



## WHAT YOU SHOULD KNOW ABOUT A FEDERAL MIGRATORY BIRD WATERFOWL SALE AND DISPOSAL PERMIT

A Federal Migratory Bird Waterfowl Sale and Disposal permit will authorize you to sell, donate, or otherwise dispose of to another person, properly marked, captive-reared migratory waterfowl and their eggs. Waterfowl are defined as members of the family Anatidae (ducks, geese [including brant] and swans). A permit is not required to sell or dispose of properly marked, captive-reared mallards. You should review Title 50 Parts 10, 13, and 21.25 of the Code of Federal Regulations (CFR). **You are responsible for reviewing and understanding these regulations before you request and accept a permit.** These regulations can be found on our website at: <https://www.fws.gov/birds/policies-and-regulations/permits/need-a-permit.php>. Below is a review of several sections pertinent to a Federal Migratory Bird Waterfowl Sale and Disposal permit.

### ***1. Do I need a permit to possess captive-reared migratory waterfowl?***

No. Any person may, without a permit, lawfully acquire properly marked, captive-reared migratory waterfowl of any species, alive or dead, or their eggs, and possess and transport such birds or eggs and any progeny or eggs solely for his own use, subject to the following conditions:

- (a) Such birds, alive or dead, or their eggs may be lawfully acquired from holders of valid Waterfowl Sale and Disposal permits.
- (b) All progeny of such birds or eggs hatched, reared, and retained in captivity must be physically marked as defined in 50 CFR 21.13(b). (Also see question 3 below.)
- (c) No birds or eggs or progeny may be disposed of by any means, alive or dead, to any other person unless you have a valid Waterfowl Sale and Disposal permit.
- (d) Lawfully possessed and properly marked waterfowl may be killed, in any number, at any time or place, by any means except shooting. Except for Muscovy ducks, such birds may be killed by shooting only in accordance with all applicable hunting regulations.
- (e) When you acquire any waterfowl, alive or dead, from a Waterfowl Sale and Disposal permittee, the permittee must give you the original of the completed Form 3-186, Notice of Waterfowl Transfer or Sale, providing all information required by the form and method or methods by which individual birds are marked.

Other regulations governing the possession of waterfowl can be found in 50 CFR 21.14.

### ***2. Can I take waterfowl from the wild?***

No. You may not take migratory waterfowl or their eggs from the wild and you may not acquire wild waterfowl from another person. Anyone who transfers waterfowl to you must have a valid Waterfowl Sale and Disposal permit.

### ***3. Do I need to mark waterfowl that I propagate?***

Yes. All live migratory waterfowl (including progeny) possessed in captivity under authority of a valid Waterfowl Sale and Disposal permit must, prior to 6 weeks of age, be physically marked using one of the following methods:

- (a) Removal of the hind toe from the right foot.
- (b) Pinioning of a wing by removing the metacarpal bones of one wing or a portion of the metacarpal bones thereby rendering the bird permanently incapable of flight.
- (c) Banding of one metatarsus with a seamless metal band.
- (d) Tattooing a readily discernible number or letter or combination thereof on the web of one foot.

### ***4. What documentation is required when I transfer waterfowl to another person?***

Each time you transfer waterfowl to another person, you will be required to complete a Form 3-186, Notice of Waterfowl Transfer or Sale. This form will be supplied by the Service with your permit for you to photocopy as needed and is also available on our website at: <http://www.fws.gov/forms/3-186.pdf>. You must furnish the original of the form to the

person acquiring the birds or eggs; retain one copy in your files as a record of your transaction and mail two copies of each form completed to your Regional Migratory Permit Office on or before the last day of each month.

**5. Do I need a migratory bird permit to raise and sell Muscovy ducks?**

No. You do not need a waterfowl sale and disposal permit or other Federal permit to raise and sell Muscovy ducks. Muscovy ducks are now protected under the MBTA due to natural range expansion from Mexico into the United States. Although we amended the regulations at 50 CFR 21.14 and 21.25 to restrict possession and sale of Muscovy ducks, we intend to revise those regulations. Therefore, we are not issuing permits or restricting sale, purchase, or possession of Muscovy ducks at this time. Release of Muscovy ducks to the wild is prohibited. More information is available at <https://www.fws.gov/birds/policies-and-regulations/permits/permit-policies-and-regulations.php> (click on 50 CFR 21 Migratory bird permits and scroll to 50 CFR 21.54 Muscovy Duck).

**6. Do I need a State permit in addition to a Federal permit to sell migratory waterfowl?**

Your permit is not valid unless you also are in compliance with State requirements. This means that if your State requires you to have a permit to propagate, sell or transfer migratory waterfowl, you must hold a valid State permit in order for your Federal permit to be valid. It is your responsibility to make sure you comply with State permit requirements.

**7. Will anyone inspect my records or my waterfowl?**

By accepting a Federal Waterfowl and Disposal permit, you authorize an agent of the Service to enter your premises at any reasonable hour to inspect the wildlife you hold, your books and records. (See 50 CFR 13.47)

**8. What is required to transfer my permit to a new location?**

Any address change or other circumstances that affect your permit must be reported to your Regional Migratory Bird Permit Office in writing within 10 days so your permit can be amended. (See 50 CFR 13.23)

**9. Will I be required to keep records of my activities?**

Yes. You must maintain accurate records legibly written or reproducible in English of operations on a calendar-year basis. Your records should reflect the species of waterfowl, total number at the start of the year, method of marking, number raised, sold or traded, and the total number at the end of each year.

**10. Will I be required to submit an annual report of activities?**

Yes. The report form can be found on our website at: <http://www.fws.gov/forms/3-202-2.pdf>. This report must be completed and submitted to your issuing office by January 31 of each year.

**11. How do I renew my permit?**

If you wish to renew your permit, you must submit a renewal application to your Regional Migratory Bird Permit Office at least 30 days prior to the expiration of your permit and include a copy of your current State permit, if one is required. If we receive your renewal request at least 30 days prior to the expiration of your permit, your permit will remain valid beyond the expiration date for the activity authorized on your permit until a decision on your renewal is made. If we receive your renewal request fewer than 30 days prior to expiration of your permit and we are not able to process your request before the expiration date, your permit will expire and you will no longer be authorized to conduct your activity. If you allow your permit to expire before requesting renewal, you may be required to submit a new application. (See 50 CFR 13.11(c) and 13.22))

3-200-9 Rev. 4/2017



Department of the Interior  
U.S. Fish and Wildlife Service  
**Federal Fish and Wildlife Permit Application Form**

OMB Control No. 1018-0022  
Expires ###/###/####

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

**Type of Activity:** Waterfowl Sale and Disposal

- New Application**  
 **Requesting Renewal or Amendment of Permit #**

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.**

<b>A. Complete if applying as an individual</b>			
1.a. Last name	1.b. First name	1.c. Middle name or initial	1.d. Suffix
2. Date of birth (mm/dd/yyyy)	3. Occupation		4. Affiliation/ Doing business as (see instructions)
5.a. Telephone number	5.b. Alternate telephone number	5.c. Fax number	5.d. E-mail address

<b>B. Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution</b>			
1.a. Name of business, agency, Tribe, or institution		1.b. Doing business as (dba)	
2. Tax identification no.	3. Description of business, agency, or institution		
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

<b>C. All applicants complete address information</b>				
1.a. Physical address (Street address; Apartment #, Suite #, or Room #; no P.O. Boxes)				
1.b. City	1.c. State	1.d. Zip code/Postal code:	1.e. County/Province	1.f. Country
2.a. Mailing Address (include if different than physical address; include name of contact person if applicable)				
2.b. City	2.c. State	2.d. Zip code/Postal code:	2.e. County/Province	2.f. Country

<b>D. All applicants MUST complete</b>	
1.	Attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE in the amount of <b>\$ 75.00 nonrefundable processing fee.</b> Federal, Tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – <i>attach documentation of fee exempt status as outlined in instructions.</i> (50 CFR 13.11(d))
2.	Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes <input type="checkbox"/> If yes, list the number of the most current permit you have held or that you are applying to renew/re-issue: _____ No <input type="checkbox"/>
3.	Certification: I hereby certify that I have read and am familiar with the regulations contained in <b>Title 50, Part 13 of the Code of Federal Regulations</b> and the other <b>applicable parts in subchapter B of Chapter I of Title 50</b> , and I certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to the criminal penalties of 18 U.S.C. 1001.
<p>_____ Signature of applicant/Principal Officer (No photocopied or stamped signatures)      Date of signature (mm/dd/yyyy)</p>	

**Please continue to next page**

**SECTION E. WATERFOWL SALE AND DISPOSAL**  
**(Migratory Bird Treaty Act, 50 CFR 21.25)**

***Note: A Federal Waterfowl Sale and Disposal Permit is required to sell, trade, or donate captive-reared waterfowl (including eggs) protected under the Migratory Bird Treaty Act. All waterfowl acquired, held, or transferred under this permit must be properly marked in accordance with 50 CFR 21.13. (Exception: You do not require a Federal permit to purchase, sell, or hold captive-reared, properly marked mallard ducks (50 CFR 21.13). You also do not require a Federal permit to purchase, sell, or hold captive-reared Muscovy ducks). You must be at least 18 years old to apply for a waterfowl sale and disposal permit. Please read "What You Should Know About a Federal Migratory Bird Waterfowl Sale and Disposal Permit" and the pertinent regulations before you sign and submit your application.***

***Please provide the following information in the space provided or numbered according to the questions below on a separate sheet of paper. You should be as specific as possible in your responses. Incomplete applications will be returned, delayed or abandoned.***

1. Are your facilities located at the physical address provided on page 1, section C.1., of this application?  
Yes      No    If "no," provide the location (street address or legal description).
  
2. Describe the facilities where the waterfowl will be kept in your possession. Attach diagrams and photographs of the area where waterfowl will be held.
  
  
  
  
  
  
  
  
  
  
3. You must already possess lawfully acquired waterfowl before you request a permit. List the species of waterfowl that you currently have in your possession and the quantity of each. Attach copies of the Form(s) 3-186 (Notice of Transfer or Sale of Migratory Waterfowl) showing from whom the birds were obtained.
  
4. Which of the following methods will you use to mark progeny?
  - Remove hind toe from right foot
  - Pinion one wing
  - Tattoo web of one foot
  - Band one leg with a seamless leg band
  
5. Anyone who will be assisting you with the permitted activities or acting as your agent must either have their own Federal migratory bird permit for the activity or be identified by you, in writing, as a subpermittee under your permit. They may also require a State permit. Subpermittees must be at least 18 years old. As the primary permittee, you will be responsible for ensuring that your subpermittees are properly trained and adhere to the terms of your permit. Provide the name(s) of anyone besides yourself who will be conducting activities under your permit.

6. You must retain records relating to the activities conducted under your permit for at least 5 years after 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.

7. **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,” provide a copy of the approval(s).      Have applied (**Send copy when issued**)      None required

8. 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 (you must check one) 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. (*list all – use additional pages as necessary*)

## 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, 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. 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.** 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.

**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.ecfr.gov>, and <https://www.fws.gov/birds/policies-and-regulations/permits/permit-policies-and-regulations.php>.)
  - 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), 50 CFR 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 an 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 Waterfowl Sale and Disposal permit application is 1 hour for the application and 1 hour for recordkeeping. 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, 5275 Leesburg Pike, MS: BPHC, Falls Church, VA 22041-3803.

**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 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 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	Tel. (612) 713-5436 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	1875 Century Blvd., NE Atlanta, GA 30345	Tel. (404) 679-7070 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	300 Westgate Center Drive Hadley, MA 01035-0779	Tel. (413) 253-8643 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 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 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 Email <a href="mailto:permitsR8MB@fws.gov">permitsR8MB@fws.gov</a>