



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

MBPM-4

Date: **AUG 11 2005**

MIGRATORY BIRD PERMIT MEMORANDUM

SUBJECT: Use of Pole Traps for Capturing Depredating Raptors

PURPOSE: This memorandum provides guidance on the issuance of migratory bird depredation permits authorizing the take of raptors using pole traps. Pole traps are live traps that can be effective and humane tools for alleviating certain problems caused by raptors. This guidance is needed to ensure that pole traps are used only when other methods are ineffective in resolving the depredation problems, and ensure that permits authorizing the use of pole traps are administered and conditioned to ensure humane consideration of affected birds. This guidance does not apply to trapping methods other than pole traps. This memorandum replaces guidance issued August 18, 1987.

POLICY: The use of pole traps may be authorized for managing depredating raptors when other methods are ineffective in resolving the depredation problem. A migratory bird depredation permit authorizing the use of pole traps to capture raptors should be issued in accordance with the following guidelines:

1. Permits may be issued for situations involving protection of: (a) Human health and safety (primarily at commercial airports and military air bases); (b) Federal- and State-listed endangered and threatened species; (c) poultry and other livestock; or (d) propagated game animals while under the control of the permittee. Animals are under the control of the permittee when penned or otherwise enclosed in a manner that allows close management by the permittee. Permits will not be issued to protect free-ranging, propagated game animals, or to prevent predation on wildlife, except for Federal- and State-listed endangered and threatened species.
2. With the exception of human health and safety, permits should be issued only when actual depredation has been documented and all other reasonable and appropriate methods of raptor deterrence and targeted species management have been employed and failed to alleviate the problem.
3. The determination to authorize the use of pole traps should include consideration of recommendations made by the U.S. Department of Agriculture/Animal and Plant Health Inspection Service/Wildlife Services documented on a Migratory Bird Damage Project Report (WS form-37).
4. Permits may be issued only when the take will not significantly affect local populations, as determined by the issuing office.

5. Permits should require that raptors captured in pole traps be relocated, following instructions for relocation provided by State or Federal biologists knowledgeable about local raptor populations. Permits authorizing the use of pole traps to protect human health and safety or Federal- or State-listed endangered and threatened species may authorize placement of captured raptors with an American Zoo and Aquarium-accredited institution (<http://www.aza.org/Accreditation/AccreditList>) for educational use when successful relocation is not feasible, such as when State law prohibits relocation. Destruction of captured raptors may be authorized only as a last resort when relocation and placement options have been exhausted.

6. Authorization to use pole traps for first-time applicants, other than Wildlife Services or State wildlife agencies with similar wildlife depredation responsibilities, should be granted for no more than 30 days. If the depredation problem has not been resolved within that period, then the permit may be renewed for an additional 30 days. If the depredation problem still is not resolved, and the permittee demonstrates a legitimate continuing need and responsible use of the method, a permit may be renewed with a tenure appropriate for the demonstrated need (not to exceed the regulatory time limit, which currently is 1 year). Responsible use is demonstrated when a permittee administers the traps with no or minimal injuries or mortalities. A legitimate continuing need is demonstrated when a permittee documents that other reasonable methods of raptor deterrence have continued to be employed but have failed to alleviate the depredation problem. Any request to renew a pole trap permit should be accompanied by a new Migratory Bird Damage Report (WS form-37) recommending the method. A permittee who fails to comply with the permit conditions is in violation of the Migratory Bird Treaty Act and under certain circumstances, the permittee's authorization to use pole traps may be revoked.

The following conditions should apply to permits authorizing the use of pole traps:

A. The permittee must use padded jaw or Verbaile-design pole traps. Traps must be designed for the specific depredation problem and installed and operated in accordance with the guidelines set forth in the information sheet titled "Raptor Control-Protecting Farm-Raised Animals from Hawk and Owl Predation" (attached).

B. When the proposed activity will be conducted by someone other than Wildlife Services personnel, or personnel from a State agency with similar wildlife depredation management responsibilities, the Service should refer the permittee to Wildlife Services or the relevant State wildlife agency for technical assistance in the proper use of the pole traps.

C. Traps employed between sunrise and sunset must be checked at least every 2 hours. Traps employed between sunset and sunrise must be checked at least once during the night, not including set up and take down. Traps must be closed down during inclement weather (e.g., precipitation or extreme temperatures), unless they are monitored continuously.

D. Except as provided in paragraph E below, captured raptors must be relocated.

Captured raptors must be transported a distance sufficient to minimize potential for returning to the capture site (usually at least 100 miles away) in an area where they will not pose a depredation threat. If injured, the bird must be transferred immediately to a federally permitted migratory bird rehabilitator or a licensed veterinarian for care (or, if necessary, euthanasia) at the permittee's expense. Live birds may not be retained in captivity or transferred to another's possession without further authorization from the issuing office.

E. Raptors captured to protect human health and safety or Federal- or State-listed endangered and threatened species may be placed with an AZA-accredited institution pre-approved by the issuing office when relocation in the wild is not feasible, such as when State law prohibits relocation. Destruction of captured raptors may be authorized only as a last resort when relocation and placement with an AZA-accredited institution are not feasible. Carcasses may be transferred to permitted educators, scientists, or other persons authorized to possess them. All others must be disposed of by burial or by incineration.

F. If a migratory bird is injured or killed during trapping, it must be reported within 72 hours to the issuing office. If the rate of incidents appears excessive, the issuing office should review the methods employed with the permittee, Wildlife Services, and/or the State wildlife agency personnel with similar depredation management responsibility. If appropriate, pole trap authorization may be revoked.

G. Any species captured that is not authorized by the permit must be released immediately and reported to the issuing office within 72 hours. If injured, the bird must be transferred immediately to a federally permitted migratory bird rehabilitator or a licensed veterinarian for care (or, if necessary, euthanized) at the permittee's expense.

H. The permittee's annual report must specify those raptors taken by pole trapping, dates taken, and their disposition.

The Service should continue to be judicious in the use of pole trapping and should encourage applicants to reduce or eliminate the need for long-term raptor management through habitat modification, exclusionary devices such as netting, harassment, or other preventive measures.

Exceptions to this guidance should be approved by the Assistant Director for Migratory Birds or an Assistant Regional Director for Migratory Birds and State Programs.


DIRECTOR

Attachment



Raptor Control

PROTECTING FARM-RAISED ANIMALS FROM HAWK AND OWL PREDATION

Hawk and Owl Predation

For centuries, hawks and owls have been considered by many as “villains” in the animal world, often persecuted because they are believed to compete with man for food. Actually, they play an important role in nature. Hawks and owls obtain food by preying on a wide variety of wild birds and mammals, including mice, skunks, pigeons, and starlings. They are opportunists; occasionally they will kill poultry and other livestock or farmed game birds. This has made them unpopular neighbors at times.

Protection

All native hawks and owls are federally protected under the Migratory Bird Treaty Act. Capturing, injuring, and killing of these birds are prohibited by regulations administered by the U.S. Fish and Wildlife Service (Service). Scaring or hazing of depredating birds is not prohibited unless the birds are also listed as endangered or threatened species.

Recognizing that hawks and owls occasionally present predation problems, the Service may issue special permits for the control of individual birds. Before any control techniques are implemented, the landowner must contact the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, the federal agency responsible for managing depredating wildlife. The problem will be examined by a wildlife control specialist trained in raptor predation control, who will make recommendations for addressing the problem.

Prevention

Preventing predation by exclusion is the ultimate answer to raptor predation. Unpenned, free-roaming livestock and game birds are attractants to hawks and owls as well as mammalian predators. Protecting farm-raised animals by keeping them in predator-proof enclosures benefits both the captive and the wild resource by removing access to vulnerable prey and eliminating the need to trap and remove raptors attracted to a perpetual food source. Chicken wire or nylon netting may be used to cover a fenced enclosure. A double layer of overhead netting separated by a 5- to 6-inch space may be necessary to keep owls away from penned birds (Hygnstrom and Craven, 1994)

Frightening Devices

Hawks may be “taught” to avoid a problem area by the use of crackershells which are two-stage exploding shells fired from a 12-gauge shotgun and designed to explode at a distance of 75-150 yards. This can be an effective technique if one has time to patrol the area. This method is not effective against owls due to their nocturnal habit. Lights are usually ineffective in deterring great-horned owls and may only serve to aid them in their hunting.

Trapping

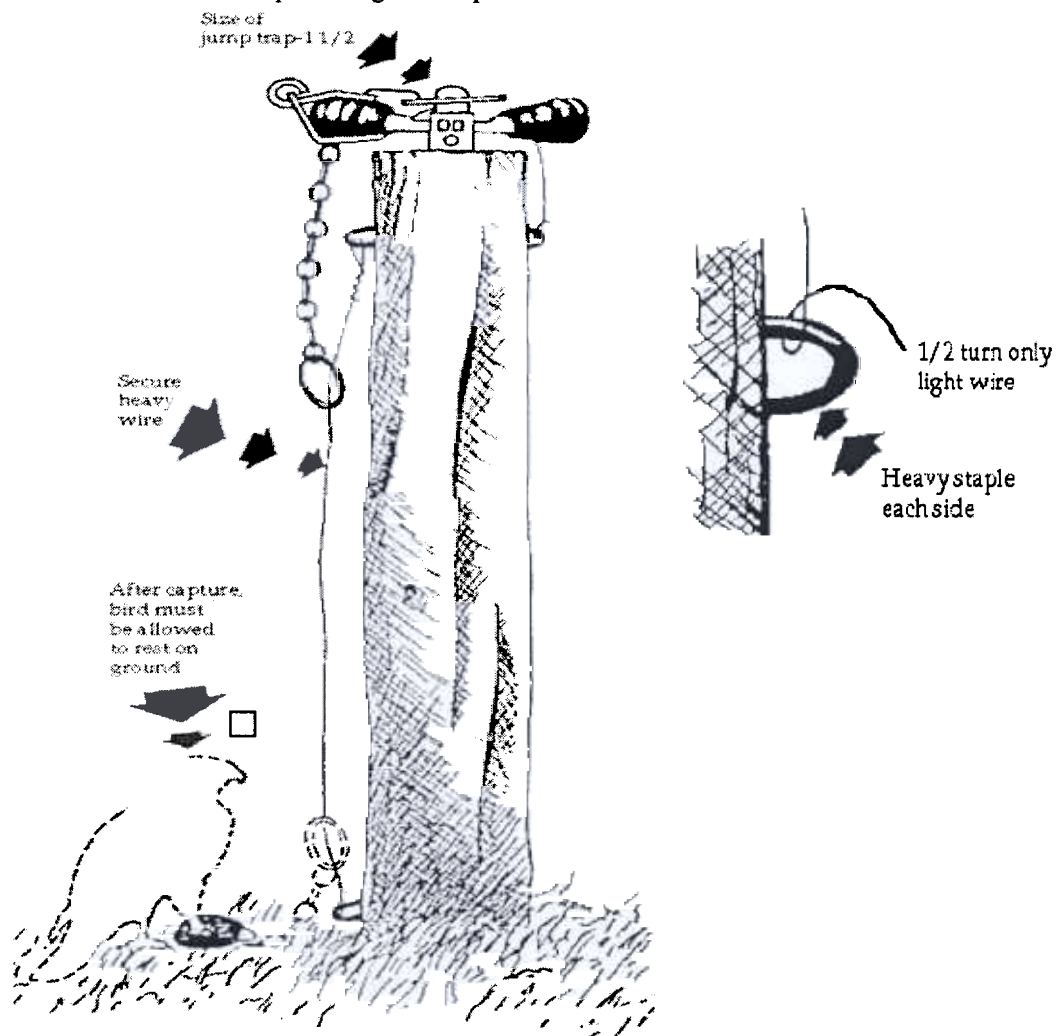
If exclusionary devices such as netting are not feasible and other preventive measures, such as harassment or habitat modification, have been tried and failed to resolve the predation problem, the Wildlife Services specialist may recommend to the Service that a capture permit be issued to allow relocation of the hawk or owl. Pole trapping can be an effective method of capturing problem hawks and owls because they prefer to perch on tall, isolated poles. Two types of pole traps may be used: padded steel jaw traps or Verball traps.

Padded jaw. A 1-1/2 size steel jaw trap is recommended for capturing hawks and owls. The trap springs should be modified to weaken the jaw pressure depending on the size of the target raptor and the jaws padded to avoid injury as follows:

- Clamp the trap spring in a vise or use grips to allow easy access to jaws.
- To weaken the jaw pressure, strike the springs near the bend with a heavy hammer to produce the lightest jaw enclosure sufficient to catch and hold the target raptor (Bloom, 1987).
- Pad the jaws with surgical tubing (slit lengthwise and slipped over the jaws), ½ inch thick foam rubber, leather, neoprene, or a similar material. Secure the material to the jaws by wrapping entirely with electricians tape.
- It is important that about 1 inch on both sides of each hinge is free of padding to allow jaw to close firmly.
- The trap is then set by placing the trigger pin over the jaw and inserting into pan trigger notch. With fingers clear of jaws, gently release spring tension.

The trap should be placed on a pole in the area where damage is occurring. Fasten two heavy staples on opposite sides of the pole about 4 inches below the top (see diagram). The trap may be lightly secured to the top of the pole with fine gauge wire to prevent

the wind from blowing it off the pole. Next, place a heavy staple a few inches from the base of the pole. Attach a piece of heavy gauge wire from the bottom staple through the trap.



Verbaal trap. The Verbaal trap, another effective trap for pole mounting, employs a system of bent spring steel, a landing trigger, a cord noose which snares the bird's leg, and a cord which allows the bird to rest on the ground. A trap specifically designed for the size of the target raptor is most effective. The noose system of a Verbaal trap makes it a safe method for all sizes of birds and thus is recommended. However, sources for these traps are few and they are not easily built from scratch (Bloom, 1987).

Pole traps must be checked frequently—at least every 2 hours during the day. Traps employed between sunset and sunrise must be checked at least once during the night, not including set up and take down. Traps must be closed down during inclement weather (e.g., precipitation or extreme temperatures), unless they are monitored continuously. Once a hawk or owl is captured, the bird should be relocated a distance sufficient to minimize potential for returning to the capture site (usually 100-150 miles away) in an area where it will not pose a depredation threat.

State regulations may prohibit the use of pole traps or restrict the height of poles used to capture raptors. The Wildlife Services representative will advise you of specific restrictions in your area. Other methods of capture are also effective and the Wildlife Services representative may provide you with this information if he feels the situation calls for those techniques.

Additional information regarding federal migratory bird permits, including Regional Migratory Bird Permit Office contacts, is available at <http://permits.fws.gov>. Additional information regarding management of injurious or nuisance wildlife, including the Wildlife Services contact for your state, is available at <http://www.aphis.usda.gov/ws>.

Literature Cited: Bloom, P. H. 1987. Capturing and Handling Raptors. Pages 99-123 in B. A. Giron Pendleton, B. A. Millsap, K. W. Cline, and D. M. Bird, eds. Raptor management techniques manual. Natl. Wildl. Fed., Washington, D.C.

Hynstrom, S. E., and S. R. Craven. 1994. Hawks and owls. Pages Ee53-E61 in S. E. Hynstrom, R.M. Timm, and G. E. Larson, eds. Prevention and control of wildlife damage. Univ. Nebraska Coop Ext. Lincoln.