

June 5, 2006

Mr. Rodney Barreto, Chairman  
Florida Fish and Wildlife Conservation Commission  
Farris Bryant Building  
620 South Meridian Street  
Tallahassee, FL 32399-1600  
Via email: [commissioners@myfwc.com](mailto:commissioners@myfwc.com)

Dear Commissioners:

Audubon of Florida recognizes that Bald Eagle populations have improved since being listed under the endangered species acts of the federal and state governments in the 1970s. The eagle population in Florida, though still a fraction of its original size, has increased over the last few decades and faces a significantly reduced threat of extinction. Accordingly, it may be time to remove the Bald Eagle from the list of imperiled species. Florida's goals for the true recovery of the eagle must go beyond "avoiding extinction," though, and should be supported by rigorous and mandatory protections that will ensure the eagle's continued recovery throughout the state.

Bald Eagle populations started declining several hundred years ago as European colonists hunted and killed eagles, calling them "vermin." The passing of the Bald Eagle Protection Act of 1940 provided much-needed protection and awareness that allowed eagle populations to begin to stabilize and recover. This brief recovery period was curtailed as the use of organochlorine pesticides became widespread and eagle populations once again declined. Eagle populations have again shown resiliency and rebounded due to changes in pesticide use and the protections afforded by listing on state and federal endangered species acts.

Currently, state protection is afforded to the Bald Eagle by virtue of more than just its regulation by the Florida Fish and Wildlife Conservation Commission (FWC). Its listed status also garners protection in state statute, multiple agency rules and municipal codes. We agree that eagle populations currently meet the standard required for delisting. However, we fear that the current threats they are facing may erode recent population gains once regulatory protections are removed.

Accordingly, delisting must be coupled with measures that allow the U. S. Fish and Wildlife Service and FWC to ensure the continued recovery of the eagle population; this will require more than voluntary guidelines from a management plan. FWC must provide mechanisms to protect not only the individual habitats used by eagles, but also the landscape pattern required for continued recovery of the eagle population (i.e., the distribution of the habitats used by the eagles for different purposes such as foraging, roosting, and nesting).

Specifically:

- FWC should make public its intended monitoring plan to ensure eagle populations do not decline after delisting and warrant relisting.
- FWC should demonstrate that it has a clear grasp of the biological implications of near-simultaneous federal and state delisting of the Bald Eagle: both direct implications resulting from the removal of FWC's regulation of eagles as well as indirect ones from the removal of state and municipal protections conferred upon eagles by virtue of being a listed species.
- While organochlorides posed the threat that originally imperiled eagles, development is the bird's greatest challenge today. FWC should establish legitimate landscape-level protections for Bald Eagle nesting and foraging habitat beyond the delisting of the species.
- The State should not simply rely on the Golden and Bald Eagle Protection Act for protection of its eagles. For example, this act affords little protection for nest trees. FWC should take a proactive role in strengthening the Act's application in Florida by conferring protection on trees that do host eagle nests or have in the past.
- Lastly, it is imperative that the agency undertake a significant education campaign to ensure the public understands that delisting does not mean eagles and eagle nests are completely unregulated.

We can be proud that current protections have brought the bald eagle population to the point where we can consider its delisting. However, we all recognize the challenges the eagle will continue to face, with or without imperiled species status. We ask the FWC to take action to ensure this will be a secure future for the species, as it considers removing its listed status.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Anderson', with a long horizontal flourish extending to the right.

David Anderson  
Executive Director  
Audubon of Florida

cc: Mr. David K. Meehan, Vice Chairman  
Mr. H.A. Huffman  
Ms. Kathy Barco  
Mr. Richard A. Corbett  
Mr. Brian S. Yablonski  
Ms. Sandra T. Kaupe  
Mr. Kenneth D. Haddad, Executive Director