

# Wildlife Services Directive

2.315  
April 2024

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## EAGLES IN WS DAMAGE MANAGEMENT

### 1. PURPOSE

To establish guidelines for Wildlife Services (WS) personnel regarding eagles during wildlife damage management activities.

### 2. REPLACEMENT HIGHLIGHTS

This directive replaces WS Directive 2.315 dated 09/18/14.

### 3. AUTHORITY

7 U.S.C. 8351 to 8353, and 16 U.S.C. 667, authorizes officers, agents, and employees of the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS) to conduct a program of wildlife services and to enter into agreements with states, local jurisdictions, individuals, and public and private agencies, organizations, and institutions for the purpose of conducting such services.

### 4. POLICY

- a. WS may provide assistance to cooperators and the public through technical and direct management assistance as appropriate to help resolve bald and golden conflicts to protect property, agriculture, natural resources, and human health and safety.

### 5. IMPLEMENTATION

- a. WS may provide assistance with the management of bald and golden eagles in situations where eagles may pose a hazard to human health and safety, aviation, property, livestock, and natural resources, including a danger to themselves. Eagle activity and nests on or near airports, power transmission infrastructure, and military training facilities may pose an inherent risk of death or injury to people and the eagles

themselves. Discouraging eagles from using these critical areas is in the common public interest. In these situations, WS may assist cooperators in developing a mitigation plan, obtaining the necessary state and federal permits for purposeful take of eagles (i.e., harassment, translocation, nest removal), and/or conducting management and monitoring activities.

- b. Additional technical and direct management assistance (e.g., non-lethal hazing, nest removal) may be provided to cooperators when damage continues after recommended techniques have failed to alleviate problems and/or where the potential for continued loss exists.
- c. WS personnel will ensure that all required federal and state permits are obtained prior to conducting direct management activities involving eagle damage.
- d. When capture and translocation of eagles becomes necessary, eagles will be handled in a manner which minimizes the risk of injury to the eagle. See U.S. Fish and Wildlife Service (FWS) Migratory Bird Permit Memorandum:  
<https://www.fws.gov/sites/default/files/documents/migratory-bird-permit-memorandum-capture-handling-disposition-depredating-birds.pdf>
- e. When permitted and appropriate, WS employees are authorized to capture injured eagles (not related to WS operational activities; e.g., injured eagle found on roadside) or collect eagle carcasses and transfer custody to licensed wildlife rehabilitators or state or federal wildlife agencies.
- f. Disposition of eagles will be determined through permit requirements and coordination with the appropriate FWS personnel.
- g. When eagles are to be translocated, the FWS, state wildlife agency and/or tribes will be consulted to assist in identifying suitable locations while taking into consideration local eagle densities. Eagles will only be released into an area when the manager or landowner of the release site is in full agreement (e.g., documented permission through email or some other written form, Work Initiation Document, etc.). Eagles will be released at locations where further eagle conflicts are unlikely to occur.
- h. If the selected release site is in another state, the appropriate WS State Director and other appropriate authorities will be consulted in advance.
- i. Incidental take of eagles (all conditions within issued permits must be followed).

## 6. PERMITS

- a. Federal permits (50 CFR 22.50, 50 CFR 22.100, 50 CFR 22.85) are required to capture, collect, disturb, pursue, hunt, shoot, or trap bald or golden eagles or remove eagle nests for depredation control purposes. Authority to issue such permits rests with the FWS.

State permits might be required, and if so, must be obtained from the appropriate state wildlife agency.

- b. Applications for permits and supporting information (as identified by 50 CFR 13.12(a) and 50 CFR 21 and 22) are submitted to the appropriate FWS Regional Office, Migratory Bird Permit Office. Concurrence of state wildlife management agencies and, where applicable, federal land management agencies, must be obtained in advance of these activities in states where such programs are carried out.
- c. Federal permit (16 U.S.C 668-668(d), 16 U.S.C 703-712) is required for incidental take of bald and golden eagles.

## 7. REFERENCES

- a. WS Directive 2.301, Migratory Bird Damage Management (05/05/2006).
- b. Bald Eagle Protection Act of 1940 (U.S.C. 668-668d), as amended.
- c. Migratory Bird Treaty Act of 1918 (U.S.C. 703-712), as amended.
- d. 50 CFR Part 13 – General Permit Provisions.
- e. 50 CFR Part 22 – Eagle Permits.
- f. WS National Eagle Incidental Take Permit (permit number: MBPER1957214; expires 2027-10-19).
- g. United States Fish and Wildlife Service Migratory Birds Program. 2022. *FWS Migratory Bird Permit Memorandum*. MBPM-4-2022 United States Department of Interior. United States Fish and Wildlife Service.  
<https://www.fws.gov/sites/default/files/documents/migratory-bird-permit-memorandum-capture-handling-disposition-depredating-birds.pdf>

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