

ATTACHMENT #4

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

3-201
(1/97)



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

JUNEAU INTERNATIONAL AIRPORT
ATTN: JEANNIE JOHNSON
1873 SHELL SIMMONS DRIVE, SUITE 200
JUNEAU, AK 99801

2. AUTHORITY-STATUTES
16 USC 668a

REGULATIONS
50 CFR 13
50 CFR 22.27

3. NUMBER **MB008741-3** AMENDMENT

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
10/13/2010

7. EXPIRES
03/31/2011

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

JEANNIE JOHNSON
AIRPORT MANAGER

9. TYPE OF PERMIT

EAGLE NEST TAKE - INACTIVE NEST

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

JUNEAU INTERNATIONAL AIRPORT,
JUNEAU, ALASKA

11. CONDITIONS AND AUTHORIZATIONS:

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 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 OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. You must have written authority from the Alaska Department of Fish and Game, Juneau, Alaska before exercising any of the authorities granted by this permit.

E. (50 CFR 22.23) You are authorized to use non-lethal scare devices and scare tactics to move or disperse bald eagles endangering human safety due to high potential of a serious bird strike to aircraft including the use of airhorns, pyrotechnics, and vehicle horns. Pyrotechnics must not be shot directly at bald eagles.

(50 CFR 22.27) You are authorized to destroy one inactive bald eagle nest situated 1,000 feet south of the south edge of the Juneau International Airport runway and just west of the west finger of the float pond (58 ° 21' 15.2" N, 134 ° 35' 42.04" W) to ensure public health and safety. You are also authorized to continue to remove any new unoccupied eagle nesting material on airport property if the eagle pair attempts to re-nest.

F. This permit does not authorize the intentional take of live eagles, eggs or young.

G. This permit does not authorize the disturbance of bald eagles at active nest sites that contain eggs or young.

H. You shall notify the issuing office at 907-786-3693 or 907-786-3503 within 48 hours regarding any injury or death occurring to any bald eagle during project activities. Any injured bald eagle must be immediately transferred to the nearest rehabilitation center.

I. You must use non-lethal scare devices to discourage birds from re-nesting on airport property.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

Annual reports are due by January 31 of each year and the forms are available on the Internet at:

<http://www.fws.gov/permits/applicationforms/ApplicationA.shtml#reports> or

<http://www.fws.gov/forms/display.cfm?number1=200> or

<http://www.fws.gov/permits/>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 7

DATE

10/13/2010

J. You must cooperate with the U.S. Fish and Wildlife Service (USFWS) to determine the fate of the displaced eagle pair by providing USFWS personnel:

- a. access to airport property for purposes of trapping, marking, and monitoring the nesting pair or other eagles deemed by the USFWS to be pertinent to the study (i.e., a "control" pair).
- b. wildlife interaction/harassment data associated with the Juneau International Airport.
- c. staff assistance as agreed upon between the permittee and the USFWS.

K. During nest removal activity, you are authorized to salvage any eagle carcasses, feathers and parts including nonviable eggs found in or around the nest. All molted eagle feathers, parts, and carcasses found at the site must be shipped to the National Eagle Repository. Contact: U.S. Fish and Wildlife Service National Eagle and Wildlife Repository, Rocky Mountain Arsenal, Building 128, Commerce City, Colorado, 80022, (303) 287-2110.

Nonviable eagle eggs must be delivered to the Migratory Bird Management Office of the U.S. Fish and Wildlife Service. Contact: Stephen B. Lewis, Migratory Bird Management, U.S. Fish and Wildlife Service, 3000 Vintage Boulevard, Suite 201, Juneau, Alaska 99801, (907) 780-1163.

Nests, or parts of nests, must be destroyed, buried, incinerated or donated to a qualified public educational or scientific institution as defined in 50 CFR 10.12 and approved by the migratory bird permit issuing office.

L. You may delegate the authority granted in this permit to the following subpermittee(s):

Designated employees of Alaska Department of Transportation and Public Facilities under the direct supervision of Airport Manager Jeannie Johnson and designated employees of 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.

Any subpermittee who has been delegated this authority may not re-delegate to another individual/business. You must immediately notify the migratory bird permit issuing office in writing of any changes to subpermittee information so this permit can be amended to authorize those individuals/businesses.

M. Subpermittees must be at least 18 years of age. You are responsible for ensuring that your subpermittees are qualified to perform the work and adhere to the terms of your permit. You are also responsible for maintaining current records of designated subpermittees. As the permittee, you are ultimately legally responsible for compliance with the terms and conditions of this permit and that responsibility may not be delegated.

N. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever exercising its authority.

O. All of the provisions and conditions of the governing regulations at 50 CFR part 13, 50 CFR 22.23 and 50 CFR 22.27 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit and/or citation. For copies of the regulations, visit: www.fws.gov/permits/mbpermits/birdbasics.html.

P. You must submit a report of activities conducted under this permit to the migratory bird permit issuing office, 1011 E. Tudor Road MS 201, Anchorage, AK 99503 within 10 days following completion of the activities or of the expiration of this permit, whichever occurs first. Form 3-202-16 (Eagle Nest Take Report) can be found online at www.fws.gov/forms/3-202-16.pdf.

Q. This permit does not authorize you to conduct activities on Federal, State, Tribal, or other public or private property without additional prior written permits or permission from the agency/landowner.

R. You must maintain records as required in 50 CFR 13.46. 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.

S. 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 (50 CFR 13.46).

T. While the permit is valid and for up to 3 years after it expires, you must allow Service personnel, or other qualified persons designated by the Service, access to the bald eagle nest site location at any reasonable hour, and with reasonable notice from the Service, for purposes of monitoring eagles at the site.

U. Permittees and subpermittees operating under this permit may not take or disturb eagles contrary to the laws or regulations of any State, Tribal, or Municipal government, and none of the privileges of this authorization are valid unless the permittee possesses the appropriate State permits, or other authorizations, if required.

V. The U.S. Fish and Wildlife Service is not liable for any damage or injury to person(s), wildlife, or property that occurs as the result of carrying out the activities associated with this permit.

W. The terms and conditions of this permit that are not specifically prescribed by regulations at 50 CFR parts 10, 13, and 22, should not be construed as precedent and are subject to revision for purposes of any future permit issued under this section.