or egg thereof, in violation of this subchapter or of any permit or regulation issued hereunder shall be subject to forfeiture to the United States.

(c) Customs law applied

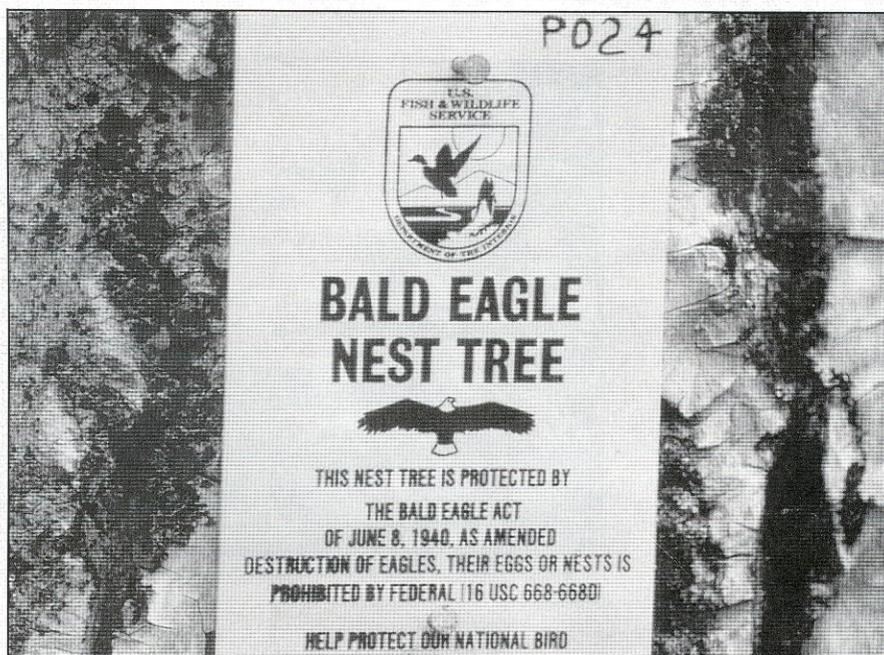
All provisions of law relating to the seizure, forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures, shall apply to the seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this subchapter, insofar as such provisions of law are applicable and not inconsistent with the provisions of this subchapter: *Provided*, That all powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Treasury Department shall, for the purposes of this subchapter, be exercised or performed by the Secretary of the Interior or by such persons as he may designate.

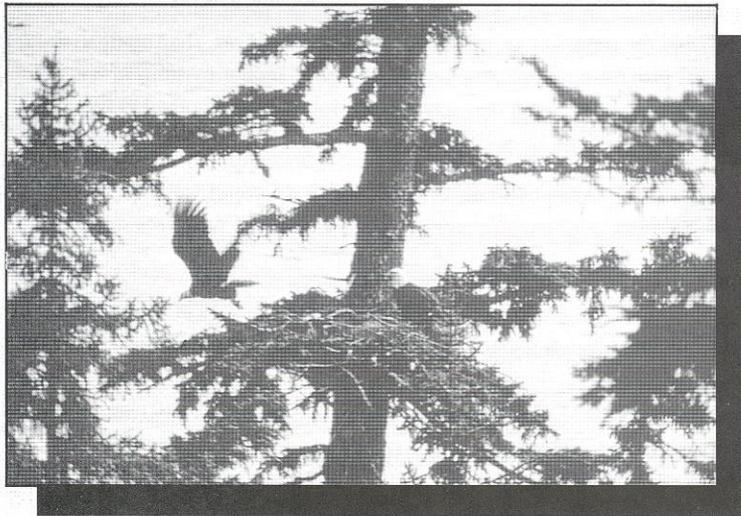
(June 8, 1940, ch. 278, §3, 54 Stat. 251; Oct. 17, 1968, Pub. L. 90-578, title IV, §402(b)(2), 82 Stat. 1118; Oct. 23, 1972, Pub. L. 92-535, §3, 86 Stat. 1065.)

§668c. Definitions

As used in this subchapter “whoever” includes also associations, partnerships, and corporations; “take” includes also pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, or disturb; “transport” includes also ship, convey, carry, or transport by any means whatever, and deliver or receive or cause to be delivered or received for such shipment, conveyance, carriage, or transportation.

(June 8, 1940, ch. 278, §4, 54 Stat. 251; Oct. 23, 1972, Pub. L. 92-535, §4, 86 Stat. 1065.)







U.S. Fish And Wildlife Service

The U.S. Fish and Wildlife Service's mission is to conserve, protect, and enhance fish, wildlife, and their habitat for the continuing benefit of the American people. Primary responsibilities are for migratory birds, endangered species, freshwater and anadromous fisheries, and certain marine mammals. The Service has seven regional offices, a headquarters in Washington, D.C., and a large number of field units, including national wildlife refuges, national fish hatcheries, research laboratories, and a nationwide network of law enforcement agents.

The Service manages more than 400 national wildlife refuges to provide habitat for migratory birds, endangered species, and other wildlife and wildlife-oriented public recreation. It also sets migratory bird hunting regulations, leads the national effort to protect and restore endangered and threatened animals and plants in the United States and other countries, and administers Federal grant programs for State fish and wildlife restoration programs. Through its fishery resources program, the Service operates national fish hatcheries and conducts programs to conserve and restore nationally significant fisheries and assists Indian tribes in managing their fisheries.

Service biologists evaluate the effects of development projects on fish and wildlife resources and recommend ways to mitigate harmful impacts. The agency's research program provides scientific data needed to conserve and manage fish and wildlife resources. The Service is also charged with controlling wildlife damage to crops and livestock and eliminating wildlife hazards to public health and safety. Law enforcement agents enforce Federal laws protecting migratory birds, endangered species, fisheries, marine mammals, and other species.

In all these activities, the Service works closely with States, other Federal agencies, Indian tribes, and the private sector.