



## Preventing Harm To Wildlife During Tree Care

Almost all bird nests are protected by law. The tree care worker can reduce harm to wildlife, comply with bird regulations, and know how to protect wildlife habitat. Become familiar with the Best Management Practices and other materials at:

[www.treecareforbirds.com](http://www.treecareforbirds.com).

### Job Steps Affected by this Topic

- Working during the nesting season vs the non-nesting season.
- Preparation before work begins.
- Actions when safety concerns conflict with wildlife regulations.
- Action when wildlife are accidentally impacted.

### Potential Risks

- Harming wildlife unnecessarily.
- Violation of bird regulations and possible fines.
- Negative public relations.

### Why are Wildlife Important?

Wildlife contribute to the environment. They also rely on trees for their food and homes.

Many laws and regulations exist to protect wildlife. The Federal Migratory Bird Treaty Act of 1918 states that it is against the law to kill or injure native birds, fledglings, eggs or active nests. This includes putting them at risk by scaring parents away from eggs or young.



Immature songbird by Four Oaks

### WILDLIFE EMERGENCIES

If you find injured wildlife or an immature bird out of its nest, call a Wildlife Rehabilitation Center before intervening. Parents are highly likely to continue caring for immature birds when they have fallen out of the nest. It is against the law to take a wild bird home as a pet.



Immature Red-tailed Hawk by David Watkins

## Project preparation

- Be prepared with contact information for a Wildlife Trained Arborist, Wildlife Biologist (with training and experience in ornithology), and a Wildlife Rehabilitation Center.
- Know if work is to be done during the nesting season (Feb.–Aug.) when most birds nest, or outside the nesting season (Sep.– Jan.)
- Consider the quality of the habitat in which work is to occur. High habitat value areas and riparian areas are more likely to have wildlife present. (Figure 1-3)



**Egrets commonly nest in riparian areas.  
Photo by Tom Grey**



**Owls are found in high quality habitats where  
there is good canopy cover.  
Photo by Peggy Honda**



**Figure 1 High habitat value**

**Riparian areas with or without water  
all year.**



**Figure 2 High habitat value**

**Large areas with mature trees, some  
dead trees, and understory vegetation.**



**Figure 3 Low Habitat Value  
Areas with large hard surfaces.**



## KNOW WHAT TO LOOK FOR AND WHERE TO LOOK



Figure 5



Figure 6

### Fieldwork

Conduct a pre-work inspection prior to starting work or in the days before the work is scheduled but not more than a week before the work is planned to begin. Look for signs of wildlife and nesting birds in likely locations. (Figure 5 and 6).

If a nest is found, determine whether it has eggs or immature birds (active nest), is an old, abandoned nest, or if it is a large, stick nest which may have special protection law all year.

If an active nest is present, it is best to delay work until the immature wildlife have left the nest. (Wildlife continue to rely on parents in the first few weeks after they have left the nest.) If it is not possible to delay work, consult a Wildlife Trained Arborist or Wildlife Biologist for instructions.

If a nest/wildlife is accidentally injured, contact a Wildlife Rehabilitation Center or Wildlife Biologist. Keep the bird in view, but keep away from it. Avoid handling or relocating it unless directed to do so. It is against the law to take a bird home.

It is illegal for anyone to keep a nest, or any part of a native bird (including feathers) without a permit from the U.S. Fish and Wildlife Service.

For further information about bird nests and permits, contact: U.S. Fish and Wildlife Service Pacific Southwest Region Division of Migratory Birds and Habitat by emailing: [permitsr8mb@fws.gov](mailto:permitsr8mb@fws.gov)

**Look closely for these  
three hard-to-spot nests**



**Under palm fronds**



**Hummingbird nest about 2" In diameter**



**Holes in dead trunks and limbs**

**Most nests are protected. Degree of protection  
depends on the species and location.**

**To learn more:**

<https://www.fws.gov/endangered>



**Small, old/abandoned nests can often be removed  
but should be left in place if possible.**



**Large stick nests usually have special protection  
even if abandoned or unoccupied.**

# QUIZ

# TREE CARE FOR WILDLIFE

Complete the following:

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

**Multiple choice instructions: Select one or more answers that best suit the question:**

**Federal and state regulations prohibit tree care providers and others from:**

1. Destroying only nests with young wildlife
2. Disturbing or destroying the nests of native wildlife if they contain eggs or young, or if the young still rely on their parents.
3. Destroying all abandoned nests

**Before starting work it is best to:**

1. Determine if it is the nesting season
2. Consider the habitat value of the work site and the risk of wildlife presence.
3. Turn off all noisy equipment.
4. Do a pre-work survey for wildlife
5. Come prepared with contact information for a Wildlife Biologist or Wildlife-Trained Arborist, and a Wildlife Rehabilitator.
5. All of the above.

**Most wildlife nest at this time of the year:**

1. January-July
2. February-August
3. March-October

**Which type of habitat has the highest chance of wildlife presence:**

1. Riparian
2. A small recreational park with some trees and vegetation.

**If unsure of whether to continue work in a tree when it has an active nest, the first best thing to do is:**

1. Stop work in the tree and return when the young no longer use the nest and rely on their parents.
2. Call a supervisor, Wildlife Biologist or the CA Department of Fish and Wildlife.

**It is permitted to take a native injured or young bird home if you want to adopt it:**

Yes    No

**If you find an injured or immature bird, the best thing to do is:**

1. Catch it, put it in a safe place and call a Wildlife Rehabilitator
2. Leave it alone, watch to see if its parents are looking after it, and then call a Wildlife Rehabilitator or Wildlife Biologist for guidance if you are not sure what to do.



# Arborist Wildlife Pre-work Inspection Form

Inspector Name:		Inspection Date:	
Inspection Time:		Work Scheduled Date:	
Location/Address:			
Weather conditions:			
Description of work:			

## Work Area Habitat Value Evaluation

	Low Value		High Value
<input type="checkbox"/>	High human use and infrastructure	<input type="checkbox"/>	Low human use and infrastructure
<input type="checkbox"/>	High impervious surfaces	<input type="checkbox"/>	Low impervious surfaces
<input type="checkbox"/>	Low plant species diversity	<input type="checkbox"/>	High plant species diversity
<input type="checkbox"/>	Low plant structural diversity	<input type="checkbox"/>	High plant structural diversity
<input type="checkbox"/>	Far from water bodies	<input type="checkbox"/>	Close to water bodies
<input type="checkbox"/>	No riparian vegetation	<input type="checkbox"/>	Riparian vegetation present
<input type="checkbox"/>	Few mature, dead or dying trees	<input type="checkbox"/>	Many mature, dead or dying trees
<input type="checkbox"/>	Few/no wildlife present	<input type="checkbox"/>	Abundant wildlife present

\*Higher valued habitat areas may require consultation from a wildlife biologist. Contact biologist? Yes No

<input type="checkbox"/>	Breeding Season (Feb. 1- Aug. 31)	<input type="checkbox"/>	Non-Breeding Season (Sep. 1 – Jan. 31)
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\*If work is within a high habitat value area, can work be scheduled during non-breeding season? Yes No

## Inspection

Ground:	Sounds   Feces/Whitewash   Foot prints   Ground Hole   Nest
Shrub(s)/Hedge(s):	Sounds   Feces/Whitewash   Cavity/Birdbox   Nest   Eggs/Birds
Tree(s):	Sounds   Feces/Whitewash   Cavity/Birdbox   Nest   Eggs/Birds
Building(s):	Sounds   Feces/Whitewash   Cavity/Birdbox   Nest   Eggs/Birds
↓ ↓ ↓ If nest is identified in work area: ↓ ↓ ↓	
Location:	Height
Nest Type:	Ground   Burrow   Cupped   Pendulous   Cavity   Platform
Species:	
Active nest buffer distance:	Song bird (50 feet)   Raptor nest (300 feet)   Other
Raptor nest:	*Shall not move, disturb or destroy nest and supporting structure, even when non-active.

## Work Plan

Biologist/Rehabilitator:		Phone: ( ) -
Situation:		
Advice given:		
Action:		

Avoid violations with Federal laws. Find more about protected species and the US Fish and Wildlife Service at - [www.fws.gov](http://www.fws.gov)

# Appendix V - Pre-work Inspection Form

Inspector: \_\_\_\_\_ Certification Level: \_\_\_\_\_ Date: \_\_\_\_\_  
Time: \_\_\_\_\_ Weather conditions: \_\_\_\_\_  
Description of work: \_\_\_\_\_ When is work: \_\_\_\_\_  
Wildlife Biologist: \_\_\_\_\_ Wildlife Rehabilitator: \_\_\_\_\_

## Habitat Value

### Low

- High human use
- High impervious surfaces
- Low plant species diversity
- Low plant structural diversity
- Far from water bodies
- Few mature, dead and dying trees
- Few/no wildlife present

### High

- Low human use
- Low impervious surfaces
- High plant species diversity
- High plant structural diversity
- Close to water bodies
- Many mature, dead and dying trees
- Abundant wildlife present

### Riparian

- Within or adjacent to water bodies
- Within or adjacent to dry water channels
- Riparian vegetation present

### Breeding Season

- Breeding Season (Feb. 1 – Aug. 31)
- Non-breeding Season (Sep. 1 – Jan. 31)

### **Category**

Category 1

Category 2

Category 3

Recommended level of training: \_\_\_\_\_

## **Inspection**

- Scan the sky, trees, ground, shrubs, and branches.
- Check trunk or branch cavities and holes in the ground.
- Listen for wildlife sounds.
- Look for wildlife flying or running away.

## **Signs of nesting wildlife**

- Nests that may have eggs or young
- Concentrations of white colored droppings
- Wildlife exhibiting breeding behavior
- Wildlife carrying nesting materials
- Repeated wildlife visits to area

## **Nest found**

- Location \_\_\_\_\_
- Species \_\_\_\_\_
- Type \_\_\_\_\_
- Buffer distance \_\_\_\_\_

## **Health and human emergency**

Risks \_\_\_\_\_

Actions \_\_\_\_\_

## **Wildlife emergency**

Situation \_\_\_\_\_

Contacted \_\_\_\_\_

Advice given \_\_\_\_\_

Actions \_\_\_\_\_

## **Active nest? (Y / N)**

- Nest contains eggs or young wildlife