



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USC 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.27

1. PERMITTEE

DEPARTMENT OF ENERGY IDAHO OPERATIONS OFFICE
dba IDAHO NATIONAL LABORATORY SITE
1955 FREMONT AVENUE
IDAHO FALLS, ID 83415
U.S.A.

3. NUMBER
MB04294B-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
06/01/2013

7. EXPIRES
03/31/2016

8. NAME AND TITLE OF PRINCIPAL OFFICER *(If #1 is a business)*
ROBERT D BOSTON
DEPUTY MANAGER / OPERATIONAL SUPPORT

9. TYPE OF PERMIT
SPECIAL PURPOSE - MISCELLANEOUS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
Activities Conducted: Idaho National Lab Site and surrounding areas
Records Kept: Address in Block 1
BONNEVILLE COUNTY

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, TRIBAL, OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. **Active Nest Relocation.** Except for Endangered or Threatened Species and Bald Eagles or Golden Eagles, *in emergency situations*, you are authorized to relocate active migratory bird nests of the following species/number, including eggs or nestlings, found at the location/property of Idaho National Lab or surrounding property when (1) the safety of the migratory birds, nests or eggs is at risk, or (2) the migratory birds, nests, or eggs pose a threat of serious bodily injury or a risk to human life, including a threat of fire hazard or power outage. You may not use this authority for situations in which migratory birds are merely causing a nuisance. You must monitor relocated nests daily to confirm the nest has not been abandoned.

Relocation Authorized per year:
2 Migratory Bird Nests, typically raptors

Must receive written authorization prior to relocation of a raptor or Bird of Conservation Concern species (see attached Table 7 and Table 8).

All relocations must be reported to PermitsR1MB@fws.gov within 72 hours after the emergency take action. Your report must include the species and number of birds relocated, method, and a complete description of the circumstances warranting the emergency action.

E. **Active Nest Destruction.** Except for Endangered or Threatened Species and Bald Eagles or Golden Eagles, you are authorized to destroy active migratory bird nests of the following species/number, including eggs or nestlings, found at the location/property of Idaho National Lab or surrounding property. All practicable avoidance and minimization measures must be employed prior to destruction. Eggs may be destroyed. When possible chicks should be removed under direction of and delivered to a federally permitted rehabilitator.

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/pacific/migratorybirds/Permits.html> or <http://www.fws.gov/forms/3-202-7.pdf>

ISSUED BY
[Signature]

TITLE
CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 1

DATE
07/02/2013

Nests Authorized per year:
10 Migratory Bird Nests, typically passerines

Must receive written authorization prior to destruction of a raptor or Bird of Conservation Concern species (see attached Table 7 and Table 8).

F. **Additional Authorizations.** You are authorized to take the following for circumstances not listed about and not anticipated at the start of the year (January).

None at this time.

G. You are authorized to salvage and temporarily possess migratory birds found dead or taken under this permit for (1) disposal, (2) transfer to the U.S. Department of Agriculture, (3) diagnostic purposes, (4) purposes of training personnel, (5) donation to a public scientific or educational institution as defined in 50 CFR 10.12, (6) donation to persons authorized by permit or regulation to possess them, or (7) donation of migratory game birds only to a public charity (those suitable for human consumption).

Any dead bald eagles or golden eagles salvaged must be reported within 48 hours to the Office of Law Enforcement (503) 682-6131, the National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at PermitsR1MB@fws.gov. The Repository will provide directions for shipment of these specimens.

H. 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. FWS Office of Law Enforcement Idaho Branch (208) 442-9551.

I. Anyone who takes migratory birds under the authority of this permit must follow the American Veterinary Medical Association Guidelines on Euthanasia when euthanization of a bird is necessary (http://www.avma.org/issues/animal_welfare/euthanasia.pdf).

J. You may temporarily possess and stabilize sick and injured migratory birds and immediately transport them to a federally licensed rehabilitator for care.

K. The following subpermittees are authorized: Jack Depperschmidt, Jenifer Nordstrom, John Irving, M. Shawn Rosenberger, Scott Reno, Brett Gamett, Jon Cowley, Kaylie Rasmuson, Ron Brown, Jericho Whiting, Douglas Halford, and Bryan Bybee.

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 provided they have a copy of this permit and a letter from the Principal Officer stating that they are acting as a subpermittee.

L. You and any subpermittee(s) 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.**

For suspected illegal activity, immediately contact USFWS Law Enforcement at: 208-442-9551

An abandoned or inactive nest is one without eggs or chicks. "The MBTA does not contain any prohibition that applies to the destruction of a migratory bird nest alone (without birds or eggs), provided that no possession occurs during the destruction." (Migratory Bird Permit Memorandum - Nest Destruction 4/15/2003). For guidance on nesting behaviors to determine occupancy status, please contact the Migratory Bird Permit Office (503) 872-2715.

Federal Birds of Conservation Concern - Idaho

Table 7 BCR 9 (Great Basin) *BCC 2008* list.⁹

Greater Sage-Grouse (Columbia Basin DPS) (a)
Eared Grebe (nb)
Bald Eagle (b)
Ferruginous Hawk
Golden Eagle
Peregrine Falcon (b)
Yellow Rail
Snowy Plover (c)
Long-billed Curlew
Marbled Godwit (nb)
Yellow-billed Cuckoo (w. U.S. DPS) (a)
Flammulated Owl
Black Swift
Calliope Hummingbird
Lewis's Woodpecker
Williamson's Sapsucker
White-headed Woodpecker
Willow Flycatcher (c)
Loggerhead Shrike
Pinyon Jay
Sage Thrasher
Virginia's Warbler
Green-tailed Towhee
Brewer's Sparrow
Black-chinned Sparrow
Sage Sparrow
Tricolored Blackbird
Black Rosy-Finch

⁹ (a) ESA candidate, (b) ESA delisted, (c) non-listed subspecies or population of Threatened or Endangered species, (d) MBTA protection uncertain or lacking, (nb) non-breeding in this BCR

Table 8 BCR 10 (Northern Rockies U.S. portion only) *BCC 2008 list*.¹⁰

- Bald Eagle (b)
- Swainson's Hawk
- Ferruginous Hawk
- Peregrine Falcon (b)
- Upland Sandpiper
- Long-billed Curlew
- Yellow-billed Cuckoo (w. U.S. DPS) (a)
- Flammulated Owl
- Black Swift
- Calliope Hummingbird
- Lewis's Woodpecker
- Williamson's Sapsucker
- White-headed Woodpecker
- Olive-sided Flycatcher
- Willow Flycatcher (c)
- Loggerhead Shrike
- Sage Thrasher
- Brewer's Sparrow
- Sage Sparrow
- McCown's Longspur
- Black Rosy-Finch
- Cassin's Finch

¹⁰ (a) ESA candidate, (b) ESA delisted, (c) non-listed subspecies or population of Threatened or Endangered species, (d) MBTA protection uncertain or lacking, (nb) non-breeding in this BCR