



Federal Fish and Wildlife Permit Application Form

Return to: Migratory Bird Permit Office  
U.S. Fish and Wildlife Service

Type of Activity:  
Eagle Nest Take

Complete section A or B, and sections C and D of this application. See attached Permit Application Instructions.

<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
1.e. Doing business as (dba):		2.a. Mailing Address (line 1):		2.b. Mailing Address (line 2):
2.c. Mailing Address (line 3):		3.a. City:	3.b. County:	3.c. Province:
				3.d. State:
3.e. Zip code/postal code :	3.b. Country:	4. Date of birth (mm/dd/yyyy):		5. Social Security No:
6. Occupation:		7. List of any business, agency, organizational, or institutional affiliation associated with the wildlife or plants to be covered by this permit:		
8. Home telephone number:	9. Work telephone number:	10. Fax number:	11. E-mail address:	

<b>B. Complete if applying as a business, corporation, public agency or institution</b>				
1.a. Name of business, agency, or institution:		1.b. Doing business as (dba):		2. Tax identification no.:
3.a. Mailing address (line 1):		3.b. Mailing address (line 2):		3.c. Mailing address (line 3):
4.a. City:	4.b. County		4.c. State:	4.d. Zip code:
5.a. Principal officer - Last name:		5.b. First name:		5.c. Middle name or initial
				5.d. Suffix
5.e. Principal officer title:		6. Describe the type of business, agency, or institution and provide state of incorporation:		
7. Home telephone number:	8. Work telephone number:	9. Fax number:	10. E-mail address:	

<b>C All applicants complete</b>	
1. Do you currently have or have you had any federal fish and wildlife permits? (For simplification, all licenses, permits, registrations, and certificates will be referred to as a permit.) Yes <input type="checkbox"/> If yes, list the number(s) of the most current permit you have held: _____ No <input type="checkbox"/>	
2. Application fee: Enclose a check or money order payable to the U.S. Fish and Wildlife Service in the amount of \$500.00 (standard) or \$1,000 (programmatic) if you are applying for a new permit and \$150.00 (standard) or \$500 (programmatic) if you are requesting a substantive amendment of your existing valid permit. Federal, tribal, state, and local government agencies, and individuals and institutions acting on behalf of such agencies, are exempt from the application processing fee upon submission of a letter (on agency letterhead) certifying that the applicant is acting on behalf of the government agency (50 CFR 13.11(d)).	
3. <b>Certification:</b> 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. 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 (in blue ink) of applicant/person responsible for permit. (No Photocopies or stamped signatures) _____ Date of signature (mm/dd/yyyy) _____	

**D. EAGLE NEST TAKE (Eagle Act, 50 CFR 22.27)**

**An eagle nest take permit authorizes the removal of bald eagle or golden nests for human safety, the safety of eagles, or the public's welfare. Permits may be issued to individuals, agencies, businesses, and other organizations. Please read "What You Should Know About An Eagle Nest Take Permit" and the pertinent regulations at 50 CFR 22.27 before you sign and submit your application.**

**Provide the following information on a separate sheet of paper. Please be as specific as possible in your responses to the questions. Please do not send pages that are over 8.5"X11", videotapes, or DVDs. Except for immediate safety emergencies, we strongly recommend that you submit your application at least 60 days prior to the date that you need your permit, as required by 50 CFR 13.11(c).**

1. A description of the situation that necessitates removal of the eagle nest(s), including:
  - (A) 1. The number of nests proposed to be taken;
    2. Whether the nest(s) is a bald eagle or golden eagle nest; and
    3. Whether the nest(s) is active or inactive. (An active nest may only be taken to alleviate an immediate safety emergency.)
  - (B) Is the nest take necessary to alleviate safety concerns?       Yes       No
    1. If Yes, describe the safety emergency and why removal of the nest is necessary to alleviate it.
    2. If No, Provide the following:
      - a. An explanation for why removal of the nest is necessary to protect the public's welfare. ("Necessary to protect the public's welfare" is defined in the implementing regulations at 50 CFR 22.26(a) as "needed in order to maintain society's well-being in matters of health, safety and order.")
      - b. A calculation of the bald eagle or golden eagle area nesting population, including an appropriately scaled map or plat showing the location of each eagle nest used to calculate the area nesting population unless the Service has sufficient data to independently calculate the area nesting population.
      - c. A description of the avoidance, minimization, and mitigation measures you will undertake to reduce take and offset the detrimental impact of the permitted activity.
  - (C) A description of the property, including maps and digital photographs that show the location of the nest in relation to buildings, infrastructure, and human activities;
  - (D) The location of the property, including latitude and longitude;
  - (E) The length of time for which the permit is requested, including beginning and ending dates; and
  - (F) A statement indicating the intended disposition of the nest, and if active, the nestlings or eggs.
2. You must retain records relating to the activities conducted under your permit for at least 5 years from the date of expiration of the permit. Please provide the address where these records will be kept.
3. Have you obtained all required state, federal or tribal government approval(s) to conduct the activity you propose?  
Yes  If yes, provide a copy of the approval(s).      Have applied       Not required

Juneau International Airport Permit Application  
**D. EAGLE NEST TAKE (Eagle Act, 50 CFR 22.27)**

**Supplemental Information**

**1. Description of the situation that necessitates removal of the eagle nest(s):**

**(A) Details about the nest:**

Juneau International Airport (JNU) has an area of woodland located south of the float plane pond and north of the airport dike trail. One bald eagle nest exists in that woodland. JNU is applying to take the nest when it is inactive. It is JNU's intent to take the one existing nest and then haze the resident pair to discourage any further nest building activity in the woodland.

**(B) Is the nest take necessary for safety concerns?**

JNU is applying for a nest take permit at the recommendation of Mr. Bill Wilmoth, USDA Wildlife Services, author of JNU's Wildlife Hazards Management Plan (WHMP) and member of JNU's Wildlife Hazards Advisory Group (WHAG). Mr. Wilmoth's November 18, 2009 letter that recommends taking the eagle nest for safety concerns is attached herewith.

In addition, a recently completed FAA Compliance Inspection at JNU (December 2009) resulted in the following compliance issue:

*"The FAA is asking that Juneau Airport apply for the Eagle Nest Take permit from the USFWS by filling out the application and submitting it as soon as possible. FAR Part 139.337 (a) requires certificated airports to take immediate action to alleviate wildlife hazards whenever they are detected. Any delay in the removal of the eagle nest tree would be seen as a violation to FAR Part 139."*

**(C) Description of property.**

The nest in question is located on JNU property as illustrated on the attached images. The nest is about 1,000 feet south of the south edge of the runway and just west of the west finger of the float plane pond.

**(D) Location of property.**

The tree in which the nest is located is at approximately:

58° 21' 15.2" N, 134° 35' 42.04" W

**(E) Requested permit duration.**

Five years: March 1, 2010-March 1, 2015

**(F) Intended disposition of the nest, and if active, the nestlings or eggs**

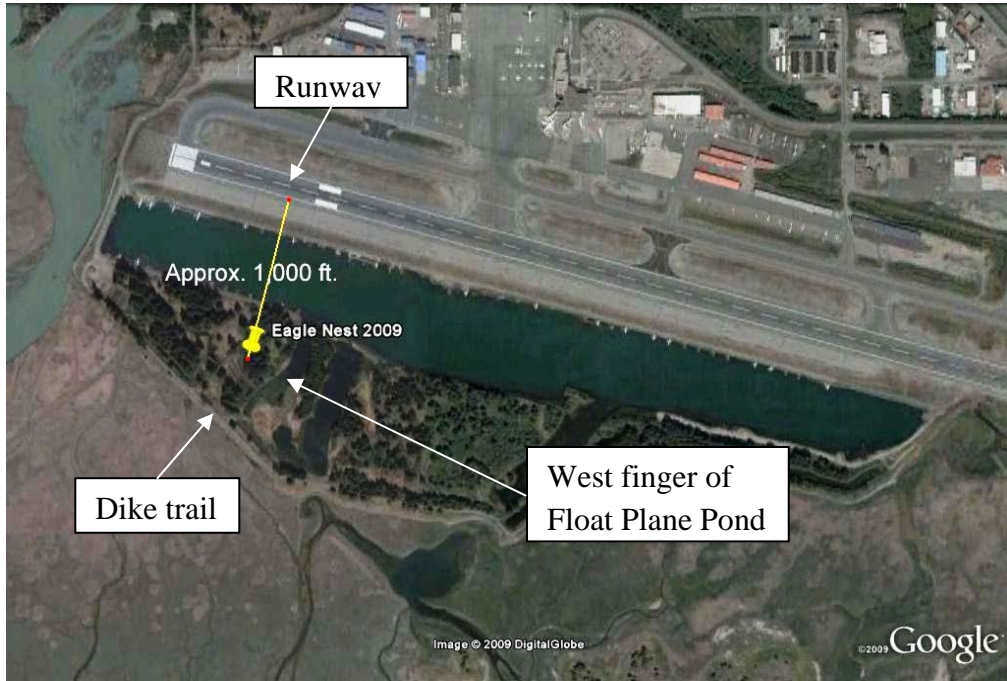
The nest will not be removed during a time when it is active. The airport is open to suggestions for disposition of the nest.

**2. Address where records will be kept.**

Juneau International Airport  
1873 Shell Simmons Drive, Suite 200  
Juneau, Alaska 99801

**3. Have all required authorizations been obtained?**

Other than this nest take permit, we are aware of no other authorizations that are required at this time. Tom Schumacher, ADF&G, indicated on December 18, 2009, that ADF&G policy on eagle nest take permits is unclear. He further indicated that the agency would be considering the issue during January 2010.



Overview aerial view showing eagle tree location



Detail aerial view showing eagle tree location





View of eagle leaving the nest



View of eagle nest, eagle in it.



United States  
Department of  
Agriculture

November 18, 2009

Animal and  
Plant Health  
Inspection  
Service

Jeannie Johnson  
Airport Manager  
Juneau International Airport  
1873 Shell Simmons Drive  
Juneau, AK 99801

Wildlife  
Services

Alaska  
District Office

Dear Jeannie,

9001 E. Frontage Rd.  
Suite A  
Palmer, AK 99645  
(907) 745-0871  
Fax: (907) 746-0873

Bald eagles have long been a “fixture” at the Juneau International Airport (JNU) due to their abundance in the area and the presence of a nesting pair in the float pond woodland over the last 10 years. We are all aware that many people enjoy using the airport’s emergency vehicle access road for the easy opportunities to view eagles close up in the trees and along the river. However, eagles present one of the greatest risks to aircraft safety when they share the same airspace. In a recent report, bald eagles ranked near the top of all wildlife species nationwide in risk to aircraft. This is based on the fact that when they are struck, a higher percentage of the strikes result in damage (something that is not true of many of the smaller species of birds that are struck here in Juneau).

The management of bald eagles is governed by the Bald and Golden Eagle Protection Act of 1940. Under this Act, the airport holds a Bald Eagle Depredation permit that allows for the harassment of eagles to alleviate wildlife hazards. Recently, this Act underwent a revision and the U.S. Fish & Wildlife Service (USFWS) has issued a new set of rules allowing for the removal of nests at airports when they are considered a threat to aircraft safety. We believe it is in the best interest of aircraft safety here at JNU to seek permission from USFWS to remove the one known nest and any new nests that this or other pairs may try to establish on airport property. As there are likely to be questions regarding this recommendation, we’d like to try to answer a few of them for you.

*How is a bald eagle nest a threat to aircraft safety?* The nest itself is not a threat. However, the nesting behavior of the adult pair, along with any juvenile bald eagles that appear later in the nesting season present a unique threat to aircraft. The territoriality of the pair, frequent flights across the flight line when carrying nesting material and food for the young, and the subsequent appearance of “naïve” young eagles in the aircraft environment contribute to a higher probability of these birds being struck. Since the nest site becomes the focal point for these activities, removing the nest helps disrupt their behavior. Ultimately, along with other intensified harassment efforts, the goal is to get the nesting pair to move off airport.



United States Department of Agriculture  
Animal and Plant Health Inspection Service

*Safeguarding American Agriculture*



*Why, after 10 years, ask the USFWS for permission now?* A new set of rules under the Bald & Golden Eagle Protection Act just recently went into effect (Sept. 2009) allowing the legal removal of nests at airports for safety reasons. The removal of a bald eagle nest for safety concerns was not authorized prior to this.

*Won't this or another pair attempt to build another nest anyway?* Future attempts to build another nest may occur. Once the current nest is removed, constant detection and harassment efforts will be imperative in persuading pairs of eagles to find suitable nesting habitat off airport. A number of wooded areas and trees are currently being removed for airport development purposes. Hopefully, this will make it less likely for new nest trees to become established.

*Will removing the nest tree eliminate the threat of bald eagle strikes at Juneau?* No. However, it will reduce the threat by ensuring that nesting behavior and juveniles eagles are not in such close proximity to the flight line.

*Doesn't a nesting pair of eagles help keep other eagles off the airport?* This has not been our experience here at JNU. As recently as May of this year, up to 100 eagles were drawn onto the airport to feed on capelin, a small fish, in the Mendenhall River. This event presented an extreme hazard to aircraft safety during a time when the resident pair of eagles was actively nesting.

*How many strikes have been documented with eagles at the airport?* Two strikes with bald eagles have been documented at JNU, one of which occurred during nesting season.

For this action to have the desired effect, namely eliminating the potential of nesting eagles as a hazard to aircraft, it will take a combination of timing and vigilance on the part of the airport. The nest tree must be removed well in advance of nesting season so that the pair has time to successfully establish a new territory off the airport. In order to make the pair want to leave the airport, it will take increased vigilance on the part of all wildlife control personnel at the airport. Wildlife control personnel must harass eagles at every opportunity when sighted in the float pond woodland, and extra effort must be made to dissuade the pair from establishing a new nest site in the woodland. This will in all likelihood require removing other trees as they begin building new nests. We believe this to be a reasonable and achievable goal.

The airport should contact the USFWS and apply for an Eagle Nest Take permit to remove the current nest now, and remove any new additional nests in the future. This application should be provided to the USFWS as soon as possible to give their personnel adequate time to process the necessary paperwork. This is somewhat new territory for USFWS and we anticipate questions and some "back and forth" before a permit is issued. We would be happy to help with completion of the application, or in any way to facilitate this request. Please let us know if you have any questions regarding this recommendation.



Sincerely,

*William F. Wilmoth*

William F. Wilmoth  
Wildlife Biologist  
Wildlife Services – Alaska

Cc: Jerry Mahle