

Re: [EXTERNAL] Re: Crook County Golden Eagles

Katie McDonald <Katie.McDonald@crookcountyor.gov>

Fri 11/17/2023 1:03 PM

To: Weidner, Emily C <emily\_weidner@fws.gov>; Carol Macbeth <carol@colw.org>

Cc: Nunzie <nunzie@pacifier.com>; jodink546@sbcglobal.net <jodink546@sbcglobal.net>; Plan <plan@crookcountyor.gov>;

Soens, Anna H <anna\_soens@fws.gov>; Greg Jackle <greg.s.jackle@odfw.oregon.gov>

Hi Emily,

Thank you for the follow up phone call. We will enter this email chain as Exhibit 9 so all parties have access to it.

Best,

Katie

**Katie McDonald, Sr. Planner**

Crook County Community Development



**CROOK COUNTY**  
**NOV 17 2023**  
**PLANNING DEPT**

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**From:** Katie McDonald <Katie.McDonald@crookcountyor.gov>

**Sent:** Friday, November 17, 2023 12:00 PM

**To:** Weidner, Emily C <emily\_weidner@fws.gov>; Carol Macbeth <carol@colw.org>

**Cc:** Nunzie <nunzie@pacifier.com>; jodink546@sbcglobal.net <jodink546@sbcglobal.net>; Plan <plan@crookcountyor.gov>; Soens, Anna H <anna\_soens@fws.gov>; Greg Jackle <greg.s.jackle@odfw.oregon.gov>

**Subject:** Re: [EXTERNAL] Re: Crook County Golden Eagles

Hello Emily,

Thank you for the clarification. The map tax lot number for the proposal is different than the one identified in the email, so I wanted to confirm that it was for the Huston application. The commercial events are proposed to be located on 14 15 20 0000 600. Is the information in your email still applicable? Would you like to have it listed as an Exhibit, so that all parties may have access to the information?

Thank you,

Katie

**Katie McDonald, Sr. Planner**  
Crook County Community Development



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**From:** Weidner, Emily C <emily\_weidner@fws.gov>  
**Sent:** Friday, November 17, 2023 11:28 AM  
**To:** Katie McDonald <Katie.McDonald@crookcountyor.gov>; Carol Macbeth <carol@colw.org>  
**Cc:** Nunzie <nunzie@pacifier.com>; jodink546@sbcglobal.net <jodink546@sbcglobal.net>; Plan <plan@crookcountyor.gov>; Soens, Anna H <anna\_soens@fws.gov>; Greg Jackle <greg.s.jackle@odfw.oregon.gov>  
**Subject:** Re: [EXTERNAL] Re: Crook County Golden Eagles

Hi Katie,

This was in reference to a permit application for wedding/party events on Greg Huston's Crook County property. Folks were concerned about potential impacts to golden eagles. I wanted to provide some context and I thought it would be good to include Crook County planning. Feel free to reach out if you have any questions.

Emily

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**Emily Weidner** | Fish & Wildlife Biologist  
U.S. Fish & Wildlife Service - Bend Field Office  
Bend, Oregon 97701  
Direct: 541.312.6423 | Cell: 971.334.1822

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**From:** Katie McDonald <Katie.McDonald@crookcountyor.gov>  
**Sent:** Friday, November 17, 2023 09:28  
**To:** Carol Macbeth <carol@colw.org>; Weidner, Emily C <emily\_weidner@fws.gov>  
**Cc:** Nunzie <nunzie@pacifier.com>; jodink546@sbcglobal.net <jodink546@sbcglobal.net>; Plan <plan@crookcountyor.gov>; Soens, Anna H <anna\_soens@fws.gov>; Greg Jackle <greg.s.jackle@odfw.oregon.gov>  
**Subject:** [EXTERNAL] Re: Crook County Golden Eagles

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Hello All,

Could someone please clarify the intent of the this email chain? Is it regarding a particular planning application or proposal?

Thank you,  
Katie

**Katie McDonald, Sr. Planner**  
Crook County Community Development



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**From:** Carol Macbeth <carol@colw.org>  
**Sent:** Thursday, November 16, 2023 1:09 PM  
**To:** Weidner, Emily C <emily\_weidner@fws.gov>  
**Cc:** Nunzie <nunzie@pacifier.com>; jodink546@sbcglobal.net <jodink546@sbcglobal.net>; Plan <plan@crookcountyor.gov>; Soens, Anna H <anna\_soens@fws.gov>; Greg Jackle <greg.s.jackle@odfw.oregon.gov>  
**Subject:** Re: Crook County Golden Eagles

Emily,  
Thanks very much for sending, this is very useful!

Best regards,  
Carol Macbeth

Le mar. 14 nov. 2023 à 16:40, Weidner, Emily C <[emily\\_weidner@fws.gov](mailto:emily_weidner@fws.gov)> a écrit :  
Hi all,

Anna Soens forwarded some emails to me, and I spoke with Greg Jackle last week re: potential disturbance issues near a golden eagle nest. Thanks for reaching out and for sharing your concerns about golden eagles in the area. The entity listed for the Crook County taxlot 400 (in that township and range) is Quail Valley Ranch. Is this correct? If so, there are two golden eagle territories within 0.5-

miles of that taxlot. The Round Butte territory (OR\_GE\_0162) is southwest of the taxlot and the Gerke and Woodward Roads territory (OR\_GE\_0353) is north-northeast of the taxlot.

As of 2020, the last year we received data from the Oregon Eagle foundation, the Round Butte territory was in an unknown status/possibly undetected for 5 consecutive years. In 2014 and 2015, their nest was occupied by breeding age eagles, a nest was observed, but there was no evidence of eggs. Similar story for the Gerke and Woodward Roads territory, which was unknown status/possibly undetected for 7 consecutive years.

The taxlot is within the two-mile buffers we apply to golden eagle nests. It's important to note that the buffer serves only as a screening process through which we assess projects/potential disturbance issues on a case-by-case basis. Buffers shrink concentrically depending on the level of disturbance (high, moderate, low impact) associated with the project compared to the current baseline of disturbance already on the landscape, the duration of disturbance, and ability to minimize project-related disturbance. The Service does consider historic eagle territories when looking at potential disturbance. Eagles can and do return to historic nest locations, sometimes after being absent from the area for many years.

The following information is standard language we use when discussing potential disturbance to golden eagles and whether or not someone should apply for an eagle take/disturbance permit. Eagle disturbance permits do not authorize an entity to conduct an activity the way, for example, a building permit does. Instead, eagle disturbance permits authorize disturbance of eagle(s) incidental to an otherwise lawful activity. This distinction is important because an eagle disturbance permit is not required to conduct an activity in the first place. An eagle disturbance permit provides legal authorization that protects from prosecution if the otherwise lawful activity disturbs eagles.

Although the Service has guidance on how to reduce the risk of disturbing bald and golden eagles, every project, location, and eagle is different. I'm happy to share the Service's guidelines for avoiding eagle nest disturbance. It is up to the applicant, after reviewing the Service's guidelines, to determine whether steps can be taken to sufficiently reduce the risk to golden eagles or whether to apply for a permit. If a permit is not obtained and an otherwise lawful activity disturbs eagles, the person(s) conducting the activity may have violated the Bald and Golden Eagle Protection Act and be potentially subject to prosecution.

A fairly straightforward solution to this would be to have someone monitor the nest to see if 1) eagles are present in the nest area starting in January/February and if present 2) whether they are exhibiting brooding behaviors during the egg laying season. I'm happy to help coordinate this and provide some information on how to monitor golden eagle nests. If the nest is occupied, we can talk about whether we would make any recommendations to avoid disturbance.

Please feel free to reach out if you have any questions.

Emily

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**Emily Weidner** | Fish & Wildlife Biologist  
U.S. Fish & Wildlife Service - Bend Field Office  
Bend, Oregon 97701  
Direct: 541.312.6423 | Cell: 971.334.1822

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Carol Macbeth (she/her)  
Staff Attorney  
Central Oregon LandWatch

*On the ceded homelands of the Wasq'u (Wasco)  
and Tana'nma (Warm Springs) people*

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