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

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE
CITY OF TRAVERSE CITY
C/O R BEN BIFOSS
400 BOARDMAN AVENUE
TRAVERSE CITY, MI 49684

2. AUTHORITY-STATUTES
16 USC 668a

REGULATIONS
50 CFR 13
50 CFR 22.26

3. NUMBER
MB74742A-0

4. RENEWABLE
YES

5. MAY COPY
YES

6. EFFECTIVE
07/09/2012

7. EXPIRES
12/31/2012

8. NAME AND TITLE OF PRINCIPAL OFFICER (If a business)
R BEN BIFOSS
TRAVERSE CITY MANAGER

9. TYPE OF PERMIT
EAGLE TAKE ASSOCIATED WITH BUT NOT THE PURPOSE OF AN ACTIVITY

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
Bale Eagles' nest at N 44.64676, W -85.49474, in Traverse City, MI

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. You are authorized to disturb up to two (2) bald eagles tending a nest at N 44.64676, W -85.49474 during the course of the following activity: removal of Brown Bridge Dam on the Boardman River, Traverse City MI, that may result in the loss of productivity due to nest abandonment during the 2013 nesting season caused by change in the surrounding landscape.

E. The authorizations granted by permits issued under this section apply only to take that results from activities conducted in accordance with the description contained in the permit application and the terms of the permit. If the permitted activity changes, you must immediately contact the Service to determine whether a permit amendment is required in order to retain take authorization.

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

G. You must comply with the following avoidance, minimization, or other mitigation measures:

1) The roots of the bald eagles' nest tree will not be damaged.

2) All work will take place outside 990 feet from the bald eagles' nest.

3) All work will be completed between mid-July and December 2012. This work is outside the bald eagle breeding

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

2. REPORTING REQUIREMENTS
ANNUAL REPORT DUE: 12/31

CITY MANAGER'S OFFICE

JUL 12 2012

RECEIVED

ISSUED BY

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 3

DATE
07/09/2012
season in Michigan.

4) Boardman river ecosystem will be restored and will include associated wetlands and native vegetation that may benefit bald eagles in the future.

5) Native fish habitat will be restored and may increase the bald eagle prey base.

6) Follow state and federal guidelines laws and label instructions if using pesticides, herbicides, or other chemicals.

H. You remain responsible for all outstanding monitoring requirements and mitigation measures required under the terms of the permit for take that occurs prior to cancellation, expiration, suspension, or revocation of the permit.

I. You are required to monitor eagle use of important eagle-use areas where eagles are likely to be affected by your activities until up to two (2) years after permit expiration date (2013, 2014) during the season(s) when eagles would normally be present, to the area where the take is likely to occur, and noting whether eagles continue to nest, roost, or forage there. Monitoring must consist of:

Observing the nest for one (1) day every two (2) weeks for one (1) hour from January 1 through June 1 to determine presence of bald eagles and their nesting status. Note activities such as nest building, roosting, copulation, incubation, or brooding. One full hour of observation isn’t necessary if nesting behavior is confirmed before the hour is complete.

J. You must submit an annual report summarizing the information you obtained through monitoring to the Service for three (3) years (2012, 2013, 2014) after the expiration of the permit to the issuing permit office at 5600 American Blvd. W, Suite 990, Bloomington, MN 55437. Form 3-202-15 (Eagle Non-purposeful Take Report) can be found online at www.fws.gov/forms/3-202-15.pdf.

K. You must contact the migratory bird issuing office immediately upon discovery of any unanticipated take.

L. While the permit is valid and for up to three (3) years after it expires, you must allow Service personnel, or other qualified persons designated by the Service, access to the areas where eagles are likely to be affected, at any reasonable hour, and with reasonable notice from the Service, for purposes of monitoring eagles at the site(s).

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 13 and 50 CFR 22.26 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/mfbpermits/birdbasics.html.

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

Q. 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.

R. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect and audit or copy any permits, books or records required to be kept by the permit and governing regulations (50 CFR 13.46).

S. 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.

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