



Federal Fish and Wildlife Permit Application Form

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

Type of Activity: **Take of Golden Eagle Nests During Resource Development or Recovery**

- 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 if you are applying for a new permit or \$50.00 nonrefundable processing fee if you are requesting a substantive amendment of your existing valid permit . 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. | |
| _____ Signature of applicant/Principal Officer (No photocopied or stamped signatures) | _____ Date of signature (mm/dd/yyyy) |

Please continue to next page

**SECTION E. TAKE OF GOLDEN EAGLE NESTS DURING RESOURCE
DEVELOPMENT OR RECOVERY
(Bald & Golden Eagle Protection Act, 50 CFR 22.25)**

Note: A Federal permit to take golden eagle nests is available only to parties engaged in a resource development or recovery operation and only when nests are inactive. An inactive nest is one that is not currently used by golden eagles as determined by the absence of any adult, egg, or dependent young at the nest during the 10 days before the nest is taken.

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.

1. Describe the resource development or recovery operation in which you are engaged.
2. Indicate the number of golden eagle nests you propose to take and how they were determined to be inactive. Provide copies of the monitoring report(s) indicating nest is inactive.
3. Describe the property on which the taking is proposed, with reference made to its exact geographic location. An appropriately scaled map or plat must be included which delineates the areas of the resource development or recovery operation and identifies the exact location of each golden eagle nest you propose to take. The map or plat must contain enough detail so that each golden eagle nest proposed to be taken can be readily located by the Service.
4. Describe each activity to be performed during the resource development or recovery operation that involves the taking of a golden eagle nest.
5. Indicate the length of time you need the permit to be valid, including the start and ending dates of the resource development or recovery operation. The permit cannot be valid for a tenure of longer than 2 years.
6. For each nest you propose to take, calculate the area nesting population of golden eagles and identify on an appropriately scaled map or plat the exact location of each golden eagle nest used to calculate the area nesting population. (This is not required if the Service has sufficient data to independently calculate the area nesting population.) The map or plat must contain enough details so that each golden eagle nest used to calculate the area nesting population can be readily located by the Service.
7. Provide a statement with any supporting documents from ornithologists experienced with golden eagles or other qualified persons who have made on-site inspections and can verify your calculation of the area nesting population.
8. What is the intended disposition of each nest you propose to take? Are you willing to collect any nests for scientific or educational purposes?
9. Provide a statement indicating any proposed mitigation measures that are compatible with the resource development or recovery operation to encourage golden eagles to reoccupy the site. Mitigation measures may include reclaiming disturbed land to enhance golden eagle nesting and foraging habitat, relocating in suitable habitat any inactive golden eagle nest taken, or establishing one or more nest sites. If the establishment of one or more nest sites is proposed, provide a description of the materials and methods to be used and the exact location of each artificial nest site.
10. 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. Indicate whether the physical address you provided in Section C on page 1 of this application is the same address where your records will be kept. If not, provide the physical address.

(Continued)

- 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.** Indicate whether you have obtained all required State or Tribal permits or approvals to conduct this activity.

If you have obtained all required approvals, answer "Yes" and **attach a copy of the approval(s)**.

If you have applied for any required approvals, answer "Have applied" and **send copy when issued**.

If no State or Tribal permits or approvals are required, answer "None required."

- 12. 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?

Indicate "Yes" or "No." 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.

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 C, D, an 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 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.ecfr.gov> and http://www.fws.gov/ir/policie/an_re_la ion/per_i/per_i_policie/an_re_la ion_p_p)
 - 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 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 Take of Golden Eagle Nests permit application is 6 hours and 30 minutes 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 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 |