

# ***NEWS RELEASE***



## ***OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA***

*San Diego, California*

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*For Immediate Release*

## **WILDLIFE RESEARCHER PLEADS GUILTY TO UNLAWFUL TAKING OF GOLDEN EAGLE**

### **NEWS RELEASE SUMMARY - April 18, 2013**

United States Attorney Laura E. Duffy announced that a Julian resident pled guilty today to the unlawful taking of a golden eagle, in violation of the Bald and Golden Eagle Protection Act, before the Honorable David H. Bartick, United States Magistrate Judge. “Take” in this instance involved collection of the bird for banding without the required permit.

At the time of the plea, wildlife researcher John David Bittner acknowledged that he makes his living conducting studies of birds and wildlife. His work includes the capture and banding of eagles and other migratory birds, and the tracking of their movements. Bittner had possessed a federal bird banding permit, which expired on January 31, 2010. In mid-February, 2010, he asked the USGS Bird Banding Laboratory to

renew his permit. The Bird Banding Lab advised Bittner that he was not in compliance with his permit as he had not reported any data for the birds he had banded since October 31, 2006 and thus, his permit would not be renewed until he submitted the delinquent data. These data provide the USGS and the U.S. Fish and Wildlife Service valuable information about the health and distribution of the eagle population in the United States. For the period from January 31, 2010, through August 12, 2010, Bittner possessed no permit to capture and band eagles or any other migratory bird. In pleading guilty, Bittner admitted that during this period, he captured and banded 144 migratory birds in southern California, including at least one female golden eagle, knowing that he had no permit to do so.

Historically, the breeding range of the golden eagle included most of North America, but today the species occurs primarily in the Western United States where it nests and winters from Alaska south to central Mexico. In some western states, golden eagles are year-round residents in breeding territories.

The golden eagle is a Bird of Conservation Concern throughout most of its western range. In the early 1970s, the estimated North American population was approximately 100,000. The current population estimate for the United States and Canada is 80,000, with documented declines in western states. Golden eagle populations are primarily impacted by habitat loss, collisions with transmission lines and increasingly with wind turbines, ingestion of lead and other contaminants, and disturbance of nest and brooding sites.

The Bald and Golden Eagle Protection Act prohibits anyone from taking, possessing, or transporting a bald eagle or golden eagle, or the parts, nests, or eggs of such birds without prior authorization. Take means to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb. Activities that directly or indirectly lead to take are prohibited without a permit. Such restrictions help ensure the future viability of eagles in the wild.

United States Attorney Laura E. Duffy said, "It is a sacred trust to preserve our natural heritage for future generations. This trust mandates that we observe both the spirit and letter of laws designed to protect the environment."

Bittner is scheduled to be sentenced on July 11, 2013 at 1:30 a.m. before Judge Bartick.

**Case Number: 13cr1391-W**

**DEFENDANT**

John David Bittner

**SUMMARY OF CHARGES**

Unlawful Taking of a Golden Eagle, in Violation of Title 16, United States Code, Section 668(a).  
Maximum Penalties: 1 year in custody and/or \$100,000 fine, \$25 special assessment.

**AGENCY**

U.S. Fish and Wildlife Service