



Federal Fish and Wildlife Permit Application Form

Return to: U.S. Fish and Wildlife Service (USFWS)

Type of Activity: Migratory Bird Depredation Permit

<Service Division title here> or <return address list attached>

<Service Division address line 1>

<Service Division address line 2>

<Service Division contact phone>

Complete Sections A or B, and C, D, and E of this application. U.S. address may be required in Section C, see instructions for details. See attached instruction pages for information on how to make your application complete and help avoid unnecessary delays.

Section A: Complete if applying as an individual. Fields include: 1.a. Last name, 1.b. First name, 1.c. Middle name or initial, 1.d. Suffix, 2. Date of birth, 3. Social Security No., 4. Occupation, 5. Affiliation, 6.a. Telephone number, 6.b. Alternate telephone number, 6.c. Fax number, 6.d. E-mail address.

Section B: Complete if applying on behalf of a business, corporation, public agency, tribe, or institution. Fields include: 1.a. Name of business, 1.b. Doing business as (dba), 2. Tax identification no., 3. Description of business, 4.a. Principal officer Last name, 4.b. Principal officer First name, 4.c. Principal officer Middle name/ initial, 4.d. Suffix, 5. Principal officer title, 6. Primary contact, 7.a. Business telephone number, 7.b. Alternate telephone number, 7.c. Business fax number, 7.d. Business e-mail address.

Section C: All applicants complete address information. Fields include: 1.a. Physical address, 1.b. City, 1.c. State, 1.d. Zip code/Postal code, 1.e. County/Province, 1.f. Country, 2.a. Mailing Address, 2.b. City, 2.c. State, 2.d. Zip code/Postal code, 2.e. County/Province, 2.f. Country.

Section D: All applicants MUST complete. 1. Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount of \$100.00 if you are applying for a new permit or \$50.00 if you are requesting a substantive amendment to your existing permit. 2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? 3. Certification: I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13 of the Code of Federal Regulations...

Please continue to next page

E. MIGRATORY BIRD DEPREDATION PERMIT
(Migratory Bird Treaty Act, 50 CFR 21.41)

A Federal Migratory Bird Depredation Permit is required to capture or kill migratory birds for depredation control purposes. The permit authorizes certain management and control activities necessary to provide for human health and safety, protect personal property, or allow resolution of other injury to people or property. No permit is required merely to scare or herd depredating migratory birds other than endangered or threatened species and bald or golden eagles. You should apply for a depredation permit only after non-lethal management proves unsuccessful. If a permit is issued, you will be expected to continue to integrate non-lethal techniques when implementing any lethal measures. You must be at least 18 years of age to apply.

Protected Species: *The species listed in the Code of Federal Regulations at 50 CFR 10.13 are protected under the Migratory Bird Treaty Act. A list of species in the U.S. and their status under the MBTA is available at the following website:
<http://www.fws.gov/migratorybirds/issues/nonnative/MBTA-protected&NonprotectedSpecies.htm>.*

Resident Canada goose nests & eggs: *If you are only destroying or addling resident Canada goose eggs and your state is one that accepts Federal registration, you may register for free on-line at <https://epermits.fws.gov/eRCGR> in lieu of obtaining a depredation permit.*

Note: *Your application for a depredation permit must include a recommendation from the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, for addressing your depredation problem. You may contact Wildlife Services at (866) 487-3297. If Wildlife Services recommends that a permit be issued to capture or kill birds, they will complete a Wildlife Services Permit Review Form (Form 37). This form and a copy of any required State permits must accompany your application. (This form is not required for resident Canada goose egg addling/destruction/OvoControl™G.)*

Please provide the following information numbered according to the questions below on a separate sheet of paper. You should be as specific as possible in your responses. You should submit your application at least 60 days prior to the date that you need your permit (50 CFR 13.11(c)).

1. List the species of migratory birds causing the depredation problem and estimate the number of each involved.
2. Provide the exact location of the property or properties where the control activity would be conducted (State, county, and physical address of the specific site).
3. Description of damage.
 - (a) Describe the specific migratory bird damage or injury you are experiencing.
 - (b) How long has it been occurring (e.g., the number of years)?
 - (c) What times or seasons of the year does it occur?
 - (d) Describe any human health and safety hazards involved.
 - (e) Provide details such as types of crops destroyed, human injuries sustained, property damage incurred, and health and safety hazards created.
4. Describe the extent of the damage and estimate the economic loss suffered as a result, such as percentage of acres of crop and dollar loss, cost to replace damaged property, or cost of injuries.
5. Describe the nonlethal measures you have taken to control or eliminate the problem, including how long (e.g., a week, month, year(s)) and how often they have been conducted. List the techniques you have tried, such as harassment (e.g., horns, pyrotechnics, propane cannons), habitat management (e.g., vegetative barriers, longer grass management, fencing), cultural practices (e.g., crop selection and placement, management of pets and feeding schedules), or no feeding policies.
6. Proposed actions.
 - (a) What actions are you proposing to take to alleviate the problem (e.g., kill, eliminate nesting, trap and relocate)?
 - (b) Describe the method you propose (e.g., shoot; addle, oil, destroy eggs; trap and relocate; trap and donate birds to a food processing center).
 - (c) If you propose to trap birds, describe the method that will be used and your (or your agent's) experience with the method.
7. What long-term measures do you plan to take to eliminate the problem?

- 8. If you are applying on behalf of an airport for a permit to control birds in flight zones, indicate whether you are operating under an approved Wildlife Hazard Management Plan.
- 9. Anyone who will be acting as your agent or assisting you with the activities authorized by your permit must be authorized as a subpermittee under your permit. As the primary permittee, you will be legally responsible for ensuring that your subpermittees comply with the terms of your permit. List the name of anyone who will be directly involved in doing the work to resolve your problems. Include any commercial company that may be contracted to conduct the work.
- 10. You must retain records relating to the activities conducted under your permit for at least 5 years from the date of expiration of your permit. Is the physical address you provided in Section C on page 1 of this application the address where your records will be kept?

Yes No If "no", provide the physical address:

- 11. **Any permit issued as a result of this application is not valid unless you also have any required State or tribal permits or approvals associated with the activity.** Have you obtained all required State or tribal permits or approvals to conduct this activity?

Yes If "yes", attach a copy of the approval(s). Have applied (**Send copy when issued**) None required

- 12. Attach a copy of the completed Wildlife Services Permit Review Form (Form 37) prepared by USDA, APHIS, Wildlife Services providing their recommendation regarding your depredation problem.

PERMIT APPLICATION FORM INSTRUCTIONS

The following instructions pertain to an application for a U.S. Fish and Wildlife Service or CITES permit. The General Permit Procedures in 50 CFR 13 address the permitting process. For simplicity, all licenses, permits, registrations, and certificates are referred to as a permit.

GENERAL INSTRUCTIONS:

- Complete all blocks/lines/questions in Sections A or B, and in C, D, and E.
- **An incomplete application may cause delays in processing or may be returned to the applicant. Be sure you are filling in the appropriate application form for the proposed activity.**
- Print clearly or type in the information. Illegible applications may cause delays.
- Sign the application in [blue](#) ink. Faxes or copies of the original signature will not be accepted.
- Mail the original application to the address at the top of page one of the application or if applicable on the attached address list.
- **Keep a copy of your completed application.**
- **Please plan ahead. Allow at least 60 days for your application to be processed. Some applications may take longer than 90 days to process. (50 CFR 13.11)**
- Applications are processed in the order they are received.
- Additional forms and instructions are available from <http://permits.fws.gov>.

COMPLETE EITHER SECTION A OR SECTION B:

Section A. Complete if applying as an individual:

- Enter the complete name of the responsible individual who will be the permittee if a permit is issued. Enter personal information that identifies the applicant. ***Fax and e-mail are not required if not available.***
- If you are applying on behalf of a client, the personal information must pertain to the client, and a document evidencing power of attorney must be included with the application.
- **Affiliation/ Doing business as (dba):** business, agency, organizational, or institutional affiliation *directly* related to the activity requested in the application (e.g., a taxidermist is an individual whose business can *directly* relate to the requested activity). The Division of Management Authority (DMA) will **not** accept *doing business as* affiliations for individuals.

Section B. Complete if applying as a business, corporation, public agency, tribe, or institution:

- Enter the complete name of the business, agency, tribe, or institution that will be the permittee if a permit is issued. Give a brief description of the type of business the applicant is engaged in. Provide contact phone number(s) of the business.
- **Principal Officer** is the person in charge of the listed business, corporation, public agency, tribe, or institution. The principal officer is the person responsible for the application and any permitted activities. Often the principal officer is a Director or President. **Primary Contact** is the person at the business, corporation, public agency, tribe, or institution who will be available to answer questions about the application or permitted activities. Often this is the preparer of the application.

ALL APPLICANTS COMPLETE SECTION C:

- For all applications submitted to the Division of Management Authority (DMA) a physical U.S. address is **required**. Province and Country blocks are provided for those USFWS programs which use foreign addresses and are not required by DMA.
- **Mailing address** is address where communications from USFWS should be mailed if different than applicant's physical address.

ALL APPLICANTS COMPLETE SECTION D:

Section D.1 Application processing fee:

- An application processing fee is required at the time of application; unless exempted under 50 CFR13.11(d)(3). The application processing fee is assessed to partially cover the cost of processing a request. **The fee does not guarantee the issuance of a permit. Fees will not be refunded for applications that are approved, abandoned, or denied.** We may return fees for withdrawn applications prior to any significant processing occurring.
- **Documentation of fee exempt status is not required for Federal, tribal, State, or local government agencies; but must be supplied by those applicants acting on behalf of such agencies.** Those applicants acting on behalf of such agencies must submit a letter on agency letterhead and signed by the head of the unit of government for which the applicant is acting on behalf, confirming that the applicant will be carrying out the permitted activity for the agency.

Section D.2 Federal Fish and Wildlife permits:

- List the number(s) of your most current FWS or CITES permit or the number of the most recent permit if none are currently valid. If applying for re-issuance of a CITES permit, the original permit must be returned with this application.

Section D.3 CERTIFICATION:

- **The individual identified in Section A, the principal officer named in Section B, or person with a valid power of attorney (documentation must be included in the application) must sign and date the application in blue ink.** This signature binds the applicant to the statement of certification. This means that you certify that you have read and understand the regulations that apply to the permit. You also certify that everything included in the application is true to the best of your knowledge. Be sure to read the statement and re-read the application and your answers before signing.

ALL APPLICANTS COMPLETE SECTION E.

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APPLICATION FOR A FEDERAL FISH AND WILDLIFE PERMIT
Paperwork Reduction Act, Privacy Act, and Freedom of Information Act – Notices

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) and the Privacy Act of 1974 (5 U.S.C. 552a), please be advised:

1. The gathering of information on fish and wildlife is authorized by:
(Authorizing statutes can be found at: <http://www.gpoaccess.gov/cfr/index.html> and <http://www.fws.gov/permits/ltr/ltr.shtml>.)
 - a. Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22;
 - b. Endangered Species Act of 1973 (16 U.S.C. 1531-1544), 50CFR 17;
 - c. Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21;
 - d. Marine Mammal Protection Act of 1972 (16 U.S.C. 1361, *et. seq.*), 50 CFR 18;
 - e. Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15;
 - f. Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16;
 - g. Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), <http://www.cites.org> , 50 CFR 23;
 - h. General Provisions, 50 CFR 10;
 - i. General Permit Procedures, 50 CFR 13; and
 - j. Wildlife Provisions (Import/export/transport), 50 CFR 14.
2. Information requested in this form is purely voluntary. However, submission of requested information is required in order to process applications for permits authorized under the above laws. Failure to provide all requested information may be sufficient cause for the U.S. Fish and Wildlife Service to deny the request. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.
3. Certain applications for permits authorized under the Endangered Species Act of 1973 (16 U.S.C. 1539) and the Marine Mammal Protection Act of 1972 (16 U.S.C. 1374) will be published in the **Federal Register** as required by the two laws.
4. Disclosures outside the Department of the Interior may be made without the consent of an individual under the routine uses listed below, if the disclosure is compatible with the purposes for which the record was collected. (Ref. 68 FR 52611, September 4, 2003)
 - a. Routine disclosure to subject matter experts, and Federal, tribal, State, local, and foreign agencies, for the purpose of obtaining advice relevant to making a decision on an application for a permit or when necessary to accomplish a FWS function related to this system of records.
 - b. Routine disclosure to the public as a result of publishing **Federal Register** notices announcing the receipt of permit applications for public comment or notice of the decision on a permit application.
 - c. Routine disclosure to Federal, tribal, State, local, or foreign wildlife and plant agencies for the exchange of information on permits granted or denied to assure compliance with all applicable permitting requirements.
 - d. Routine disclosure to Captive-bred Wildlife registrants under the Endangered Species Act for the exchange of authorized species, and to share information on the captive breeding of these species.
 - e. Routine disclosure to Federal, tribal, State, and local authorities who need to know who is permitted to receive and rehabilitate sick, orphaned, and injured birds under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act; federally permitted rehabilitators; individuals seeking a permitted rehabilitator with whom to place a bird in need of care; and licensed veterinarians who receive, treat, or diagnose sick, orphaned, and injured birds.
 - f. Routine disclosure to the Department of Justice, or a court, adjudicative, or other administrative body or to a party in litigation before a court or adjudicative or administrative body, under certain circumstances.
 - g. Routine disclosure to the appropriate Federal, tribal, State, local, or foreign governmental agency responsible for investigating, prosecuting, enforcing, or implementing statutes, rules, or licenses, when we become aware of a violation or potential violation of such statutes, rules, or licenses, or when we need to monitor activities associated with a permit or regulated use.
 - h. Routine disclosure to a congressional office in response to an inquiry to the office by the individual to whom the record pertains.
 - i. Routine disclosure to the General Accounting Office or Congress when the information is required for the evaluation of the permit programs.
 - j. Routine disclosure to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal claim against the debtor or to consumer reporting agencies to prepare a commercial credit report for use by the FWS.
5. For individuals, personal information such as home address and telephone number, financial data, and personal identifiers (social security number, birth date, etc.) will be removed prior to any release of the application.
6. The public reporting burden on the applicant for information collection varies depending on the activity for which a permit is requested. The relevant burden for a Migratory Bird Depredation permit application varies from 1.5 hours for individuals to 3 hours for businesses. The burden for recordkeeping varies from 15 minutes for individuals to 30 minutes for businesses. This burden estimate includes time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. You may direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, U.S. Fish and Wildlife Service, Mail Stop 222, Arlington Square, U.S. Department of the Interior, 1849 C Street, NW, Washington D.C. 20240.

Freedom of Information Act – Notice

For organizations, businesses, or individuals operating as a business (i.e., permittees not covered by the Privacy Act), we request that you identify any information that should be considered privileged and confidential business information to allow the Service to meet its responsibilities under FOIA. Confidential business information must be clearly marked "Business Confidential" at the top of the letter or page and each succeeding page and must be accompanied by a non-confidential summary of the confidential information. The non-confidential summary and remaining documents may be made available to the public under FOIA [43 CFR 2.13(c)(4), 43 CFR 2.15(d)(1)(i)].

