



FEDERAL FISH AND WILDLIFE PERMIT APPLICATION FORM
Eagle Nest Take
(Bald and Golden Eagle Protection Act, 50 CFR 22.200 - 22.220 and 22.300)
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 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.**

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.a. Telephone number	3.b. Alternate telephone number	3.c. 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. A nonrefundable processing fee 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 link for processing fee cost and fee exempt status as outlined in 50 CFR 13.11(d) . Click here for Processing Fees	
2. Do you currently have or have you ever had any Federal Fish and Wildlife permits? Yes ☐ No ☐ 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.	
Signature of applicant/Principal Officer (No stamped signatures. Electronic signatures accepted.)	Date of signature (mm/dd/yyyy)

Please continue to next page

(Bald and Golden Eagle Protection Act, 50 CFR 22.200 – 22.220 and 22.300)

Check one	Purpose
	A. Emergency – To alleviate an existing safety emergency or to prevent a rapidly developing safety emergency that is otherwise likely to result in a safety emergency for humans or eagles (alternate nest; in-use nest). General permit available for bald eagles only.
	B. Health and Safety – To ensure public health and safety (alternate nest; in-use nest prior to egg-

4. **Need.** What interest will be protected by the activity? For the selected type of take, above, provide an explanation of why there is no practicable alternative to the activity that would protect the interest to be served without needing to remove the nests, including any avoidance and minimization measures that you implemented.

a. **Purpose A. Emergency.** Describe the safety emergency and why the situation was not foreseeable. Explain why removal of the nest is necessary to alleviate it. The Service may ask for an arborist report in the case of hazard-tree removal. Attach such a report if available.

b. **Purpose B. Health & Safety.** Describe the situation and why removal of the nest is necessary to alleviate it. The Service may ask for an arborist report in the case hazard-tree removal. Attach such a report if available.

c. **Purpose C. Human-Engineered Structure.** Describe the structure and situation. Describe how the nest creates, or is likely to create, a functional hazard that renders the structure inoperable for its intended use.

d. **Purpose D. Species Protection.** Describe the situation and why removal of the nest(s) is necessary. Provide the species protected under the Endangered Species Act. Describe the relevant management efforts to protect the species, how the nesting eagles are a limiting factor to survival of the species, and how the take of eagle nests is likely to have a positive effect on the recovery for the species.

e. **Purpose E. Other Purposes.** Describe the situation and why removal of the nest(s) is necessary. Also describe how the activity, or the mitigation for the activity, will provide a net benefit to eagles.

5. **Eagle Nest Location and Use.** Describe the location of the eagle nest(s) that you wish to remove. If known, also describe the locations of any eagle nests in the vicinity that do not need to be removed, making it clear which nests will remain. Provide latitude/longitude geographic coordinates (in decimal degrees), datum of coordinates, maps, photographs, and other information. Approximate coordinates are acceptable and can be obtained from mapping software such as Google Earth. Describe the current and historic nest status (e.g., in-use or alternate) of each nest if this information is known. Please provide this information in Table 1, indicating which nest(s) you wish to remove. If a nest to be removed is located within Indian Country as defined under 18 U.S.C. 1151, a general permit for nest take is not available, unless requested by the Tribe itself.

6. **Eagle Nest Take.** Describe how you propose to remove, destroy, or relocate the eagle nest(s).

a. Do you plan to donate the removed eagle nest(s) or eagle parts found in the nest(s) to a scientific or educational institution?
☐ Yes .. No
If yes, provide the name and federal permit number of the entity receiving the donation.

b. If re-nesting of eagles occurs, will it create the same emergency, safety, or functional hazard?
☐ Yes .. No
If yes, describe measures that will be employed to prevent re-nesting in the same location, if re-nesting is undesirable.

7. **Subpermittees.** Anyone conducting permitted activities or acting as your agent must be identified by you, in writing, as a subpermittee under your permit. If the nest will be removed or relocated (rather than destroyed in the course of an activity), provide the name, address, phone number, and e-mail address of the qualified party conducting the removal and/or relocation. If nestlings or eggs are to be removed, provide the name of the qualified agent for Service

approval. 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 authorized by your permit.

8. **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 not, provide the physical address.
9. **Compliance with Laws and Regulations.** 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?
- ☐ Yes ☐ Have Applied ☐ None Required
- If "Yes," attach a copy of the approval(s). If "Have applied", submit a copy when issued.
10. **Technical Assistance.** 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).
11. **Consultant.** If you are a consultant submitting this permit application, please provide your name, name of the consultant company, and contact information (phone/email).
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?
- ☐ Yes ☐ 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. (list all – use additional pages as necessary) If you answered "Yes," you will be required to apply for a specific permit.

General permit applications only:

13. **Permit Tenure and Effective Date.** For general permits for eagle nest take, the permit tenure is no longer than 1 year expiring on August 31. Please indicate whether you would like your permit effective date to start immediately upon issuance or if you would like your permit effective date to begin September 1. Permittees should consider the start date that best coincides with the eagle nest take activity. Selecting an immediate effective date may result in an overall shorter permit tenure, especially if the permit is issued close to August 31. If you choose to delay the effective date, take would only be authorized beginning on the permit effective date.
- ☐ Immediate effective date
- ☐ September 1
14. **Certification.** As part of your general permit application, you must certify that the below statements are true. Check each box to acknowledge.
- ☐ I meet all permit issuance criteria in § 13.21 and all eligibility requirements for general permits in § 22.300.
- ☐ The removal of the nest listed in this application is necessary to protect a legitimate interest in a particular locality.
- ☐ Eagle nest take may result from but is not the purpose of my activity.
- ☐ Eagle nest take resulting from my activity cannot be practicably avoided.
- ☐ My activity is not likely to result in the complete loss of an eagle territory.
- ☐ I agree to implement all permit conditions applicable to my activity, including those related to avoidance and minimization, monitoring, and reporting.

- ☐ My activity either does not affect a property that is listed, or is eligible for listing, in the National Register of Historic Places as maintained by the Secretary of the Interior; or I have obtained and am in compliance with, a written agreement with the relevant State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) that outlines all measures I will undertake to mitigate or prevent adverse effects to the historic property.
- ☐ I understand that, if implementing the conditions of a general permit may affect a species listed as threatened or endangered, a candidate species, or a species proposed to be listed as threatened or endangered, under the Endangered Species Act or designated or proposed critical habitat, eagle nest take authorization can only be provided under a specific permit.

Specific permit applications only: If you are requesting a specific permit, you must provide the information requested below. The Service may provide guidance on developing complete and adequate application materials.

15. **Organization Type.** Please indicate your status:

- ☐ Commercial ☐ Non-commercial

If "non-commercial," you must provide documentation demonstrating you are a government agency or a current non-profit organization recognized by the Internal Revenue Service (IRS) as described in section 501(c)(3)).

16. **Duration.** What is the requested duration of the permit? Specific permits are issued for up to 5 years.

17. **Impacts to Eagles.** An eagle impacts assessment, including further describing eagle activity, eagle nests, and eagle use in the project area and a description of methods used to conduct this assessment.

18. **Avoidance and Minimization.** A description of implemented and proposed measures to avoid and minimize, to the maximum degree practicable, impacts to eagles from your activity.

19. **Compensatory Mitigation.** If your requested take is for golden eagle nests or falls under Purpose E (Other Purposes), a description of implemented and proposed measures to compensate for eagle take.

20. **Monitoring.** All other methods and information related to pre- or post-activity eagle monitoring. The Service will use the best available information to estimate eagle take that will result from the described activity.

21. **For specific permits under Purpose A only.** Do you anticipate nestlings or eggs to be present?

- ☐ Yes ☐ No

If yes, describe how you propose to remove the nestlings or eggs and proposed disposition, including the location of recipient foster nest(s) and/or name and phone number of the federally permitted rehabilitation facility that is authorized for the possession of live eagle(s) or eggs. If nest, nestlings, and/or eggs are relocated, describe monitoring to ensure adults are tending nestlings or eggs.

For all applications:

22. ***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 which affect protected species. The information the individual provides helps the FWS monitor and report on protected species and assesses 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 *et seq.*), 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:

Eagle Nest Take (General)

Original submission - paper-based (Individuals, Private sector, and State/Local/Tribal Govt): 14 hours (reporting) and 2 hours (recordkeeping)
Original submission - electronic (Private Sector): 13 hours (reporting) and 2 hours (recordkeeping)

Eagle Nest Take (Specific)

Original submission - paper-based (Individuals, Private sector, and State/Local/Tribal Govt): 35 hours (reporting) and 5 hours (recordkeeping)
Original submission - electronic (Private Sector): 33 hours (reporting) and 5 hours (recordkeeping)

Amendment - Eagle Nest Take (Specific)

Original submission - paper-based (Individuals, Private sector, and State/Local/Tribal Govt): 17 hours (reporting) and 3 hours (recordkeeping)
Original submission - electronic (Private Sector): 13 hours (reporting) and 3 hours (recordkeeping)

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 (JAO/3W), Falls Church, VA 22041-3803, or via email at 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].

Table 1. Eagle Nest Location and Use Information

Nest ID ¹	Species	Latitude	Longitude	Datum	Historic Nest Status	Most Recent Nest Status	Will this nest be removed?

¹You must provide information in row 1 for the nest that will be removed.