

The North Park bald eagle nest was first documented by DNRC in winter 2015. The nesting pair was believed to be a pair that lost their nest at a location 1 mile northeast and reconstructed a new nest at the North Park location. Numerous active, permitted construction projects were going on within a disturbance zone of concern near the nest at the time it was constructed by the eagles in 2015, and U.S. I-90 lies within 160 meters of the nest site.

DNRC managers met with two local wildlife biologists with the U.S. Fish and Wildlife Service on August 10, 2015, to evaluate the situation regarding the nest. Given the existing nearby human disturbance factors and risk factors associated with high traffic volumes on U.S. I-90, the site was considered undesirable by biologists with both agencies for nesting due to elevated mortality risk for both adult and juvenile eagles.

On January 12, 2016, DNRC applied for an incidental take permit from the U.S. Fish and Wildlife Service, Region 6 Migratory Bird Permit Office in Denver, Colorado, to remove the nest and supporting grove of cottonwood trees. In order to receive the incidental take permit, offsetting mitigations were required of DNRC before removal of the nest could occur.

During 2016, DNRC completed all required mitigations for the permit authorization, which totaled \$22,000. Mitigations included establishment and support of two cottonwood tree restoration projects in Montana and monetary contributions for support of two bald eagle information-education programs. Also during 2016, the adult eagle pair successfully nested and fledged at least one chick. The pair occupied the nest site year-round, which prevented removal of the nest under restrictions outlined in the Permit.

Given considerable concern voiced by numerous members of the public, the continued presence of the adult eagle pair at the nest site, and their ability to successfully fledge young, DNRC made the decision to allow the nest and cottonwood grove to remain. To do this, DNRC was required to re-apply for a revised incidental take permit with the U.S. Fish and Wildlife Service *allowing for the possible periodic disturbance and displacement of the eagles* by DNRC contractors, lessees, and staff.

The bald eagle pair successfully fledged young every year from 2016 to 2019, resulting in at least six known offspring. The pair again was successful in hatching two eagle chicks in spring 2020.

In mid-April of 2020, DNRC was informed by wardens with Montana Fish, Wildlife & Parks that the two adult birds were found dead underneath the nest, and that two chicks were still alive. Montana Fish, Wildlife & Parks orchestrated rescue of the chicks with assistance from the Montana Raptor Conservation Center in Bozeman and the eventual placement of the chicks in another active, local nest.

After the original adult pair was found dead, other individual bald eagles were observed at the nest in June 2020. DNRC and U.S. Fish and Wildlife Service staff agreed on July 13, 2020, that it

would be in the best interest of bald eagles for the existing vacant nest to be removed prior to a new adult pair becoming established at the site.

Accomplishing the removal during fall 2020 was considered important to ensure that a new pair of bald eagles would not quickly re-occupy the site and become established. In cooperation with the U.S. Fish and Wildlife Service, DNRC applied for an additional incidental take permit to remove the now “inactive” nest in August of 2020; USFWS issued the nest take permit on December 1, 2020. DNRC staff and a contractor removed the nest on the evening of December 29, 2020, and buried it on site. A biologist with Montana Fish, Wildlife & Parks was present and witnessed the removal.

DNRC’s strong preference was to allow the eagles and nest to remain at this location, as long as they were able to tolerate high levels of human disturbance and thrive. However, the mortality of the adult pair dramatically changed this perspective for both DNRC and the U.S. Fish and Wildlife Service.

#####