

Here's what happened when a bald eagle nest in Pasco County went missing

The resulting attention from inspectors prompted one lawmaker to propose slashing local wetland and water protection laws.



Bald eagle with two young chicks on the nest at Lake Jovita in Dade City. The eagles have been rearing chicks on the site for 20 years. The nest was
focus in 2021 when the new land owner built a home there and the nest disappeared. The home owner is Zachary Maggard,
representative Randy Maggard and Pasco County Commissioner Ron Oakley. [Jill Yelverton]

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Published Apr. 3 | Updated Apr. 4

Neighbors and bird watchers had admired the bald eagle nest in a towering pine tree on Lake Jovita for nearly two decades. Each year brought new life when a clutch of fluffy chicks would emerge from the sticks.

So when the heavy construction machinery moved in after the property changed hands in 2021, concerned residents sounded the alarm with county and state officials. County inspectors, responding to complaints, found native trees slashed without permits and plans to build over

protected wetlands with a 10-foot-wide concrete driveway, records show.

The eagle nest, a beloved landmark for the Dade City community, mysteriously disappeared.

The property's owner is the nephew of both state Rep. Randy Maggard, R-Dade City, and Pasco County Commissioner Ron Oakley, records show. Zachary Maggard has received no fines and no citations.

Now, a bill is being proposed by Rep. Maggard after the county raised red flags on his nephew's property. If it's successful, any future county [control over wetlands](#) and pollution laws would be preempted by the state.

"If it were any other neighbor, all hell would've broken loose. But because they have certain connections, those connections put forth effort to go ahead and undermine the system," said next-door neighbor Kevin Bohne.

"And that's not right."

A bald eagle photographed in a nest at Lake Jovita in Dade City. The nest was the focus of much attention when it went missing in 2021 as property owner Zachary Maggard built a house on the site. He is the nephew of state Rep. Randy Maggard. [Jill Yelverton]

"The nest is gone"

State wildlife officer Ashley Tyler noticed a bald eagle circling overhead when she arrived at Zachary Maggard's property in September 2021.

She was called to investigate complaints that heavy machinery was disturbing the birds. There was an eagle nest in the tree, she wrote in a report, and she could hear a tractor whirring near the nest.

When she approached the property, she discovered the tractor was mowing down plants within 100 feet of the eagle's nest. Clearing and landscaping should be done no closer than 330 feet from an active nest during breeding season, [according to the U.S. Fish and Wildlife Service](#).

Tyler and a federal wildlife official agreed there wasn't a violation, though, and mowing could continue — as long as it wasn't directly under the nest, records show. But Tyler did see the eagle flying overhead, an indication that it had returned early to nest.

"Monitoring of this area is needed," she wrote in her report.

Eighty days later, the nest was gone.

Bohne was out on a morning kayak in late November 2021 when he noticed the nest tree was barren.

“There was nothing on the ground,” Bohne said. “It was almost like somebody even raked up the underbrush.”

Tyer was again called out to investigate.

Neighbors handed over photos of the eagle nest less than two weeks earlier. Not only was the nest intact, but there were two eagles in it.

But now, Tyer wrote in her report that “it appears that only one or two sticks remain.” She snapped some photos of the emptied tree and noted there were a few sticks on the ground that were possibly from an eagle’s nest.

Still, the investigation into the nest “was administratively cleared,” according to Ashlee Sklute, a law enforcement spokesperson with the Florida Fish and Wildlife Conservation Commission.

Maggard faced no charges.

More than four months later, the eagles returned.

But six days later, on April 14, another complaint was lodged about construction near the new nest. It prompted Tyer to revisit Maggard’s property for a third time, records show.

When she arrived, it was clear that months of construction had taken its toll on the eagles: They “displayed substantially abnormal breeding” since the land clearing work began in September 2021, Tyer wrote.

She saw a construction vehicle with a bush-cutter attached to the front. It was cutting down trees “well within” 330 feet of the nest and the noise was “well above” a typical lawn mower as it plowed the land, Tyer wrote.

She reached out to Maggard.

When she mentioned the eagles and their nesting activity, Maggard “argued with me continuously via several phone calls and texts. At one point he hung up on me. Maggard insisted that it was not nesting season so he could do what he

wanted,” Tyler wrote in her incident report.

Tree removal on Maggard’s property was occurring in April. That’s still within Florida’s nesting season, which is September through May, according to the U.S. Fish and Wildlife Service.

Tyer then told him that the eagles were nesting, and until they left or no longer showed nesting behaviors, they were protected.

Still, Maggard pushed back and “was stuck on the suggested breeding season timeline,” Tyler wrote.

She told him if they continued construction, it would potentially violate federal law. She measured the distance from the plower to the nest tree: 181 feet.

Pasco raised concerns, then green-lit project

Neighbors who had catalogued the eagles over the years remained concerned, records show.

The county received several emails urging a closer look at the construction.

“I know that eagles and humans can coexist if the eagles are given half a chance. Is there any way to protect their nest tree from being removed so they have the chance to rebuild?” urged Dade City resident Jill Yelverton, who frequently photographed the birds.

“We make choices,” she said. “The eagles have to live with them.”

Zachary Maggard bought Lot 263 in Lake Jovita on July 1, 2021, nearly five months before the nest disappeared. Then, in December, he was issued a permit to begin building his home, records show.

By February, Pasco County had been bombarded by complaints about the land clearing on the site, including concerns that the new owner was disturbing the eagle nest.

Bohne even went in late February to a County Commission meeting — along with the Audubon Society’s EagleWatch representatives, who monitor nests — to protest the construction. They begged the county to protect the nest.

Bohne also told them that the wetlands boundary flagged on Maggard’s lot was not correct.

By that time, a county inspection showed 12 trees were downed without permits.

Maggard was told to replant trees and received notice that each tree permit violation would cost \$250. The inspector also objected to the 10-foot-wide concrete walkway, which ran from the back of the house to the waterfront, cutting through wetlands.

The inspector noted that 0.112 acres of wetlands were affected by the 300 square feet of the concrete path and that Pasco's land development code "does not allow category one wetland impacts." He suggested a less damaging alternative — "a four or five-foot-wide gravel or mulch path which would allow vegetation to grow through."

Maggard rejected the idea. He responded that instead he might take the path out of the plan so that the house construction could be approved. He could add the concrete path back in later, according to the county's record on the conversation.

But soon after, the county approved Maggard's original plan anyway. When the Tampa Bay Times asked why, a Pasco spokesperson said environmental inspectors don't have authority under that land development code. The code gives the final decision on a permit to the county administrator, or whomever they designate.

In this case, that was the job of Keith Wiley, the county's director of parks, recreation and natural resources. But Wiley escalated the case for further review to then-County Administrator Dan Biles. He ultimately green-lit the application.

Pasco's land development rules allow property owners to be able to use their property and in this case "based on the site conditions there is no feasible way to access the waterfront without impacting the wetland," said Pasco County spokesperson Sarah Andeara.

County officials never checked back with Maggard after giving him detailed instructions about replanting trees to replace the ones he cut down without permits, Andeara said.

Maggard paid no fines and received no citations.

A family affair

Maggard's experience could be the catalyst for [widespread changes](#) preventing local governments from having power to control construction near wetlands or pass other water-quality-related regulations.

That's the reality that his uncle's bill aims to create.

Randy Maggard tied the bill directly to what he thought was county overreach with his nephew, according to a statement he made to a reporter from the [Florida](#)

He would not directly answer that same question from the Times, responding only with a statement saying that his bill was filed to “remove duplication in the permitting process between the state and local governments without compromising critical protections for Florida’s environment.”

Zachary Maggard has not responded to several requests for comment, including emails and phone messages.

Bohne, the neighbor, sees the family connections between uncle Randy Maggard and uncle Ron Oakley, the county commissioner, as the reason that his neighbor got away with ignoring the rules. Zachary Maggard’s father is Dale Maggard, Randy’s brother. Dale’s wife is Ron Oakley’s sister, Ann Oakley Maggard.

Oakley did not respond to repeated requests for comment, including emails and phone messages.

“Can anyone imagine not having any control over what your neighbor wants to do with your property?” Bohne said.

“It just reeks. It doesn’t pass the smell test.”