



Permit Number: MB71232D-0

Effective: 04/09/2020 Expires: 12/31/2020

Issuing Office:

Department of the Interior
U.S. FISH AND WILDLIFE SERVICE
Migratory Bird Permit Office
P.O. Box 25486 DFC (60154)
Denver, CO 80225-0486
Tel: 303-236-8171 Fax: 303-236-8017

Permittee:

USDA, APHIS, WILDLIFE SERVICE
STATE DIRECTOR - COLORADO
ATTN: MARTIN LOWNEY
12345 W. ALAMEDA PARKWAY, SUITE 204
LAKEWOOD, CO 80228

CHIEF, MIGRATORY BIRD PERMIT OFFICE DATE: 4/9/2020

Name and Title of Principal Officer:

MARTIN S. LOWNEY - STATE DIRECTOR

Authority: Statutes and Regulations: 16 USC 703-712; 50 CFR Part 13, 50 CFR 21.41.

Location where authorized activity may be conducted:

COLORADO

Reporting requirements:

ANNUAL REPORT DUE: 1/31

You must submit a report to your Regional Migratory Bird Permit Office each year even if you had no activity. Form: <http://www.fws.gov/forms/3-202-9.pdf>

Authorizations and Conditions:

A. 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.

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

C. Valid for use by permittee named above and the following subpermittees (50CFR 21.41C(5)): and the following subpermittees are authorized (50 CFR 21.41(c)(5)): USDA, APHIS, Wildlife Services Colorado employees in the performance of their duties are authorized to conduct permitted activities.

Any subpermittee must be at least 18 years of age and must carry your written subpermittee designation when taking or possessing migratory birds. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of letters you have provided to them. Copies of these letters or a list of subpermittees must be submitted with your annual report.

D. You and subpermittee(s) are authorized to take the following migratory birds to relieve or prevent injurious situations impacting human health or safety, natural resources, agriculture (includes aquaculture), and public or private property. All take must be done as part of an integrated Wildlife Damage Management Program that emphasizes the use of appropriate nonlethal management techniques.

You and subpermittee(s) are authorized to use legal lethal take for the following:

four thousand (4,000) Canada Geese (*Branta canadensis*)

E. All of the above species and numbers are totals for the year 2020. If the problem hasn't been resolved by the above authorized activities, then a written request with justification to amend the permit must be submitted to the issuing office for additional authorization.

F. You and subpermittee(s) are not authorized to take (capture, kill, relocate, or disturb) bald eagles or golden eagles or endangered or threatened species under this permit.



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G. You and subpermittee(s) are authorized in emergency situations only to take, trap, or relocate any migratory birds, nests and eggs, including species that are not listed in Condition D (except bald or golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human health or safety. A direct threat to **human health** is one where a federal, state, or local public health agency recommends removal of migratory birds posing an immediate, specific threat to human health when conditions it deems conducive to the transmission of human or zoonotic pathogens are created or found. A direct threat to **human safety** is one which involves a threat of serious bodily injury or a risk to human life. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

H. You and subpermittee(s) are authorized in emergency situations only to trap and relocate any migratory birds, nests and eggs, including species that are not listed in Condition D (except bald eagles and golden eagles) when the safety of the bird is at risk if the bird, nest or eggs are not removed.

I. You must report any emergency take activity to your migratory bird permit issuing office in **Denver, CO at 303-236-8171** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, location (town, county, and State), method, and a complete description of the circumstances warranting the emergency action.

J. You may temporarily possess and stabilize sick and injured migratory birds and immediately transport them to a federally permitted rehabilitator for care. You are authorized to euthanize migratory birds that are so compromised by injury or illness that they have little chance of survival.

K. You are authorized to salvage dead migratory birds, including abandoned nests and nonviable eggs for donation to public educational and scientific institutions, or as directed by the permit issuing office. Any dead bald eagles or golden eagles salvaged must be reported within 48 hours to the National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office in **Denver, CO at 303-236-8171**. The Repository will provide directions for shipment of these specimens.

L. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Office of Law Enforcement any dead or injured migratory birds that you encounter that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise killed or injured as the result of potential criminal activity. See USFWS OLE contact information below.

M. You may use the following methods of take: (a) firearms; (b) nets; (c) registered animal drugs (excluding nicarbazin) and registered pesticides and repellents; and (d) legal lethal and live traps, provided that pole traps may only be used to capture raptors to protect human health and safety, threatened and endangered species, agriculture, and propagated game animals that are penned or enclosed in a manner that allows close control by the owner (i.e., not free-ranging) and only when all other reasonable and appropriate methods of deterrence and management prove ineffective.

Pole traps employed between sunrise and sunset must be checked at least every 2 hours. Pole traps employed between sunset and sunrise must be checked at least once during the night. Pole traps must be closed down during inclement weather (e.g., precipitation or extreme temperatures) unless they are monitored continuously. Birds captured using pole traps must be relocated a distance sufficient to minimize potential for return to the capture site (preferably at least 100 miles away), except as otherwise authorized by the permit issuing office. Birds caught live using methods other than pole traps may be euthanized or transported and relocated to another site approved by the appropriate State wildlife agency, if required.

When using firearms, you may use rifles or air rifles to shoot any bird when you determine that the use of a shotgun is inadequate to resolve the injurious situation. You may use paint ball guns to haze birds or deter birds only when other methods of hazing are ineffective.

N. Notwithstanding attached Standard Condition 7 for Migratory Bird Depredation Permits, "all migratory birds killed shall be retrieved by the permittee and turned over to a Bureau representative or his designee for disposition to charitable or other worthy institutions for use as food, or otherwise disposed of as provided by law." (50 CFR 21.41(c)(4))

O. You must comply with the attached Standard Conditions for Migratory Bird Depredation Permits. **These standard conditions are a continuation of your permit conditions and must remain with your permit.** (Notwithstanding Standard Condition 12 attached, you may conduct the activities authorized by this permit in accordance with a valid waiver or authorization issued by an appropriate State, county or local government entity.)

For suspected illegal activity, immediately contact USFWS Law Enforcement at: 720-981-2777



Standard Conditions

Migratory Bird Depredation Permits

50 CFR 21.41

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. The standard conditions below are a continuation of your permit conditions and must remain with your 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>.

1. To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods of harassment in conjunction with lethal control.
[Note: 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/how-to/become-an-fel.htm.]
2. Shotguns used to take migratory birds can 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).
3. 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.
4. You are not authorized to take, capture, harass, or disturb bald eagles or golden eagles, or species listed as threatened or endangered under the Endangered Species Act found in 50 CFR 17, without additional authorization. For a list of threatened and endangered species in your state, visit the U.S. Fish and Wildlife Service's Threatened and Endangered Species System (TESS) at: <http://www.fws.gov/endangered>.

5. 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 1-800-327-BAND (2263) or <http://www.reportband.gov>.
6. This permit does not authorize take or release of any migratory birds, nests, or eggs on Federal lands without additional prior written authorization from the applicable Federal agency, or on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
7. Unless otherwise specified on the face of the permit, migratory birds, nests, or eggs taken under this permit must be:
 - (a) turned over to the U.S. Department of Agriculture for official purposes, or
 - (b) donated to a public educational or scientific institution as defined by 50 CFR 10, or
 - (c) completely destroyed by burial or incineration, or
 - (d) with prior approval from the permit issuing office, donated to persons authorized by permit or regulation to possess them.

8. A subpermittee is an individual to whom you have provided written authorization to conduct some or all of the permitted activities in your absence. Subpermittees must be at least 18 years of age. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of designation letters you have provided.
9. You and any subpermittees must carry a legible copy of this permit, *including these Standard Conditions*, and display it upon request whenever you are exercising its authority.
10. 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.
11. 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.
12. 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.

(DPRD - 12/3/2011)