**Section 525.65 Migratory Birds**

a) Damage to property or wildlife, risks to human health or safety, and nuisances caused by migratory birds must be identifiable to an employee of the Department and include, but are not limited to:

1) excessive fecal matter accumulations on property;

2) damage to turf, ornamental plantings, agricultural crops, structures or vehicles;

3) risks to human safety, such as human conflicts with aggressive birds and vehicle collisions with birds;

4) risks to human health as identified or reasonably expected by a Department Wildlife Biologist or Conservation Police Officer in consultation with any public health official or medical doctor;

5) excessive, bothersome noise in residential or commercial areas; and

6) excessive damage to other species of wildlife, such as competition for nesting sites or territory or damage to vegetation necessary for the well being of other wildlife species.

b) Except as provided in Section 525.75, the taking of migratory birds protected by federal regulations (50 CFR 10.13) requires authorization from the U.S. Fish and Wildlife Service and written approval from the Department for each site where the taking will occur.

c) Class D and Class E permittees must comply with provisions of permits issued by the U.S. Fish and Wildlife Service and any additional restrictions imposed by the Department.

d) Methods of destroying eggs of migratory birds are limited to addling, oiling, puncturing, and removal and disposal in accordance with Section 525.45(e).

(Source: Section 525.65 renumbered from Section 525.35 and amended at 41 Ill. Reg. 8476, effective June 28, 2017)