



WHAT YOU SHOULD KNOW ABOUT A FEDERAL SPECIAL PURPOSE – ABATEMENT PERMIT

A Federal Special Purpose – Abatement permit (Federal Abatement permit) will authorize you to purchase, sell, possess, and use captive-bred raptors to abate situations where migratory birds are depredating or pose a risk to human health and safety. Abatement means the use of trained raptors to flush, haze, or take birds (or other wildlife where allowed) to mitigate depredation problems, including threats to human health and safety. An abatement permit does not authorize killing or injuring of birds or other wildlife. Any take of protected migratory birds by an abatement permit holder must be authorized by a Federal depredation order or depredation permit.

Raptors used for abatement must be captive bred and marked on the metatarsus with a seamless numbered band issued by the U.S. Fish and Wildlife Service (Service). You must hold a valid State Master Class falconry permit to apply. Only raptors that belong to you may be used under your abatement permit.

Falconers may conduct abatement-like activities in accordance with your State Falconry permit if they are carried out in the context of practicing falconry (hunting or training the raptor to hunt) and if no payment is received.

You should review Title 50 Parts 10, 13 and 21.27 and 21.29 of the Code of Federal Regulations (CFR) with your application. **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/permit-policies-and-regulations.php>.

1. What is the purpose of a Federal Abatement permit?

The Federal Abatement permit authorizes a Master Falconer to use raptors protected under the Migratory Bird Treaty Act (MBTA) to abate problems caused by migratory birds or other wildlife. A General Falconer may conduct abatement activities only as a subpermittee under an active Federal Abatement permit. The permit provides the public with a management tool to mitigate depredation and nuisance problems, including human health and safety. You may only receive payment for providing abatement services if you have a Federal Abatement permit.

2. How do abatement and falconry differ?

Falconry is the art of training and using a raptor to hunt quarry for sport. Abatement is the act of using a raptor to pursue (and in some cases to take) depredating birds or other wildlife to mitigate damage. Falconry permits are issued by state wildlife agencies; however, Federal Abatement permits are issued by the Service.

3. What requirements must I meet to apply for a Federal Abatement permit?

To obtain a Federal Abatement permit, you must have a current, active State Falconry permit at the Master Falconer level.

4. Which species can I use for abatement?

Your Federal Abatement permit will specify the species of raptors you are authorized to use for abatement. You may request any MBTA-protected raptor species that may be used for falconry except for Golden Eagles. The use of Bald Eagles or Golden Eagles for abatement is prohibited by the Bald and Golden Eagle Protection Act. All raptors used for abatement must be captive-bred and banded with a seamless metal band issued by the Service. The MBTA list can be found at:

<https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>

5. What are the requirements for housing and transporting raptors under a Federal Abatement permit?

All raptors held under a Federal Abatement permit must be maintained under humane and healthful conditions as required in 50 CFR 13.41. Your facilities and equipment must meet falconry standards described in 50 CFR 21.29, as well as your state falconry regulations. You should also contact your State wildlife agency for information about any additional requirements they may have for housing raptors in captivity.

6. How many raptors can I possess under a Federal Abatement permit?

There is no limit on the number of raptors you may possess under a Federal Abatement permit provided that you have adequate facilities for the number of birds in your possession, and you are able to properly care for each raptor and each raptor is used for abatement activities.

7. Can persons who are not Master Falconers be involved with abatement?

Yes. A General Falconer may conduct abatement activities under your Federal Abatement permit using your Abatement birds if they are identified as a subpermittee. Other individuals may provide care for your raptors up to 45 consecutive calendar days, but they may not fly these raptors for any reason. Each of your subpermittees as well as any person caring for your birds must have: (a) a copy of your Federal Abatement permit, (b) a dated letter from you identifying him or her as your subpermittee or caretaker, and (c) a

copy of the 3-186A form identifying the raptor used for abatement is authorized under your Abatement permit.

The only raptors that can be used under a Federal Abatement permit are those that belong to the abatement permittee.

8. When is a Federal Migratory Bird Depredation permit necessary to conduct abatement?

If you intend to take (kill, capture, or injure) migratory birds with your raptor to reinforce non-lethal management techniques, the take must be authorized either by a Federal Migratory Bird Depredation permit or a Federal Depredation Order. A Migratory Bird Depredation permit must be obtained by the landowner or public land manager of the property where the depredation problem is occurring and you must be identified as a subpermittee to conduct abatement activities.

Take using raptors also can be conducted in accordance with the provisions of the depredation orders for blackbirds, cowbirds, grackles, crows and magpies (see 50 CFR 21.43) and designated species in California (see 50 CFR 21.44).

If you are not getting paid for your services, you do not need a Federal Migratory Bird Abatement permit to scare, herd, flush, or haze depredating migratory birds other than threatened or endangered species or Bald Eagles or Golden Eagles. You also do not need a Federal Migratory Bird Depredation permit to kill birds that are not protected by the MBTA, such as starlings, rock doves (pigeons), and house sparrows.

You must also comply with State regulations when conducting depredation/abatement activities.

9. Can I charge a fee to provide abatement services?

Yes, if you have a Federal Abatement permit, you may receive payment.

10. Can falconry birds be used for abatement?

Yes. If your State Falconry permit allows falconry birds to be used for abatement activities, falconry birds that are captive-bred and have seamless bands may be used under your Federal Abatement permit. You, and only you, may use your falconry birds for abatement without transferring the raptor to your Federal Abatement permit. Abatement subpermittees may not use your falconry birds or their falconry birds under your Federal Abatement permit.

A raptor possessed under your Federal Abatement permit may only be used for falconry if it is transferred from this abatement permit to a falconry permit.

11. Can I use abatement birds for Raptor Propagation, and vice versa?

No. Raptors authorized under your Federal Abatement permit may not be used for propagation unless transferred to your Raptor Propagation permit. Likewise, raptors authorized under your Raptor Propagation permit must be transferred to your Federal Abatement permit before being flown for abatement purposes. Raptors can be transferred by submitting a 3-186A form.

12. Do I need a State permit to possess migratory birds?

You may not conduct the activities authorized by this permit if doing so would violate the laws of the applicable State, county, municipal or tribal government or any other applicable law. It is your responsibility to make sure you comply with State permit requirements.

13. 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 include copies of the completed 3-186A forms for each raptor you acquired or disposed of under your Federal Abatement permit and records of the abatement activities for which each bird is used (dates and locations of services).

14. Are there reporting requirements associated with a Federal Abatement permit?

Yes. The following reporting requirements apply:

- a. You must report the acquisition and disposition of all raptors held under your Federal Abatement permit by completing Service form 3-186A and submitting it to your Regional Migratory Bird Permit Office. This form is available on our website at: <http://www.fws.gov/forms/3-186A.pdf>
- b. If you are a subpermittee to a depredation permit, you must report the take of any MBTA-protected species by a raptor possessed under your Federal Abatement permit to the depredation permit holder or, if the take was authorized under a depredation order, to the landowner, if applicable.
- c. If you accidentally take an MBTA protected species, you must report your name, permit number, the date, location, species, number of birds and type of take via email to your Regional Migratory Bird Permit Office within 2 business days. Contact information can be found at <https://www.fws.gov/birds/policies-and-regulations/permits/regional-permit-contacts.php>

15. Will anyone inspect my records or birds held for abatement purposes?

By accepting a Federal Abatement permit, you authorize an agent of the U.S. Fish and Wildlife Service to enter your premises at any reasonable hour to inspect the raptors in your care, your books or records. (50 CFR 13.47)

16. 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))



Federal Fish and Wildlife Permit Application Form

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

Type of Activity: Special Purpose - Abatement

- 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.

| A. Complete if applying as an individual | | | |
|--|---------------------------------|-----------------------------|--|
| 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. Complete if applying on behalf of a business, corporation, public agency, Tribe, or institution | | | |
|--|--|---|------------------------------|
| 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 |

| C. All applicants complete address information | | | | |
|---|------------|----------------------------|----------------------|--------------|
| 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 |

| 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 . 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 Title 50, Part 13 of the Code of Federal Regulations and the other applicable parts in subchapter B of Chapter I of Title 50 , 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 style="text-align: center;">_____ Signature of applicant/Principal Officer (No photocopied or stamped signatures) Date of signature (mm/dd/yyyy)</p> | |

Please continue to next page

SECTION E. SPECIAL PURPOSE – ABATEMENT USING RAPTORS
(Migratory Bird Treaty Act; 50 CFR 21.27)

Note: A Federal Special Purpose – Abatement Using Raptors permit is required to possess and use raptors for abatement activities. You must apply as an individual (complete section A, not section B, on page 1 of this application) and be at least 18 years old.

Abatement means the use of trained raptors to flush, haze, or take birds (or other wildlife where allowed) to mitigate depredation problems, including threats to human health and safety. An abatement permit does not authorize killing or injuring of birds or other wildlife. Any take of protected migratory birds by an abatement permit holder must be authorized by a Federal depredation order or depredation permit.

Raptors used for abatement must be captive bred and marked on the metatarsus with a seamless numbered band issued by the U.S. Fish and Wildlife Service. You must hold a valid State Master Class falconry permit to apply. Only raptors that belong to you may be used under your abatement permit. Please read “What You Should Know About a Special Purpose –Abatement Permit. You should review Title 50 Parts 10, 13, and 21.27 and 21.29 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>

Please provide the information below in the space provided. Use additional pages as necessary. You should be as thorough and specific as possible in your responses. Incomplete applications will be returned, delayed or abandoned.

1. Attach a copy of your current State Master Class falconry permit.
2. Provide a detailed description of the depredation problems you intend to manage. Include the species involved, approximate seasons when the problems occur, and the general areas where the abatement activities will be conducted.
3. List the species of raptors you are requesting to use for abatement activities.
4. (a) Describe all of your raptor housing facilities (permanent, temporary, and transport), including the number of raptor(s) that will be held in each enclosure and whether birds are free-lofted or tethered.
 (b) Include photographs and diagrams of your enclosures. Diagrams must include dimensions (L x W x H) and a description of interior and exterior construction materials, such as flooring and netting materials.
5. Is the physical address you provided in Section C on page 1 of this application the primary address where your raptors will be based?
 Yes No If “no,” provide the primary physical address:
6. You must retain records, legibly written or reproducible in English, 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.

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

7. 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?

Yes No (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 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.** 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

NOTICES

PRIVACY ACT STATEMENT

Authority: The information requested is authorized by the following: the Bald and Golden Eagle Protection Act (16 U.S.C. 668), 50 CFR 22; the Endangered Species Act (16 U.S.C. 1531-1544), 50 CFR 17; the Migratory Bird Treaty Act (16 U.S.C. 703-712), 50 CFR 21; the Wild Bird Conservation Act (16 U.S.C. 4901-4916), 50 CFR 15; the Lacey Act: Injurious Wildlife (18 U.S.C. 42), 50 CFR 16; Convention on International Trade in Endangered Species of Wild Fauna and Flora (TIAS 8249), 50 CFR 23; General Provisions, 50 CFR 10; General Permit Procedures, 50 CFR 13; and Wildlife Provisions (Import/export/transport), 50 CFR 14.

Purpose: The collection of contact information is to verify the individual has an eligible permit to conduct activities that affect protected species. The information the individual provides helps the FWS monitor and report on protected species and assess the impact of permitted activities on the conservation and management of species and their habitats.

Routine Uses: The collected information may be used to verify an applicant's eligibility for a permit to conduct activities with protected wildlife; to provide the public and the permittees with permit related information; to monitor activities under a permit; to analyze data and produce reports to monitor the use of protected wildlife; to assess the impact of permitted activities on the conservation and management of protected species and their habitats; and to evaluate the effectiveness of the permit programs. More information about routine uses can be found in the System of Records Notice, Permits System, FWS-21.

Disclosure: The information requested in this form is voluntary. However, submission of requested information is required to process applications for permits authorized under the listed authorities. Failure to provide the requested information may be sufficient cause for the U.S. Fish & Wildlife Service to deny the request.

PAPERWORK REDUCTION ACT STATEMENT

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), the U.S. Fish and Wildlife Service collects information necessary to monitor take and disposition of migratory birds, under the applicable laws governing the requested activity, for which a permit is requested, and to respond to requests made under the Freedom of Information Act and the Privacy Act of 1974. 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. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has approved this collection of information and assigned Control No. 1018-0022.

ESTIMATED BURDEN STATEMENT

Public reporting for FWS Form 3-200-79 is 2 hours for the application and 30 minutes for recordkeeping, including time for reviewing instructions, gathering and maintaining data and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of the form to the Service Information Clearance Officer, Fish and Wildlife Service, U.S. Department of the Interior, 5275 Leesburg Pike, MS: BPHC, Falls Church, VA 22041-3803. Please do not send your completed form to this address.

FREEDOM OF INFORMATION ACT

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 permitsR1MB@fws.gov |
| Region 2 | Arizona, New Mexico, Oklahoma, Texas | P.O. Box 709 Albuquerque, NM 87103 | Tel. (505) 248-7882 Email permitsR2MB@fws.gov |
| 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 permitsR3MB@fws.gov |
| 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 permitsR4MB@fws.gov |
| 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 permitsR5MB@fws.gov |
| 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 permitsR6MB@fws.gov |
| Region 7 | Alaska | 1011 E. Tudor Road (MS-201) Anchorage, AK 99503 | Tel. (907) 786-3693 Email permitsR7MB@fws.gov |
| Region 8 | California, Nevada | 2800 Cottage Way Room W-2606 Sacramento, CA 95825 | Tel. (916) 978-6183 Email permitsR8MB@fws.gov |