



**FEDERAL FISH AND WILDLIFE PERMIT APPLICATION FORM**  
**Eagle Take – Associated with but not the Purpose of an Activity**  
**(INCIDENTAL TAKE)**  
**(Bald and Golden Eagle Protection Act, 50 CFR 22.26)**  
U.S. Fish and Wildlife Service  
Division of Migratory Bird Management



**TYPE OF REQUEST**

**New Application**

**Renewal**

**Amendment**

If requesting a renewal or amendment, provide Permit # \_\_\_\_\_

**BEFORE FILLING OUT THIS FORM**, please access the [Return Addresses](#) (to obtain the email/postal mail addresses where this form can be returned), review the [Frequently Asked Questions](#), and read the form [Instructions](#). Please retain the "NOTICES" page for your records.

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 instruction page(s) 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.a. Telephone number	3.b. Alternate telephone number	3.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. A <b>nonrefundable processing fee</b> is required to process this permit, please attach check or money order payable to the U.S. FISH AND WILDLIFE SERVICE. Federal, Tribal, State, and local government agencies, and those acting on behalf of such agencies, are exempt from the processing fee – Please see <a href="#">link for processing fee cost and fee exempt status as outlined in 50 CFR 13.11(d)</a> . <a href="#">Click here for Processing Fees</a>	
2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes <input type="checkbox"/> No <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:	
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.	
<b>Signature of applicant/Principal Officer (No stamped signatures. Electronic signatures accepted.)</b>	<b>Date of signature (mm/dd/yyyy)</b>

Please continue to next page

## **SECTION E. EAGLE TAKE – ASSOCIATED WITH BUT NOT THE PURPOSE OF AN ACTIVITY (INCIDENTAL TAKE)**

(Bald and Golden Eagle Protection Act, 50 CFR 22.26)

Note: A Federal eagle incidental take permit authorizes the disturbance or other incidental take of eagles where the take results from but is not the purpose of an otherwise lawful activity. Permits are available to individuals, agencies, businesses, and other organizations. This permit does not authorize possession of any eagle, eagle parts, or eagle nests. Please read "[Frequently Asked Questions About a Federal Permit For Eagle Take Necessary To Protect An Interest In A Particular Locality \(Incidental Take\)](#)" and the pertinent regulations at [50 CFR 22.26](#) before you sign and submit your application.

Please provide the information requested below. If additional information needs to be provided that does not fit in the designated spaces, add additional sheets to your application submission. Please number pages accordingly using the page number box provided at the bottom of the sheet, and the corresponding question number. **We cannot accept pages that are over 8.5" x 11" or non-paper media, such as DVDs.**

You should be as thorough and specific as possible in your responses. Incomplete applications will be returned. Processing fees are not returned for abandoned applications. Processing time depends on the complexity of the request and completeness of the application, for short-term permit please allow 30-180 days and for long-term permit please allow 1-2 years.

1. Duration. When do you want your permit to be effective (month/year)? How many years do you want your permit to be valid? Permits may be issued for up to 30 years. Durations of 5 years or less are considered short-term permits. Durations of more than 5 years are considered long-term permits and additional requirements apply - see Question 12.



- d. Location. Describe activity location county/city information and, as appropriate, include: maps, digital photographs, and latitude/longitude geographic coordinates of the proposed activity.

3. Eagle Activity. Include any known information eagle activity. You must include the following:

- a. Eagle Activity Description. Describe the type of eagle activity, for example nest(s), roost(s), important use area(s) (foraging, migration, overwintering), etc.

b. Location. Describe the location of eagle nests, roosts, and/or use areas including latitude/longitude geographic coordinates and, as appropriate, maps, digital photographs, and other information. The Service cannot issue a permit to disturb a nest if the location of the nest is not provided. (The latitude and longitude coordinates of an eagle nest can be determined using a hand-held GPS device, or a GPS mapping program on a cell phone. If neither of these are available, you can use the Google Earth program, available free online from Google for personal use, or at most public institutions that provide computer access (e.g., public libraries). Google Earth provides detailed satellite images worldwide, and the scale of the imagery is such that individual trees, cliffs, and other possible nest structures are easily identifiable. In Google Earth, the geographic coordinates of the computer cursor are provided in the lower right hand corner of the computer screen, so by placing the cursor on the nest tree you can obtain its geographic coordinates. Google Earth has a number of options for the coordinates it provides, and the coordinates it displays can be selected by the user. In Google Earth Pro, the version of Google Earth that is in widest use today, the coordinates that are displayed can be selected from the "Tools" dropdown menu, under "Options." Within the Options menu, select "3D View". The Service prefers latitude longitude coordinates in decimal degrees, and this is one of the options that can be selected within the "Show Lat/Long" box that appears under the 3D View menu. To test whether you are obtaining the correct coordinates, move your cursor to the Washington Monument -- the coordinates should read latitude 33.889, longitude -77.035.)

c. History. If known, include the history of nest occupation, roost use, or important area use.

d. If known, provide the specific distance and locations of nests and other eagle-use areas from the project footprint.

4. Disturbance Take. If the projected take of eagles is in the form of disturbance, answer the following questions:

a. Will the activity be visible to eagles in the eagle-use areas or are there visual buffers such as screening vegetation or topography that blocks the view?

b. What is the extent of existing activities in the vicinity that are similar in nature, size, and use to your activity, and if so, what is the distance between those activities and the important eagle use areas?

5. Provide a detailed description of all avoidance, minimization, mitigation, and monitoring measures that you have incorporated into your planning for the activity that you will implement to reduce the likelihood for take of eagles. For long-term projects, this can be included in your Eagle Conservation Plan.

6. Subpermittees. Anyone conducting permitted activities or acting as your agent must be identified by you, in writing, as a subpermittee under your permit. Your subpermittees must have either a copy of your permit that identifies them as a subpermittee, or a copy of your permit and a letter from the Permittee (Principal Officer) listing activities (including location and duration) they are authorized to conduct. The permittee is responsible for ensuring subpermittees are trained and adhere to the conditions of your permit. Subpermittees must be at least 18 years of age. A permittee or subpermittee must be present when conducting activities.

7. Records. You must retain records legibly written or reproducible in English relating to the activities conducted under your permit for at least 5 years from the date of expiration of the 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 \_\_\_\_\_

8. You are responsible for ensuring that the permitted activity is in compliance with all Federal, tribal, State, and local laws and regulations applicable to eagles. Have you obtained all required State or Tribal permits or approvals to conduct this activity? Indicate "Yes," "Have applied," or "None required." If "Yes," attach a copy of the approval(s). If "Have applied," submit a copy when issued.      Yes      Have applied      None required

9. The name and contact information for any U.S. Fish and Wildlife Service employee(s) who has provided technical assistance or worked with you on this project. If you have received technical assistance for your project from your State wildlife agency, please provide the name and contact information for the individual(s).

10. Consultant: If you are a consultant submitting this permit application, please provide your name and contact information (phone/email).

11. 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." (you must provide an answer). 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)

12. Additional Requirement for LONG TERM PERMIT APPLICATIONS ONLY.

*If you are requesting a permit longer than 5 years, complete the following. You are advised to coordinate with the Service as early as possible for advice on whether a permit is needed and for technical assistance in assembling your permit application package. The Service may provide guidance on developing complete and adequate application materials and will determine when the application form and materials are ready for submission. The information below must be included in your answers above, an Eagle Conservation Plan (ECP), or other documentation submitted with your application.*

(a) Project-specific monitoring and survey protocols, take probability models, and any other applicable data quality standards and include all the data thereby obtained. If the Service has officially issued or endorsed, through rulemaking procedures, survey, modeling, or other data quality standards for the activity that will take eagles, you must follow them and include all the data thereby obtained.

(b) Wind Facilities. Pre-construction eagle survey information collected according to the following standards, unless exceptional circumstances apply.

(A) Surveys must consist of point-based recordings of bald eagle and golden eagle flight activity (minutes of flight) within a three-dimensional cylindrical plot (the sample plot). The radius of the sample plot is 2,625 feet (ft) (800 meters (m)), and the height above ground level must be either 656 ft (200 m) or 82 ft (25 m) above the maximum blade reach, whichever is greater.

(B) The duration of the survey for each visit to each sample plot must be at least 1 hour.

(C) Sampling must include at least 12 hours per sample plot per year for 2 or more years. Each sample plot must be sampled at least once per month, and the survey start time for a sampling period must be selected randomly from daylight hours (between sunrise and sunset)

(D) Sampling design must be spatially representative of the project footprint (minimum-convex polygon that encompasses the wind-project area inclusive of all hazardous areas, and spatial coverage of sample plots must include at least 30 percent of the project footprint. Sample plot locations must be determined randomly.

(E) Include all of the following information:

(1) Coordinates of each sample point in decimal degrees (specify projection/datum).

(2) The radius and height of each sample plot.

(3) The proportion of each three-dimensional sample plot that was observable from the sample point for each survey.

(4) Dates, times, and weather conditions for each survey, to include the time surveys at each sample point began and ended.

(5) Information for each survey on the number of eagles by species observed (both in flight and perched), and the amount of flight time (minutes) that each was in the sample plot area.

(6) The number of proposed turbines and their specifications, including brand/model, rotor diameter, hub height, and maximum blade reach (height), or the range of possible options.

(7) Coordinates of the proposed turbine locations in decimal degrees (specify projection/datum), including any alternate sites.

(F) Stratified-random sampling (a sample design that accounts for variation in eagle abundance by, for example, habitat, time of day, season) is recommended but can be waived after consultation and approval in advance from the Service.

**13. I acknowledge that I have read the form [Instructions](#) and [Frequently Asked Questions](#), and have accessed the page with the [Return Addresses](#) to obtain the address where I should return this form. I have also filled out all fields and questions in this application. Check this box to acknowledge:**

## 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. 1018-0167.

### ESTIMATED BURDEN STATEMENT

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 this information collection, based on the activity performed, including time for reviewing instructions, gathering and maintaining data and completing and reviewing the form is as follows:

*Application - Eagle Incidental Take (Short-Term)* is 6 hours for individuals and 20 hours for private sector & State/local/Tribal governments  
*Application - Eagle Incidental Take (Long-Term)* is 200 hours  
*Transfer of Long-Term Eagle Take* is 20 hours  
*Amendment for Eagle Incidental Take (Short-Term)* is 6 hours  
*Amendment for Eagle Incidental Take (Long-Term)* is 40 hours

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: PRB/PERMA (JAO), Falls Church, VA 22041-3803, or via email at [Info\\_Coll@fws.gov](mailto:Info_Coll@fws.gov). 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].