DEPREDATION AT AIRPORTS

Permit Number: MB671664

Version Number: 1

Effective: 2021-02-01 **Expires:** 2022-01-31

Issuing Office:

Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

MB Portland Permit Office
911 NE 11th Ave.
Portland, Oregon 97232
permitsR1MB@fws.gov
Tel: 503-872-2715

Digitally signed by

MANDY LAWRENCE

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Date: 2021.11.26 15:31:32 -08'00'

Permit Specialist

Permittee:

WHIDBEY ISLAND NAVAL AIR STATION

1115 W. LEXINGTON ST. B103

OAK HARBOR, WA 98278

Principal Officer and Title: Matt Arny,
Commanding Officer

Authority: Statutes and Regulations: 16 U.S.C 703-712 50 CFR Part 13, 50 CFR 21.41

Location where authorized activity may be conducted:

Activities conducted at Ault Field, NAS Whidbey Island, and Outlying Field Coupeville
Records kept at mailing address above

Reporting requirements:

ANNUAL REPORT DUE: 01/31
Report Take Jan 1 - Dec 31

Authorizations and Conditions:

Last Full Review: 2021 Next Full Review: 2024

Migratory Bird Permit Office Contact: PermitsR1MB@fws.gov

A. To resolve or prevent threats to human safety and/or aircraft safety at airports or airfields, you are authorized to take, temporarily possess, and transport the migratory birds specified below.

(1) **Additional authorization is required for bald eagles, golden eagles, and bird species federally or state listed as threatened or endangered (t/e)** (http://www.fws.gov/endangered)**.**

Take of Birds of Conservation Concern (BCC) requires additional notification (see A(5) below). A list of BCC species can be found at: https://www.fws.gov/migratorybirds/pdf/management/BCC2008.pdf

For information on the presence of bird species at your airport, we recommend using IPAC: https://ecos.fws.gov/ipac/

(2) Lethal Take, up to:
445 Migratory Birds, no more than 50 raptors/owls (except eagles, t/e, and BCC species)

(3) Active Nest Take (including egg destruction/addling), up to:
55, no more than 10 raptors Migratory Bird nests (except eagles, t/e, and BCC species)

(4) Trap-Relocate, up to:
150 Migratory Birds (except eagles, t/e, and BCC species)

(5) Emergency Take:
You are authorized to exceed the take authorized in 2-4 above in emergency situations and/or to take BCC species. You must notify your Migratory Bird Permit Office (contact information above Condition A) within 48 hours and include the following information:

(i) Emergency situation description, including date and time
(ii) Species and number of bird(s) taken
(iii) Method of take

A response from the office is not expected nor required. You will be contacted only if further coordination is appropriate.

(6) To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods in conjunction with lethal control. All take must be done as part of an integrated wildlife damage management program that implements nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(7) Do not report the following activities under your Airport Depredation permit. If activities are conducted under a Depredation Order, Conservation Order, or other regulatory authorization or permit you should conduct activities in accordance with those authorizations and reporting requirements. Canada goose nests should be taken and reported under the Resident Canada Goose registration system (https://epermits.fws.gov/eRCGR/).

B. **Methods**. You may use the following methods of take. The use of any of the below methods is at your discretion for each situation.

(1) Firearms. Shotguns must be no larger than 10-gauge and must be fired from the shoulder. You must use nontoxic shot listed in 50 CFR 20.21(j). Rifles or air rifles may be used when determined most appropriate to resolve the injurious situation. Nontoxic ammunition must be used when humane and feasible. If lead shot is used, bird remains must be disposed of in a manner that prevents introducing lead in the environment. Paint ball guns may be used to haze birds but are not an authorized firearm for take. You may not use blinds, pits, or other means of concealment, decoys, duck calls, or other devices to lure or entice migratory birds into gun range. Firearm use must be in accordance with local laws and ordinances.

(2) Lethal and/or live traps. All trapping must be under humane and healthful conditions (50 CFR 13.41).

Pole traps (padded-jaw and Verbail-design) may be used to capture raptors when other reasonable and appropriate methods have been employed and fail to alleviate the problem. Pole traps used between sunrise and sunset must be checked at least every 2 hours. Pole traps used between sunset and sunrise must be checked at least once during the night, not including set-up and take-down. Checks may be in person, by camera, or by other remote-sensing technology such as trap transponders. During inclement weather (e.g., extreme precipitation or temperatures), pole traps must continuously monitored or closed. The Service recommends the tether on pole traps be long enough for raptors to land on the ground and stand on their feet.

Pole Trap Reporting Requirements
1. Injury or death due to pole trapping must be reported your Migratory Bird Permit Office within 72 hours (contact information above Condition A)
2. Non-target capture in a pole trap must be reported your Migratory Bird Permit Office within 72 hours (contact information above Condition A)
3. Annual Report: report each raptor captured with a pole trap, including target and non-target species, trap type (padded-jaw or Verbail set), the date taken, if injured or killed during trapping, and the final disposition (released, transferred including permit number of recipient, euthanized) of the bird (see MBPM-4, 2005).

Trap-and-euthanized birds count toward the lethal take authorized under Condition A of your permit. If birds are trapped and released, birds must be released in suitable habitat in an area where they are unlikely to pose a depredation threat. When appropriate, birds should be relocated a distance sufficient to minimize potential for return to the capture site. This permit does not authorize retaining birds in captivity longer than 24 hours. Additional state and/or tribal authorization may be required for release. The Service recommends banding or marking released raptors under a USGS Bird Banding permit prior to release.

If a bird is not appropriate for release to the wild, it may be transferred as non-releasable to an individual or entity authorized to receive live birds. Approval from your Migratory Bird Permit Office is required PRIOR to transferring birds. Transferred birds count toward the lethal take authorized under Condition A, as they are removed from the

wild population. Contact your Migratory Bird Permit Office prior to placement to request authorization (contact information above Condition A).

(3) Nest Take. Viable eggs may be oiled, addled, or destroyed. Eggs must by oiled using only 100% corn oil, a substance exempt from regulation by the Environmental Protection Agency. Eggs may be addled in any humane manner (see 6 below). Nests, including viable eggs, may be destroyed by any humane method, provided they are completely destroyed and eggs and/or nests are not retained after destruction.

Report take as number of active nests (not number of eggs). Do not report inactive nests taken (nests with no viable eggs or chicks present). No federal authorization is required for the take of inactive migratory bird nests.

(4) Registered animal drugs (excluding nicarbazin), pesticides, and repellents. Must be humane and used in accordance with label instructions. Additional state and/or tribal authorization may be required for use.

(5) Falconry Abatement. Migratory birds may be killed by abatement falconry birds. Birds killed by falconry abatement count toward the lethal take authorized under Condition A. Additional state and/or tribal authorization may be required.

(6) Any live birds trapped or otherwise in-hand must be in humane and healthful conditions (50 CFR 13.41). Birds euthanized must follow the American Veterinary Medical Association Guidelines on Euthanasia (https://www.avma.org/resources-tools/avma-policies/avma-guidelines-euthanasia-animals).

C. **Sick, injured, or orphaned migratory birds.** You may possess and immediately transport any birds found sick, injured, or orphaned to a federally permitted rehabilitator or licensed veterinarian for care. You do not need to report these birds (50 CFR 21.31(a)), except:

Birds injured by your activities must be humanely euthanized or transferred immediately to a federally permitted migratory bird rehabilitator or a licensed veterinarian for medical care at the permittee's expense. You must report any birds injured by your activities on your Annual Report.

D. **Salvage**. You are authorized to salvage and temporarily possess migratory birds found dead. Salvaged birds must be disposed of as described in Condition E below within 6 months of salvage. Before you salvage any bird killed by suspected illegal activity, you must first contact the U.S. Fish and Wildlife Service Office of Law Enforcement (OLE) for authorization to salvage that bird. See FWS OLE contact information below.

Any dead bald eagle or golden eagle salvaged must be reported within 48 hours to your local U.S. Fish and Wildlife Service Office of Law Enforcement (contact information below) and to your migratory bird permit issuing office (contact information above Condition A). After clearance from OLE, contact the National Eagle Repository at (303) 287-2110 for shipment directions of these specimens.

E. **Disposition of dead migratory birds.** Migratory birds, nests, or eggs taken under this permit must be disposed of by one of the following:
(1) Donated to an individual or entity authorized by permit or regulation to receive donated birds (i.e. scientific, educational, or tribal use);
(2) Completely destroyed in accordance with local laws and ordinances;
(3) Retained for diagnostic or personnel training purposes;
(4) Retained and used as effigies; or
(4) If the species is a migratory game bird and suitable for consumption, donated to a public charity.

F. **Reporting.**
Immediate Notification. You must immediately notify your Migratory Bird Permit Office at the contact information above Condition A about:
(1) Emergency Take (Condition A(5))
(2) Salvage of eagles (Condition D)

Annual Report. You must submit an annual report (Form 3-202-9). You must report take by species (e.g. ring-billed gull, Canada goose) and method (e.g. kill, nest take, trap-release, trap-relocate, DRC-1339).

Pole Trapping. See Condition B(2) for additional pole trapping notification and reporting requirements.

G. **Subpermittees.** A subpermittee is an individual to whom you have provided written authorization to conduct some or all of the permitted activities in your absence. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. The following subpermittees are authorized:

Mark VanOort, John Phillips, Michael Bianchi, USDA Wildlife Services

In addition, any other person who is (1) employed by or under contract to you for the activities specified in this permit, or (2) otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.

You and any subpermittees must carry a legible paper or electronic copy of this permit and display it upon request whenever you are exercising its authority. Subpermittees must be at least 18 years of age. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of any designation letters provided to individuals not named above.

H. You and any subpermittees must comply with the below Standard Conditions. **These standard conditions are a continuation of your permit conditions *and must remain with your permit*.** These standard conditions are nationwide and may not be modified for individual permits.

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1. All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 21.41 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit. If you have questions regarding these conditions, refer to the regulations or, if necessary, contact your migratory bird permit issuing office. For copies of the regulations and forms, or to obtain contact information for your issuing office, visit: http://www.fws.gov/migratorybirds/mbpermits.html.

2. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accord with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

3. The validity of this permit is also conditioned upon strict observance of all applicable foreign, state, local tribal, or other federal law.

4. Valid for use by permittee named above.

5. Explosive Pest Control Devices (EPCDs) are regulated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). If you plan to use EPCDs, you require a Federal explosives permit, unless you are exempt under 27 CFR 555.141. Information and contacts may be found at www.atf.gov/explosives/howto/become-an-fel.htm.

6. If you encounter a migratory bird with a Federal band issued by the U.S. Geological Survey Bird Banding Laboratory, Laurel, MD, report the band number to http://www.reportband.gov.

7. You are responsible for obtaining appropriate, prior, written landowner permission for activity (take or release) of any migratory birds, nests, or eggs on lands where you are not the landowner or custodian.

8. You must maintain records as required in 50 CFR 13.46 and 50 CFR 21.41. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.

9. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect any wildlife held, and to audit or copy any permits, books, or records required to be kept by the permit and governing regulations.

10. 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.

For suspected illegal activity, immediately contact USFWS Law Enforcement 1-844-FWS-TIPS (397-8477)

https://www.fws.gov/le/regional-law-enforcement-offices.html