

**From:** Drew Cashman <drcashman11@yahoo.com>  
**Sent:** Wednesday, March 9, 2022 12:16 PM  
**To:** Park Commission <pacommission@cityofmadison.com>  
**Cc:** Brenna Marsicek <bmarsicek@madisonaudubon.org>; Celesnik, Marion <gorcel1@att.net>; Paul Noeldner <paul\_noeldner@hotmail.com>  
**Subject:** Item 15(70342) for tonight's meeting agenda.

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Hello,

Please refer to the attached letter with our comments from the Madison Audubon and it's Bald Eagle Nest Watch regarding Item# 15(70342) of tonight's meeting.

Sincerely,

Drew Cashman  
Madison Audubon Society  
Bald Eagle Nest Watch



March 9, 2022

Dear Board of Parks Commissioners,

We are writing you in reference to Agenda item 15 (70342) for the Board of Park Commissioners meeting on March 9, 2022. We recommend the Board require the Madison Mallards baseball team to wait until June 20 or later to launch fireworks at or near Warner Park.

Warner Park is home to a successful and thriving Bald Eagle nest, located within 1/3 mile from the Mallards' baseball diamond. The nest is well known and a source of pride among the community, including park visitors, neighbors, school groups, birding enthusiasts, and nature lovers.

Bald Eagles are a protected species under the Bald and Golden Eagle Protection Act, a federal law aimed at preventing harm and disruption to eagles, particularly during their nesting period. The law defines "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." (<https://www.fws.gov/law/bald-and-golden-eagle-protection-act>)

Bald Eagle nesting begins in southern Wisconsin in February and typically ends in June when the young fly for the first time (fledge). Through Madison Audubon's Bald Eagle Nest Watch program ([madisonaudubon.org/benw](http://madisonaudubon.org/benw)), our volunteers have monitored this nest carefully and documented the first date of incubation as February 18, 2022. After the required incubation and nestling periods, we calculate that the chick(s) should fledge in mid-June. We recommend a moratorium on fireworks until June 20 to allow the eaglet(s) to fledge naturally.

Nearby fireworks would be an extremely disruptive event and, if timed while the chick(s) are still in the nest, could cause the young to 'jump' from the nest early. If those chick(s) are not yet able to fly, injury or fatality could result from the fall. If the chick(s) survive the fall from the nest, intervention from the Wisconsin Department of Natural Resources and/or wildlife rehabilitators would be required to provide care, recovery, and nourishment for the eaglet(s). At that point, the eaglet(s) would be out of the care of their parents and may require additional support from humans to learn to hunt and fly. In summary, it would be a very serious and potentially deadly situation for the eaglet(s).

It is also possible that the eagle adults would consider the fireworks to be a significant-enough disruption to abandon their Warner Park nest in future years and relocate to a different area. This would be problematic for the eagles and a disappointment to the local community who treasures the Bald Eagles in their neighborhood.

Because there is strong documentation that shows when a safer time to launch fireworks would be, without causing harm to the eaglets, **we strongly encourage the Park Commissioners to not approve fireworks usage at Warner Park until after June 20.** This is a wonderful opportunity for the City of Madison and the Madison Mallards team to support and celebrate the nesting eagles, rather than cause harm.

Thank you for your consideration.



Drew Cashman  
Volunteer, Madison Audubon  
Co-organizer, Bald Eagle Nest Watch



Brenna Marsicek  
Director of Communications, Madison Audubon  
Co-organizer, Bald Eagle Nest Watch



Matt Reetz  
Executive Director, Madison Audubon