

## Blackbirds

Blackbirds are a federally protected migratory species. Blackbird is a general term used to describe the subfamily Icterinae which includes, starlings<sup>1</sup>, orioles, cowbirds, grackles, red-wing black birds, rusty blackbirds, Brewer's blackbirds and yellow-headed blackbirds.

**What is the common damage caused by blackbirds?** Flocks of blackbirds can cause damage to agricultural crops and will forage on newly planted fields.

**Can a WCA write a depredation permit?** A federal permit must first be obtained for any migratory bird, unless there is a federal depredation order specifying otherwise (see lethal options). The USDA Wildlife Services facilitates the procurement of federal depredation permits through the US Fish and Wildlife Service in Atlanta, Georgia. A state depredation permit is also required. A WCA can write a state depredation permit once the federal permit is received.

**Can blackbirds be relocated?** No, under the [Migratory Bird Treaty Act](#) it is illegal to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird.

**What can I do with sick or injured blackbirds?** There are licensed wildlife [rehabilitators](#) across the state that can take in sick or injured birds. Advise the individual to leave the bird alone for 24 hours before contacting a rehabilitator.

**Are there any safety concerns?** No, however is good practice to wear gloves when handling any animal.

### Non-lethal Options:

- See the [General Considerations for Handling Wildlife](#) document for general ways to prevent damage from wildlife.
- Blackbirds that are inside a structure can be caught but must be released on site.
- Exclusion
  - Netting can be placed over gardens to prevent black birds from having access.
- Harassment
  - Can use visual or noise deterrents to scare the birds off when they land.

### Lethal Options:

- A state depredation permit is always required to take blackbirds.
- Federal permits are always required unless acting under depredation order 50 CFR 21.43.
  - Active nests (nests with eggs or nestlings) are protected under the Migratory Bird Treaty Act and cannot be removed without a federal permit.
  - Under depredation order 50 CFR 21.43, no federal permit is required to take certain blackbird species<sup>2</sup> under any of the following circumstances (must attempt non-lethal methods of control first):
    - Where they are causing serious damages to agricultural or horticultural crops or to livestock feed.
    - When they cause a health hazard or structural property damage.

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<sup>1</sup> European starlings are an invasive species and are not protected under the Federal Migratory Bird Treaty Act.

<sup>2</sup> The following species are included under the 50 CFR 21.43 depredation order: Brewer's blackbird, red-winged blackbird, yellow-headed blackbird, bronzed cowbird, brown-headed cowbird, shiny cowbird, American crow, fish crow, northwestern crow, boat-tailed grackles, common grackles, great-tailed grackles, greater Antillean grackle and black-billed grackle.