

**From:** Flack, Brandon <brandon.flack@idfg.idaho.gov>

**Sent:** Wednesday, August 20, 2025 4:04 PM

**To:** Mark Young <mark@k2excavation.org>; Cynda Herrick <cherrick@valleycountyid.gov>; Berkley, Regan <regan.berkley@idfg.idaho.gov>

**Subject:** Re: SUB 25-013 Eld Ranch Estates – Appeal of PZ Commission Approval

Hi Mark,

For your information and as an update to our previous email, we received a report about a bald eagle nest very close to the Eld Ranch Estates property. I spoke with the reporting party who gave me a good idea where the nest tree is located. I have asked one of our wildlife biologists if he can go take a look and verify the nest location. He will probably not be able to do that until next week.

The reported nest tree is generally located near the northeast corner of the Eld Ranch Estates property, near the property line with the Simpco Lands property on Laffinwell Creek. I know you are not planning to develop that area for a while but think it is a good idea to get this on your radar now since eagles show high site fidelity to their nest sites and return to the same nest year after year. As I described in our previous email yesterday, eagles are protected under the federal Bald and Golden Eagle Protection Act. Eagle nests may not be disturbed or destroyed, even outside of the nesting period when eagles are not present. Federal regulations define disturb as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (50 CFR 22.6).

Enforcement of this law is the responsibility of the U.S. Fish and Wildlife Service (USFWS). We recommend that you contact the local USFWS office to discuss the options that area available to you. The USFWS Boise office number is 208-378-5243.

I can provide you with an update once our biologist has gone out to the reported location.

Thanks,

**Brandon Flack**

Regional Technical Assistance Manager

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