



Federal Fish and Wildlife Permit Application Form

Return to: U.S. Fish and Wildlife Service (USFWS)
<Service Division title here> or <return address list attached>

Type of Activity: [ Migratory Bird Depredation Permit ]

<Service Division address line 1>
<Service Division address line 2>
<Service Division contact phone>

\_\_\_\_\_ New Application
\_\_\_\_\_ Requesting Renewal or Amendment of Permit # \_\_\_\_\_
(If requesting Renewal, enclose your completed Annual Report.)

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 name, 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 nonrefundable processing fee... 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...

Signature (in blue ink) of applicant/person responsible for permit (No photocopied or stamped signatures) Date of signature (mm/dd/yyyy)

Please continue to next page

**SECTION 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 protect human health and safety, personal property, protected wildlife or allow resolution of other injury to people or property. No permit is required merely to scare or herd depredating migratory birds other than federally listed endangered or threatened species and bald eagles or golden eagles.*

*You should apply for a depredation permit only after deterrents such as hazing and habitat modification prove unsuccessful. If a permit is issued, you will be expected to continue to integrate non-lethal deterrents when implementing any lethal or capture and relocation measures. A depredation permit is intended to provide short-term relief for migratory bird depredation damage until long-term measures can be implemented to eliminate or significantly reduce the problem. Long term measures might include constructing additional enclosures, alteration of habitat or features to remove attractants, or modification of land-use practices that attract migratory birds.*

*You must be at least 18 years of age to apply.*

*Protected Species:* *The species protected under the Migratory Bird Treaty Act are listed in the Code of Federal Regulations at 50 CFR 10.13. The list can be viewed from our website at: [www.fws.gov/migratorybirds/RegulationsPolicies/mbta/mbtintro.html](http://www.fws.gov/migratorybirds/RegulationsPolicies/mbta/mbtintro.html)*

*Resident Canada goose nests and eggs:* *If you are only destroying or adding 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. The States that accept Federal registration are listed in the "State Agency Contacts and Information" link on the registration website.*

*Please provide the following information numbered according to the questions below on a separate sheet of paper. You should be as thorough and specific as possible in your responses. Incomplete applications will be returned, delayed, or abandoned. New depredation applications are expedited. However, processing time depends on the complexity of the request and completeness of the application. In general, applicants may expect a response within 30 days of our receipt of a complete application.*

1. Species information. Please complete the Take Request Table below.
2. Trap.
  - (a) If you propose to live trap birds, describe the method you propose to use and your trapping experience. If you plan to use an agent or contractor to trap birds, provide a letter from the agent/contractor describing his or her trapping experience.
  - (b) If you propose to donate birds to a food processing center, provide the name and address of the processor(s).
3. Location. 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).
4. Description of damage. Provide the information below for each species.
  - (a) A detailed description of the specific migratory bird damage or injury you are experiencing. Include details such as types of crops destroyed or property damage incurred. Include any human health and safety hazards involved such as human injuries sustained.
  - (b) How long it has been occurring (the number of days, months, or years).
  - (c) What times or seasons of the year does it occur?
  - (d) How large is the area affected (e.g., 1-acre pond; 50-acre vineyard)?
5. Economic loss. 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. Attach copies of any receipts, invoices, contracts, or other available documentation to support your estimate.
6. Nonlethal deterrents tried.
  - (a) Describe the hazing or harassment techniques (e.g., horns, pyrotechnics, propane cannons) you have tried to manage or eliminate the problem. How long (e.g., number of weeks, months, year(s)) and how often have you conducted these deterrents?
  - (b) Describe the habitat management measures (e.g., vegetative barriers, longer grass management, fencing and **netting**) you have taken to discourage migratory birds from using the area.
  - (c) Describe the cultural practices (e.g., crop selection and placement, management of pets and feeding schedules), or no feeding policies you have established to discourage migratory birds from using the area.
  - (d) Attach copies of any receipts, invoices, contracts, or other available records documenting the deterrent measures taken.

7. Long-term deterrent measures. A depredation permit is not considered a long-term solution for most situations. What long-term measures do you plan to take to eliminate or significantly reduce the continued need for killing or removal of birds, or destroying eggs/nests?
  
8. Airports. If you are applying on behalf of an airport for a permit to control birds in flight zones, indicate whether you are operating under a Federal Aviation Administration-approved Wildlife Hazard Management Plan. If you are operating under an FAA-approved WHMP, please provide an electronic copy of the most recent plan.
  
9. Form 37. 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). Attach a copy of the completed Wildlife Services Permit Review Form (Form 37).
  
10. Subpermittees. 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.
  
11. Records. 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:

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12. Other permits. **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

13. Disqualification factor. A conviction, or entry of a plea of guilty or nolo contendere, for a felony violation of the Lacey Act, the Migratory Bird Treaty Act, or the Bald and Golden Eagle Protection Act disqualifies any such person from receiving or exercising the privileges of a permit, unless such disqualification has been expressly waived by the Service Director in response to a written petition. (50 CFR 13.21(c)) Have you or any of the owners of the business, if applying as a business, been convicted, or entered a plea of guilty or nolo contendere, forfeited collateral, or are currently under charges for any violations of the laws mentioned above?

No     Yes    If you answered “Yes” provide: (a) the individual’s name, (b) date of charge, (c) charge(s), (d) location of incident, (e) court, and (f) action taken for each violation

## DEPREDATION TAKE REQUEST TABLE

**Instructions:** Complete the following table for each species of migratory bird(s) you request to take under a Depredation Permit. If you propose multiple methods of take for one species, use a separate line for each method of take; the “estimated total number of birds involved in the damage or safety concern” for each line should be the same, as in the example below.

Species (Common name)	Estimated total number of birds causing damage or safety concern	METHOD OF TAKE						Proposed disposition (bury; incinerate; release; food bank; falconer (specify name/State/permit number); institution; other (specify))
		Number of birds you propose to:				Number of nests (not individual eggs) you propose to:		
		Shoot	Trap & Kill	Trap & Relocate	Other (specify quantity & method)	Addle (oil/shake)	Destroy	
EXAMPLE: Canada goose	50	10	0	0	0	0	0	Bury
Canada goose	50	0	0	0	0	25	0	Other – leave

**MIGRATORY BIRD DEPREDATION PERMIT APPLICATION - TAKE REQUEST TABLE**

Supplemental Page Number: \_\_\_\_\_

Species (Common name)	Estimated <u>total</u> number of birds causing <u>damage</u> or <u>safety</u> <u>concern</u>	METHOD OF TAKE						Proposed disposition (bury; incinerate; release; food bank; falconer (specify name/State/permit number); institution; other (specify)
		Number of birds you propose to:				Number of nests (not individual eggs) you propose to:		
		Shoot	Trap & Kill	Trap & Relocate	Other (specify quantity & method)	Addle (oil/shake)	Destroy	

## 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 CFR 13.11(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.

Please continue to next page

**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.html>.)
  - 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 Government Accountability 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 2.26 – 2.33].



## U.S. Fish & Wildlife Service

# Migratory Bird Regional Permit Offices

FWS REGION	AREA OF RESPONSIBILITY	MAILING ADDRESS	CONTACT INFORMATION
Region 1	Hawaii, Idaho, Oregon, Washington	911 N.E. 11th Avenue Portland, OR 97232-4181	Tel. (503) 872-2715 Fax (503) 231-2019 Email <a href="mailto:permitsR1MB@fws.gov">permitsR1MB@fws.gov</a>
Region 2	Arizona, New Mexico, Oklahoma, Texas	P.O. Box 709 Albuquerque, NM 87103	Tel. (505) 248-7882 Fax (505) 248-7885 Email <a href="mailto:permitsR2MB@fws.gov">permitsR2MB@fws.gov</a>
Region 3	Iowa, Illinois, Indiana, Minnesota, Missouri, Michigan, Ohio, Wisconsin	5600 American Blvd. West Suite 990 Bloomington, MN 55437-1458 (Effective 5/31/2011)	Tel. (612) 713-5436 Fax (612) 713-5393 Email <a href="mailto:permitsR3MB@fws.gov">permitsR3MB@fws.gov</a>
Region 4	Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virgin Islands, Puerto Rico	P.O. Box 49208 Atlanta, GA 30359	Tel. (404) 679-7070 Fax (404) 679-4180 Email <a href="mailto:permitsR4MB@fws.gov">permitsR4MB@fws.gov</a>
Region 5	Connecticut, District of Columbia, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia	P.O. Box 779 Hadley, MA 01035-0779	Tel. (413) 253-8643 Fax (413) 253-8424 Email <a href="mailto:permitsR5MB@fws.gov">permitsR5MB@fws.gov</a>
Region 6	Colorado, Kansas, Montana, North Dakota, Nebraska, South Dakota, Utah, Wyoming	P.O. Box 25486 DFC(60154) Denver, CO 80225-0486	Tel. (303) 236-8171 Fax (303) 236-8017 Email <a href="mailto:permitsR6MB@fws.gov">permitsR6MB@fws.gov</a>
Region 7	Alaska	1011 E. Tudor Road (MS-201) Anchorage, AK 99503	Tel. (907) 786-3693 Fax (907) 786-3641 Email <a href="mailto:permitsR7MB@fws.gov">permitsR7MB@fws.gov</a>
Region 8	California, Nevada	2800 Cottage Way Room W-2606 Sacramento, CA 95825	Tel. (916) 978-6183 Fax (916) 414-6486 Email <a href="mailto:permitsR8MB@fws.gov">permitsR8MB@fws.gov</a>