



FOI # 14485

ALASKA CALIFORNIA FLORIDA MID-PACIFIC NORTHEAST NORTHERN ROCKIES
NORTHWEST ROCKY MOUNTAIN WASHINGTON, D.C. INTERNATIONAL

December 30, 2013

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Daniel D. Duffy
FOI Administrator
225 Park Avenue South, 17th Floor
New York, NY 10003

12-31-13P01:36 RCVD

**Re: Freedom of Information Reference No. 14485
Request for Records: Killing of Snowy Owls by the Port Authority of New York
and New Jersey**

Dear Mr. Duffy:

Thank you for your December 23, 2013 response to the above-referenced Freedom of Information Law request, which was submitted by Earthjustice on behalf of the Sierra Club, Atlantic Chapter. Your response denied our request on the ground that the request "is overly broad and cannot be processed under the [Freedom of Information] Code" and suggested that we resubmit the request "to provide a timeframe for your request."

We believe that our original Freedom of Information request identified the requested records in sufficient detail to permit the Port Authority to locate the requested records. The original request specifically identified a discrete subject matter (the killing of snowy owls at specified airports), the documents sought (degradation permits or other permits or authorizations for the killing of snowy owls; reviews conducted pursuant to NEPA or SEQRA regarding the killing of snowy owls; and communications between the Port Authority and specified federal and state agencies regarding the killing of snow owls at the subject airports).

Notwithstanding the above, and without waiver of our legal position that the requested documents have already been adequately identified, we are hereby resubmitting our request with a specified timeframe. We have also removed references to requests for "all records."

I. Time Frame

This request seeks responsive records for the time period *January 1, 2008, to the date of this request.*

II. Definitions

As used in this request, the following terms have the meanings set forth below:

NORTHEAST 48 WALL STREET, 19TH FLOOR NEW YORK, NY 10005

T: 212.845.7376 F: 212.918.1556 NEOFFICE@EARTHJUSTICE.ORG WWW.EARTHJUSTICE.ORG

1. "DEC" means the New York State Department of Environmental Conservation and its employees and agents.
2. "USFWS" means the U.S. Fish and Wildlife Service, and its employees, and agents.
3. "APHIS" means the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, and its employees and agents.
4. "Port Authority" means the Port Authority of New York and New Jersey, and its employees and agents.
5. "Airports" includes John F. Kennedy International Airport, LaGuardia Airport and Stewart International Airport.
6. "Snowy Owl" means members of the species *Bubo scandiacus*.
7. "MBTA" means the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712.
8. "Depradation permit" means a permit issued by a federal agency pursuant to the MBTA and/or 50 CFR § 21.41.
9. "NEPA" means the National Environmental Policy Act, 42 U.S.C. §§ 4331 *et seq.*
10. "SEQRA" means the State Environmental Quality Review Act, N.Y. Envtl. Conserv. L. Article 8.

III. Records Requested

The following records are requested:

1. Any depradation permit issued to the Port Authority authorizing the killing of Snowy Owls at the Airports.
2. Any permit or other authorization issued by DEC, USFWS and/or APHIS to the Port Authority for the killing of Snowy Owls at the Airports.
3. Any review conducted pursuant to NEPA and/or SEQRA concerning the killing of Snowy Owls at the Airports.
4. Any letters or emails exchanged among or between the Port Authority, DEC, USFWS, and/or APHIS regarding the killing of Snowy Owls at the Airports.

IV. Denial of Access

If access to any requested records is denied pursuant to Public Officers Law § 87(2), please notify the undersigned, in writing, of the ground(s) for such denial of access for each record withheld.

V. Inspection and Copying

This request covers both paper and electronic records; Earthjustice would appreciate receiving records in electronic format, including scanned copies of paper records, whenever possible. Please note that Earthjustice is seeking these records as a 501(c)(3) not-for-profit corporation, and the records will be used in the public interest. Therefore, we respectfully request the waiver of any fees associated with this request. If fees will not be waived, please provide notice, prior to copying, of the fees that the Port Authority will assess for producing the records requested above.

Thank you for your time and effort. If you have any questions, or wish to discuss the Port Authority's response to this request, please contact the undersigned at (212) 845-7390 or at camato@earthjustice.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Amato", written in a cursive style.

Christopher Amato
Staff Attorney

THE PORT AUTHORITY OF NY & NJ

FOI Administrator

April 11, 2014

Mr. Christopher Amato
Earth Justice
48 Wall Street, 19th Floor
New York, NY 10005

Re: Freedom of Information Reference No. 14485

Dear Mr. Amato:

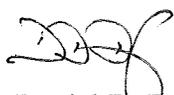
This is in response to your December 10, 2013 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code") for copies of any deprecation permit issued to the Port Authority authorizing the killing of Snowy Owls at the airports from January 1, 2008 to December 30, 2013. Any permit or other authorization issued by DEC, USFWS and/or APHIS to the Port Authority for the killing of Snowy Owls at the airports from January 1, 2008 to December 30, 2013. Any review conducted pursuant to NEPA and/or SEQRA concerning the killing of Snowy Owls at the airports from January 1, 2008 to December 30, 2013. Any letters or email exchanged among or between the Port Authority, DEC, USFWS, and/or APHIS regarding the killing of Snowy Owls at the Airport from January 1, 2008 to December 30, 2013.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/14485-O.pdf>. Paper copies of the available records are available upon request.

Certain material responsive to your request is exempt from disclosure pursuant to exemption (1) of the Code.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy
FOI Administrator

*225 Park Avenue South, 17th Floor
New York, NY 10003
T: 212 435 3642
F: 212 435 7555*



THE PORT AUTHORITY OF NY & NJ
Kennedy · Newark Liberty · LaGuardia
Teterboro · Downtown Manhattan Heliport

January 16, 2009

U. S. Fish & Wildlife Service
Migratory Bird Permit Office
300 Westgate Center Drive
Hadley, MA 01035

Dear Migratory Bird Permit Administrator,

I am notifying you of the emergency take of 1 Canada goose (*Branta canadensis*) on January 5th, 2009. The goose was taken at JFK by Port Authority under the airport's depredation permit #MB816581-0. This brings the total number of Canada geese taken under this permit to 158.

Also, we took 28 Atlantic brant (*Branta bernicla*) under the emergency take condition of the airport's permit on January 4th, 5th, 9th, 12th, and 13th, 2009. This brings the total number of brant taken under this permit to 498.

Additionally, we took 1 snowy owl (*Nyctea scandiaca*) under the emergency take condition of the airport's permit on January 14th, 2009.

Please contact me if you have any questions. Thanks.

Sincerely,

O / S / B

Laura Francoeur
Wildlife Biologist
Airport Operations Division
JFK International Airport
(718) 244-3773
(718) 244-3805 Fax
lfrancoe@panynj.gov

Cc: file



THE PORT AUTHORITY OF NY & NJ

Dec. 6, 2013

U. S. Fish & Wildlife Service
Migratory Bird Permit Office
300 Westgate Center Drive
Hadley, MA 01035

Dear Permit Administrator:

I am notifying you of the emergency take of 1 snowy owl (*Bubo scandiacus*) on Dec. 6th, 2013. The snowy owl was taken at JFK by JFK Airport Operations staff under the airport's depredation permit #MB816581.

Please contact me if you have any questions. Thanks.

Sincerely,

Laura Francoeur
Chief Wildlife Biologist
Aviation Wildlife Programs

Cc: File, USDA-Wildlife Services

*John F. Kennedy International Airport
Building 145, 2nd Floor
Jamaica, NY 11430
T: 718 244 3773 F: 718 244 3538
Lfrancoe@panynj.gov*



THE PORT AUTHORITY OF NY & NJ

Dec. 9, 2013

U. S. Fish & Wildlife Service
Migratory Bird Permit Office
300 Westgate Center Drive
Hadley, MA 01035

Dear Permit Administrator:

I am notifying you of the emergency take of 2 snowy owls (*Bubo scandiacus*) on Dec. 7th, 2013. The snowy owls were taken at JFK by JFK Airport Operations staff under the airport's depredation permit #MB816581. This brings the total number of owls taken this year to 3.

Please contact me if you have any questions. Thanks.

Sincerely,

Laura Francoeur
Chief Wildlife Biologist
Aviation Wildlife Programs

Cc: File, USDA-Wildlife Services

*John F. Kennedy International Airport
Building 145, 2nd Floor
Jamaica, NY 11430
T: 718 244 3773 F: 718 244 3538
Lfrancoe@panynj.gov*

THE PORT AUTHORITY OF NY & NJ

February 27, 2013

NY State Department of Environmental Conservation
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752

Dear Permit Administrator:

Recently, we have observed snowy owls (*Nyctea scandiaca*) on multiple occasions at both John F. Kennedy International Airport (JFK) and La Guardia Airport (LGA). Aircraft have struck snowy owls on two occasions at JFK (Nov. 24th & Nov. 29th) and one occasion at LGA (Dec. 2nd). In the past nine days, staff at the airports have nonlethally dispersed snowy owls on 10 separate occasions at JFK and 19 occasions at LGA. Multiple owls were dispersed on two occasions each at JFK and LGA, including three at once at JFK on December 7th. When nonlethal harassment did not effectively disperse the snowy owls, we depredated snowy owls at both JFK and LGA. To date, three owls were depredated at JFK and one at LGA. Another injured owl found at LGA was taken to a wildlife rehabilitator on Long Island on Dec. 7th.

Due to the high level of activity of snowy owls on our airports currently and the forecast for more snowy owls in the area this winter, we request that you authorize JFK and LGA to trap and relocate snowy owls. This condition is already authorized on the airports' federal depredation permits (JFK MB816581-1; LGA MB719627-0):

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

We would also like authorization to band any owls that are trapped and relocated at JFK and LGA under the airports depredation permits (JFK Depredation License-Airport #42; LGA Depredation License-Airport #44).

Thank you and please contact me if you need any additional information.

Sincerely,



Laura Francoeur
Chief Wildlife Biologist
John F. Kennedy International Airport

John F. Kennedy International Airport
Building 145, 2nd Floor
Jamaica, NY 11430
T: 718 244 3773 F: 718 244 3538
lfrancoe@panynj.gov



THE PORT AUTHORITY OF NY & NJ
Kennedy · Newark Liberty · LaGuardia
Teterboro · Downtown Manhattan Heliport

December 17, 2008

U. S. Fish & Wildlife Service
Migratory Bird Permit Office
300 Westgate Center Drive
Hadley, MA 01035

Dear Migratory Bird Permit Administrator,

I am notifying you of the emergency take of 1 brant (*Branta bernicla*) on December 4th, 2008. The bird was taken at JFK by Port Authority under the airport's depredation permit #MB816581-0. This brings the total number of brant taken under this permit to 470.

We also had an emergency take of 3 snowy owls (*Nyctea scandiaca*) on December 12th and 15th, 2008. All three were juvenile owls that did not respond to nonlethal dispersal methods.

Please contact me if you have any questions. Thanks.

Sincerely,

O / S / B

Laura Francoeur
Wildlife Biologist
Airport Operations Division
JFK International Airport
(718) 244-3773
(718) 244-3805 Fax
lfrancoe@panynj.gov

Cc: file



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

NEWARK LIBERTY INTERNATIONAL AIRPORT
THE PORT AUTHORITY OF NY & NJ
CONRAD ROAD - BLDG. 1
NEWARK, NJ 07114
U.S.A.

3. NUMBER
MB671079-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2010

7. EXPIRES
02/28/2011

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
FRANK J. LOPRANO
CHIEF OPERATIONS SUPERVISOR

9. TYPE OF PERMIT
DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF NEWARK LIBERTY INTERNATIONAL AIRPORT, NEWARK, NJ
TEL: 973-961-6024

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- a. 200 Canada Geese
- b. 400 Herring, Great Black-backed, Ring-billed, and Laughing gulls in any species combination
- c. 100 Mallard, 25 Nest and Egg Destruction
- d. 25 of each: Killdeer, and Double-crested cormorants
- e. 50 Mourning Doves
- f. 10 Barn Swallow, 10 Nest and Egg Destruction

(2) The following are for Trap and Relocate

- g. 50 American Kestrel
- h. 25 of each: Northern Harrier, and Red-Tailed Hawk
- i. 5 Snowy Owl

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore **may not be taken.**

E. You are authorized in emergency situations only to take, trap, or relocate any migratory birds, nests and eggs, including species that are not listed in

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 3/5/10

ISSUED BY

Valerie Jacobs

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

02/18/2010

Condition D (except bald eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office, Hadley, MA, by faxing to 413-253-8424, within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8643. The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: (1) firearms; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of the Newark Liberty International Airport and 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, may exercise the authority of this permit.

K. You and any subpermittee(s) **MUST** comply with the attached Standard Conditions for Migratory Bird Depredation Permits

For Canada Geese Egg Addling and Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: ELIZABETH, NJ: 908-787-1321

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



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

THE PORT AUTHORITY OF NY & NJ
dba NEWARK LIBERTY INTERNATIONAL AIRPORT
THE PORT AUTHORITY OF NY & NJ
225 PARK AVENUE SOUTH
9TH FLOOR
NEW YORK, NY 10003

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB671079-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2011

7. EXPIRES
02/29/2012

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

9. TYPE OF PERMIT
DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
WITHIN THE PROPERTY BOUNDARIES OF NEWARK LIBERTY INTERNATIONAL AIRPORT, NEWARK, NJ
TEL: 973-961-6024

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

- (1) The following may be lethally taken:
- a. 200 Canada Geese
 - b. 400 Herring, Great Black-backed, Ring-billed, and Laughing gulls in any species combination
 - c. 100 Marllard, 25 Nest and Egg Destruction
 - d. 25 Double-crested cormorants
 - e. 200 Mourning Doves
 - f. 50 Barn Swallows, 10 Nest and Egg Destruction
 - g. 50 Killdeer, 20 Nest and Egg Destruction
 - h. 50 American black ducks
 - i. 15 Gadwall

- (2) The following may be live-trapped and relocated:
- a. 50 American Kestrel
 - b. 25 of each: Northern Harrier, and Red-Tailed Hawk
 - c. 5 Snowy Owl

Alternatively, authorized to lethally take when relocation is not possible.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 3/3/11

ISSUED BY

Valerie Jones

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

02/24/2011

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore **may not be taken**.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at 413-253-8643. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) firearms; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: **Employees of Newark Liberty International Airport and employees of USDA APHIS 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, may exercise the authority of this permit.

K. 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:
Newark, NJ 908-787-1321**

***For Canada Geese Egg Addling and Nest Destruction you MUST register each year between January 1 and June 30 at:
<https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.**



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

THE PORT AUTHORITY OF NY & NJ
dba NEWARK LIBERTY INTERNATIONAL AIRPORT
THE PORT AUTHORITY OF NY & NJ
225 PARK AVENUE SOUTH
9TH FLOOR
NEW YORK, NY 10003

3. NUMBER
MB671079-1 **AMENDMENT**

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
06/22/2011

7. EXPIRES
02/29/2012

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

JEFF KOLODZINSKI
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

AMENDMENT 1 IN BOLD
NEWARK LIBERTY INTERNATIONAL AIRPORT AND NJ MARINE TERMINAL, NEWARK, NJ

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

AMENDMENT 1 IN BOLD - (1) The following may be lethally taken:

- a. 300 Canada Geese
- b. 400 Herring, Great Black-backed, Ring-billed, and Laughing gulls in any species combination
- c. 100 Marllard, 25 Nest and Egg Destruction
- d. 25 Double-crested cormorants
- e. 200 Mourning Doves
- f. 50 Barn Swallows, 10 Nest and Egg Destruction
- g. 50 Killdeer, 20 Nest and Egg Destruction
- h. 50 American black ducks
- i. 15 Gadwall

(2) The following may be live-trapped and relocated:

- a. 50 American Kestrel
- b. 25 of each: Northern Harrier, and Red-Tailed Hawk
- c. 5 Snowy Owl

Alternatively, authorized to lethally take when relocation is not possible.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <<http://www.fws.gov/migratorybirds/mbpermits.html>>

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 6/29/11

ISSUED BY

TITLE

W. Wildlife Permits Unit
CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

06/22/2011

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at 413-253-8643. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: Employees of Newark Liberty International Airport and employees of USDA APHIS 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, may exercise the authority of this permit.

K. 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: Newark, NJ 908-787-1321

*For Canada Geese Egg Addling and Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

9. 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 letters you have provided.
10. 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.
11. 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.
12. 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.
13. 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 - 2/24/2011)



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

THE PORT AUTHORITY OF NY & NJ
dba NEWARK LIBERTY INTERNATIONAL AIRPORT
THE PORT AUTHORITY OF NY & NJ
225 PARK AVENUE SOUTH
9TH FLOOR
NEW YORK, NY 10003

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB671079-1

AMENDMENT

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
06/22/2011

7. EXPIRES
02/29/2012

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

JEFF KOLODZINSKI
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

AMENDMENT 1 IN BOLD
NEWARK LIBERTY INTERNATIONAL AIRPORT AND NJ MARINE TERMINAL, NEWARK, NJ

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

AMENDMENT 1 IN BOLD - (1) The following may be lethally taken:

- a. 300 Canada Geese
- b. 400 Herring, Great Black-backed, Ring-billed, and Laughing gulls in any species combination
- c. 100 Marllard, 25 Nest and Egg Destruction
- d. 25 Double-crested cormorants
- e. 200 Mourning Doves
- f. 50 Barn Swallows, 10 Nest and Egg Destruction
- g. 50 Killdeer, 20 Nest and Egg Destruction
- h. 50 American black ducks
- i. 15 Gadwall

(2) The following may be live-trapped and relocated:

- a. 50 American Kestrel
- b. 25 of each: Northern Harrier, and Red-Tailed Hawk
- c. 5 Snowy Owl

Alternatively, authorized to lethally take when relocation is not possible.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <<http://www.fws.gov/migratorybirds/mbppermits.html>>

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 6/29/11

ISSUED BY

V. Jacobs

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

James P. Powers
Wildlife Permits Unit

DATE

06/22/2011

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at **413-253-8643**. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: Employees of Newark Liberty International Airport and employees of USDA APHIS 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, may exercise the authority of this permit.

K. 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: Newark, NJ 908-787-1321

*For Canada Geese Egg Addling and Nest Destruction you **MUST** register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.



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. 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 <http://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 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.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. 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.

9. 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 letters you have provided.
10. 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.
11. 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.
12. 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.
13. 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 - 2/24/2011)



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 113
50 CFR 21.41

1. PERMITTEE

THE PORT AUTHORITY OF NY & NJ
dba NEWARK LIBERTY INTERNATIONAL AIRPORT
THE PORT AUTHORITY OF NY & NJ
225 PARK AVENUE SOUTH
9TH FLOOR
NEW YORK, NY 10003

3. NUMBER
MB671079-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2012

7. EXPIRES
02/28/2013

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

JEFF KOLODZINSKI
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

NEWARK LIBERTY INTERNATIONAL AIRPORT AND NJ MARINE TERMINAL, NEWARK, NJ

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- a. 400 Canada Geese
- b. 400 Herring, Great Black-backed, Ring-billed, and Laughing gulls in any species combination
- c. 200 Mallard, 25 Nest and Egg Destruction
- d. 25 Double-crested cormorants, Great Blue Heron, Great Egret, Wood Duck, and American Coot
- e. 300 Mourning Doves
- f. 75 Barn Swallows, 50 Nest and Egg Destruction
- g. 100 Killdeer, 25 Nest and Egg Destruction
- h. 50 American black ducks
- i. 30 Gadwall, 10 Nest and Egg Destruction
- J. 20 Tree Swallows
- k. 10 each Turkey and Black Vulture
- l. 10 American Robin

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 5/17/12

ISSUED BY

TITLE

DATE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

04/20/2012

- (2) The following may be live-trapped and relocated:
- a. 50 American Kestrel
 - b. 25 of each: Northern Harrier, and Red-Tailed Hawk
 - c. 5 Snowy Owl

Alternatively, authorized to lethally take when relocation is not possible.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at fax 413-253-8424. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: Employees of Newark Liberty International Airport and employees of USDA APHIS 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, may exercise the authority of this permit.

K. 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: Newark, NJ 908-787-1321.

*For Canada Geese Egg Addling and Nest Destruction you **MUST** register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

THE PORT AUTHORITY OF NY & NJ
NEWARK INTERNATIONAL AIRPORT
ATTN: LAURA FRANCOEUR
225 PARK AVENUE SOUTH, 9TH FLOOR
NEW YORK, NY 10003
U.S.A.

3. NUMBER
MB671079-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2013

7. EXPIRES
02/28/2014

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

9. TYPE OF PERMIT
DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

NEWARK LIBERTY INTERNATIONAL AIRPORT AND NJ MARINE TERMINAL, NEWARK, NJ

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.

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C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

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(1) The following may be lethally taken:

- a. 400 Canada Geese
- b. 400 Herring, Great Black-backed, Ring-billed, and Laughing gulls in any species combination
- c. 200 Mallard; 25 Nest and Egg Destruction
- d. 25 Double-crested cormorants, Great Blue Heron, Great Egret, Wood Duck, and American Coot
- e. 300 Mourning Doves
- f. 75 Barn Swallows, 50 Nest and Egg Destruction
- g. 100 Killdeer, 25 Nest and Egg Destruction
- h. 50 American black ducks
- i. 30 Gadwall; 10 Nest and Egg Destruction
- j. 20 Tree Swallows
- k. 10 each Turkey and Black Vulture
- l. 10 American Robin

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 2/19/13

ISSUED BY

Peggy L. Labonte

Jean...
WILDLIFE PERMITS UNIT
CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

02/05/2013

- (2) The following may be live-trapped and relocated:
- a. 50 American Kestrel and Red-Tailed Hawk
 - b. 25 of each: Northern Harrier
 - c. 5 Snowy Owl

Alternatively, authorized to lethally take when relocation is not possible.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken.

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F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at fax **413-253-8424**. The Repository will provide directions for shipment of these specimens.

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H. You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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

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*For Canada Geese Egg Adling and Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.



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>.

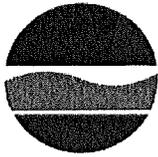
1. To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods of harassment in conjunction with lethal control.
[Note: Explosive Pest Control Devices (EPCDs) are regulated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). If you plan to use EPCDs, you require a Federal explosives permit, unless you are exempt under 27 CFR 555.141. Information and contacts may be found at <http://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/angered>.

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 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)



New York State Department of Environmental Conservation
 Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
 625 Broadway
 Albany, NY 12233-4752
 Phone Number (518) 402-8985
 Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

License Type: Depredation: Airports

License Number: 30

Licensee:

LAURA C FRANCOEUR
 THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
 JFK INTERNATIONAL AIRPORT BLDG 14 3RD FLR
 JAMAICA, NY 11430

Fee Amount: \$00

Effective Date: 02/28/2010

Expiration Date: 03/31/2011

Region: 2 County: QUEENS

Home Phone Number:

DOB:

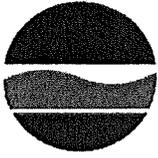
Business Phone Number: (718) 244-3773

Statutory Authority:

6NYCRR	Part 175	6NYCRR	Part 182
ECL	11-0505(5)	ECL	11-0521
ECL	11-0535	Federal	16 USC 703-712
Federal	50 CFR Part 13	Federal	50 CFR Part 21.41

Conditions:

1. A. The licensee shall file a written annual report no less than forty-five (45) days prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, e) number of individuals shooting, and f) location of shooting positions and hours of operation, to the NYS DEC Regional Wildlife Manager. The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.
- B. The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport. Activities to reduce bird attractants shall include:
 1. vegetation management;
 2. insect control;
 3. solid waste management;
 4. water retention management;
 5. removal of food sources and garbage from the airport;
 6. and, landscape management.
 The licensee shall update the previous years report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.
- C. The falconry staff shall keep a daily log of all activities, which shall include the number of birds flown, locations, times, dates, gull interactions and interactions with any endangered/threatened species. This log shall be confirmed by appropriate representatives of the PA prior to submission to the Department at the conclusion of the falconry activities. The licensee shall submit an annual report summarizing falconry procedures to the Regional Wildlife Manager, Mr. Joseph Pane.

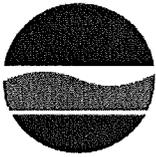


New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions:

2.
 - A. This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee must comply with all terms and conditions of the Federal Permit.
 - B. The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit, 625 Broadway, Albany, NY 12233-4752 no less than forty-five (45) days prior to the expiration of this license.
 - C. The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing to the NYS DEC Special Licenses Unit by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent. This list shall be current and on file at the NYS DEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.
 - D. The licensee shall not take any endangered or threatened species or species of special concern using lethal control techniques.
 - E. This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation's Region 2 Wildlife Manager at (718) 482-4922.
 - F. The licensee and/or designated agents shall carry a copy of this license when conducting activities authorized by this license and shall display a copy of this license when requested.
3.
 - A. The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at John F. Kennedy International Airport (JFK), Jamaica, Queens County, New York.
 - B. The licensee is authorized to use lethal control methods (pursuant to take limits provided by Federal License MB816581-0) on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering JFK airspace or when immediate removal of birds is required to protect human health or safety. Lethal control methods include:
 1. shooting, using shotguns and non-toxic shot only;
 2. trapping, using modified Bal-Chatri noose traps;
 3. treatment of nests and eggs of Canada geese (*Branta canadensis*);
 4. removal of nests and eggs of Double-crested cormorants (*Phalacrocorax auritus*);
 5. removal of nests and eggs of American oystercatchers (*Haematopus palliatus*);
 6. and removal of inactive (NO EGGS or CHICKS) Osprey nests, and beginning nest structures (i.e. twigs, sticks, etc.)
 - C. The licensee is authorized to take no more than 10 (ten) osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.
 - D. Control measures shall include non-lethal techniques designed to frighten migratory birds from the hazard areas.
 - E. Lethal control techniques may be used only when alternative methods have failed or when immediate removal of offending animals is required to protect human health and safety.
 - F. Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.
 - G. The licensee is authorized in emergency situations only to take, trap, or relocate any migratory birds, nests and eggs (except bald eagles, golden eagles or endangered or threatened species with the exception of osprey listed in Condition 3.C. above) when the migratory birds, nests or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.
 - H. The licensee and/or designated agents shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration. If any endangered or threatened species are found dead, the licensee shall immediately freeze and hold the carcasses and shall notify the NYS Department of Environmental Conservation Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.
 - I. The licensee shall conduct a census of the laughing gull nesting colony at Joco, East High Meadow and Silver Hole Marshes, Gateway National Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.



New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions:

4.
 - A. The licensee is further authorized to designate licensed falconers to possess, train and use falconry birds (list to be provided by the licensee) to control gull activity at JFK. Such designated licensed falconers are also authorized to use noise making equipment, pyrotechnics and gun shot in connection with the falconry procedures. The taking and harassment of gulls by falconry techniques is not permitted without a corresponding Federal Permit from the USFWS.
 - B. The licensee is responsible for all actions taken by designated falconry staff while undertaking gull control activities at JFK. Port Authority (PA) Staff shall actively monitor and direct falconry staff so that they comply with all applicable State and Federal Regulations and license conditions.
 - C. Falconry staff shall only operate on PA property. They shall not enter the adjacent wildlife refuge and shall control the movements of their raptors to the maximum degree possible. Raptors shall not be flown closer than one quarter (1/4) mile from the laughing gull nesting colony in Jamaica Bay.
5.
 - A. Please read all license conditions BEFORE conducting any activity pursuant to this license.
 - B. The licensee assumes all liability and responsibility for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.
 - C. This license may be revoked for any of the following reasons:
 - i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
 - ii. failure by the licensee to comply with any terms or conditions of this license;
 - iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
 - iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the Department directly related to the licensed activity;
 - v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the Department for insufficient funds or nonpayment after the license has been issued.
 - D. The renewal of this license is the responsibility of the licensee. This license is deemed expired on the date of expiration listed on the license unless otherwise notified by the Department.
 - E. Direct all questions concerning this license to the Special Licenses Unit (518) 402-8985.



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 145 - 2ND FLOOR
JAMAICA, NY 11430
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB816581-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2010

7. EXPIRES
02/28/2011

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDEATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ALL PROPERTY BELONGING TO J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY
TEL: 718-244-3773

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 8,100 Laughing gulls;
- (b) 1,500 Herring gulls;
- (c) 800 Atlantic brant;
- (d) 50 American black ducks;
- (e) 400 Great black-backed gulls;
- (f) 600 Ring-billed gulls;
- (g) 300 Canada geese and Double-crested cormorants;
- (h) 20 American oystercatchers;
- (i) 150 Tree swallows;
- (j) 200 Mourning doves;
- (k) 100 Mallards;
- (l) 30 Killdeer;

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT FOR CALENDAR YEAR 2010 DUE WITH RENEWAL FORM: (A) SPECIES, NUMBERS, DATES, AND DISPOSITION OF BIRDS TAKEN; (B) REPORT ON THE PERMITTEE'S NON-LETHAL MANAGEMENT ACTIVITIES; AND (C) DESCRIPTION OF STAFF INVOLVED IN BIRD CONTROL ACTIVITIES.

ISSUED BY

Valerie Francis

TITLE

ARD, MIGRATORY BIRDS & STATE PROGRAMS

DATE

02/17/2010

(2) The following may be live-trapped and relocated:

- (a) 5 American kestrels.
- (b) 10 Osprey

Alternatively authorized to kill these birds, when capture or relocation is not possible.

(3) The following active nests (including eggs) may be destroyed:

300 Double-crested cormorant nests, and 25 American oystercatcher nests, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. (NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).

(4) Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

State restrictions: Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office, Hadley, MA, by faxing 413-253-8424, within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8643. The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: (1) firearms; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of the Port Authority of New York and New Jersey; employees of USDA/APHIS/Wildlife Services and employees of Falcon Environmental 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, may exercise the authority of this permit.

K. You and any subpermittee(s) **MUST** comply with the attached Standard Conditions for Migratory Bird Depredation Permits

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Valley Stream, NY: 516-825-3950



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. The standard conditions below are additional provisions and conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the 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: www.fws.gov/permits/mbpermits/birdbasics.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.
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: 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 or 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.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. 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,
 - (b) donated to a public educational or scientific institution as defined by 50 CFR 10, or
 - (c) completely destroyed by burial or incineration.
9. 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 letters you have provided.
10. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever you are exercising its authority.

11. 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.
12. 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.
13. 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: 4/7/2008)



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

3-201
(1-97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 145 - 2ND FLOOR
JAMAICA, NY 11430
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB816581-0

4. RENEWABLE

YES
 NO

5. MAY COPY

YES
 NO

6. EFFECTIVE

03/01/2011

7. EXPIRES

02/29/2012

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ALL PROPERTY BELONGING TO J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY
TEL: 718-244-3773

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 5,500 Laughing gulls,
- (b) 1,500 Herring gulls,
- (c) 800 Atlantic brant
- (d) 50 American black ducks,
- (e) 400 Great black-backed gulls
- (f) 600 Ring-billed gulls
- (g) 300 Canada geese and Double-crested cormorants
- (h) 20 American oystercatchers,
- (i) 200 Mourning doves,
- (j) 100 Mallards
- (k) 30 Killdeer

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT FOR CALENDAR YEAR 2010 DUE WITH RENEWAL FORM: (A) SPECIES, NUMBERS, DATES, AND DISPOSITION OF BIRDS TAKEN; (B) REPORT ON THE PERMITTEE'S NON-LETHAL MANAGEMENT ACTIVITIES; AND (C) DESCRIPTION OF STAFF INVOLVED IN BIRD CONTROL ACTIVITIES.

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

04/05/2011

(2) The following may be live-trapped and relocated:

- (a) 5 American kestrels,
- (b) 10 Osprey

Alternatively authorized to kill these birds, when capture or relocation is not possible.

(3) The following active nests (including eggs) may be destroyed:

300 Double-crested cormorant nests, and 25 American oystercatcher nests, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. (NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).

(4) Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

State restrictions: Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at **413-253-8643**. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) firearms; (2) nets; (3) registered animal drugs (excluding ncarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: **Employees of the Port Authority of NY & NJ; employees of Falcon Environmental Services and employees of USDA/APHIS/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, may exercise the authority of this permit.

K. 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: Valley Stream, NY: 516-825-3950



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.
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 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.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. 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.
9. 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 letters you have provided.
10. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever you are exercising its authority.

(page 1 of 2)

11. 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.
12. 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.
13. 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 - 1/1/2011)

(page 2 of 2)



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

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 145 - 2ND FLOOR
JAMAICA, NY 11430
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB816581-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2012

7. EXPIRES
02/28/2013

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ALL PROPERTY BELONGING TO J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 5,500 Laughing gulls,
- (b) 1,500 Herring gulls,
- (c) 800 Atlantic brant
- (d) 50 American black ducks,
- (e) 400 Great black-backed gulls
- (f) 600 Ring-billed gulls
- (g) 300 Canada geese and Double-crested cormorants
- (h) 20 American oystercatchers,
- (i) 500 Mourning doves,
- (j) 100 Mallards
- (k) 30 Killdeer
- (l) 25 Barn Swallows
- (m) 10 Tree Swallows

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT IS DUE WITH NEXT RENEWAL
REPORT FORMS CAN BE FOUND AT: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

03/21/2012

- (n) 25 Snow Buntings
- (o) 5 Gadwall

Lethal take is not to be the primary means of control. Active hazing, harassment or other non-lethal techniques must continue in conjunction with any lethal take of migratory birds.

(2) The following may be live-trapped and relocated: 5 American kestrels and 10 Osprey. Alternatively authorized to kill these birds, when capture or relocation is not possible.

(3) The following active nests (including eggs) may be destroyed: Up to 10 Killdeer nest, 10 Barn Swallow nests, 2 Gadwall nests, 300 Double-crested cormorant nests, and 25 American oystercatcher nests, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. (NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).

(4) Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

State restrictions: Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at **413-253-8424(fax)**. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

I. You may temporarily possess and stabilize sick and injured migratory birds and immediately transport them to a federally

licensed rehabilitator for care.

J. The following subpermittees are authorized: **Employees of the Port Authority of NY & NJ; employees of Falcon Environmental Services and employees of USDA/APHIS/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, may exercise the authority of this permit.

K. 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: Valley Stream, NY: 516-825-3950



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>.

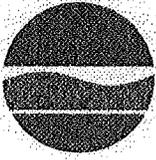
1. To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods of harassment in conjunction with lethal control.
[Note: Explosive Pest Control Devices (EPCDs) are regulated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). If you plan to use EPCDs, you require a Federal explosives permit, unless you are exempt under 27 CFR 555.141. Information and contacts may be found at <http://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>.

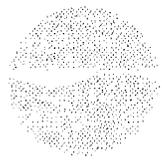
5. If you encounter a migratory bird with a Federal band issued by the U.S. Geological Survey Bird Banding Laboratory, Laurel, MD, report the band number to 1-800-327-BAND or <http://www.reportband.gov>.
6. This permit does not authorize take or release of any migratory birds, nests, or eggs on Federal 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)



New York State Department of Environmental Conservation
 Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
 625 Broadway
 Albany, NY 12233-4752
 Phone Number: (518) 402-8985
 Fax Number: (518) 402-8925



NEW YORK STATE FISH AND WILDLIFE LICENSE

License Type: Depredation: Airports

License Number: 20

Licensee:

LAURA C FRANCOEUR
 THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
 JFK INTERNATIONAL AIRPORT, BUILDING 14, 3RD FLOI
 JAMAICA, NY 11430

Fee Amount: \$ 00

Effective Date: 08/31/2007

Expiration Date: 08/31/2008

Region: 2 County: QUEENS

Home Phone Number

DOB:

Business Phone Number: (718) 244-3773

Statutory Authority:

Federal 16 USC 703-712

Federal 50 CFR Part 21.41

Federal 50 CFR Part 13

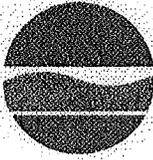
ECL 11-0505(5)

ECL 11-0521

6NYCRR Part 175

Conditions:

1.
 - A. Please read all license conditions BEFORE conducting any activity pursuant to this license.
 - B. The licensee assumes all liability and responsibility for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.
 - C. This license may be revoked for any of the following reasons:
 - i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
 - ii. failure by the licensee to comply with any terms or conditions of this license;
 - iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
 - iv. licensee falls to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the Department directly related to the licensed activity;
 - v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the Department for insufficient funds or nonpayment after the license has been issued.
 - D. The renewal of this license is the responsibility of the licensee. This license is deemed expired on the date of expiration listed on the license unless otherwise notified by the Department.
 - E. Direct all questions concerning this license to the Special Licenses Unit (518) 402-8985.
2.
 - A. This license is NOT VALID without a corresponding Federal Permit from the US Fish and Wildlife Service.
 - B. The licensee MUST submit a duplicate set of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit, 625 Broadway, Albany, NY 12233-4752 within 30 days of the expiration of this license (Original reports must be sent to the Federal Permit Office - send ONLY copies to NYS DEC).

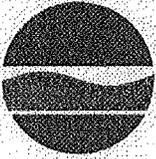


New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number: (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions:

3. A. The licensee and/or designated agents are authorized to use non-lethal control methods on migratory birds that are creating or will create a hazard to human health or safety at John F. Kennedy International Airport (JFK), Jamaica, Queens County, New York. Non-lethal control methods include the following:
1. use of noise making equipment, including cannons, pyrotechnics, guns, etc.;
 2. harassment by bird control staff;
 3. vegetation management;
 4. removal of potential food and water sources in the vicinity of runways;
 5. and any other method which the Department determines, in writing, is acceptable.
- B. The licensee and/or designated agents are authorized to use lethal control methods on migratory birds, except endangered/threatened species (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering JFK airspace or when immediate removal of birds is required to protect human health or safety. Lethal control methods include:
1. shooting, using shotguns and non-toxic shot only;
 2. trapping, using modified Bal-Chatral noose traps;
 3. treatment of nests and eggs of Canada geese;
 4. removal of nests and eggs of Double-crested cormorants;
 5. removal of nests and eggs of American oystercatchers;
 6. and removal of inactive (NO EGGS or CHICKS) Osprey nests, and beginning nest structures (i.e. twigs, sticks, etc.)
- C. Prior to shooting migratory birds pursuant to this license, the licensee shall certify to the Department, in writing, that the non-lethal control methods identified above are being implemented at JFK. Employees of the Department are authorized to enter the licensed premises at any time to ensure that such non-lethal control methods are being implemented.
- D. Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.
- E. If, for any five (5) consecutive days, the number of herring, ring-billed and great black-backed gulls taken by the licensee and/or designated agents exceeds ten percent (10%) of the daily total take, the licensee shall immediately notify the NYS DEC Regional Wildlife Manager, (718) 482-4922.
- F. The licensee shall submit bi-weekly reports during any period when lethal control methods are being used, that includes number of birds shot or found dead on the property, by species, number of individuals shooting, location of shooting positions and hours of operation, to the NYS DEC Regional Wildlife Manager and shall consult with him as deemed appropriate.
- G. The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport. Activities to reduce bird attractants shall include:
1. vegetation management;
 2. insect control;
 3. solid waste management;
 4. water retention management;
 5. removal of food sources and garbage from the airport;
 6. and, landscape management.
- The licensee shall update the previous years report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.
- H. The licensee and/or designated agents shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by burial and/or incineration.
- I. The licensee shall conduct a census of the laughing gull nesting colony at Joco, East High Meadow and Silver Hole Marshes, Gateway National Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.
- J. The licensee may designate agents to conduct activities authorized by this license. Such designations MUST be made in writing to the NYS DEC Special Licenses Unit by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent. This list MUST be on file at the NYS DEC Special Licenses Unit. The licensee is responsible for all actions take by designated agents under this license.
- K. The licensee is further authorized to designate licensed falconers to possess, train and use falconry birds (list to be provided by the licensee) to control gull activity at JFK. Such designated staff is also authorized to use noise making equipment, pyrotechnics and gun shot in connection with the falconry procedures. The taking and harassment of gulls by falconry techniques is not permitted without a corresponding Federal Permit from the USFWS.
- L. The licensee is responsible for all actions taken by designated falconry staff while undertaking gull control activities at JFK. Port Authority (PA) Staff shall actively monitor and direct falconry staff so that they comply with all applicable State and Federal Regulations and license conditions.
- M. Falconry staff shall only operate on PA property. They shall not enter the adjacent wildlife refuge and shall control the movements of



New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions: The raptors to the maximum degree possible. Raptors shall NOT be flown closer than 1/4 mile from the laughing gull nesting colony in Jamaica Bay.

N. The PA shall coordinate the activities of the falconry staff with representatives of the National Park Service (Park). The PA shall ensure that the Park is aware of any entry into the Park property, any associated impacts and complies with Park staff directives.

O. The falconry staff shall keep a daily log of all activities, which shall include the number of birds flown, locations, times, dates, gull interactions and interactions with any endangered/threatened species. This log shall be confirmed by appropriate representatives of the PA prior to submission to the Department at the conclusion of the falconry activities. The licensee shall submit a bi-weekly report summarizing falconry procedures to the Regional Wildlife Manager, Mr. Joseph Pane.

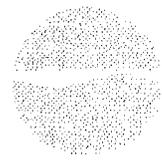
P. This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the Department at (718) 482-4922.

Q. The licensee shall cease activities if any interactions are observed with NYS designated endangered/threatened species, including peregrine falcons, northern harrier and common tern (6 NYCRR Part 182). Such interactions shall be reported to the Department at (718) 482-4922.

R. This license is invalid without a corresponding Federal Permit. The licensee must comply with all terms and conditions of the Federal Permit.



New York State Department of Environmental Conservation
 Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
 625 Broadway
 Albany, NY 12233-4752
 Phone Number (518) 402-8985
 Fax Number: (518) 402-8925



NEW YORK STATE FISH AND WILDLIFE LICENSE

License Type: Depredation: Airports

License Number: 30

Licensee:

LAURA C FRANCOEUR
 THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
 JFK INTERNATIONAL AIRPORT, BLDG 14, 3RD FLR
 JAMAICA, NY 11430

Fee Amount: \$ 00

Effective Date: 06/27/2008

Expiration Date: 02/28/2009

Region: 2 County: QUEENS

Home Phone Number

DOB:

Business Phone Number: (718) 244-3773

Statutory Authority:

Federal 16 USC 703-712

Federal 50 CFR Part 21.41

Federal 50 CFR Part 13

ECL 11-0605(5)

ECL 11-0524

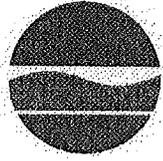
6NYCRR Part 175

Conditions:

1.

A. This license is NOT VALID without a corresponding Federal Permit from the US Fish and Wildlife Service.

B. The licensee MUST submit a duplicate set of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit, 625 Broadway, Albany, NY 12233-4752 within 30 days of the expiration of this license (Original reports must be sent to the Federal Permit Office - send ONLY copies to NYS DEC).

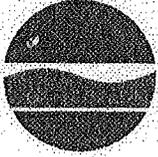


New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions:

2. A. The licensee and/or designated agents are authorized to use non-lethal control methods on migratory birds that are creating or will create a hazard to human health or safety at John F. Kennedy International Airport (JFK), Jamaica, Queens County, New York. Non-lethal control methods include the following:
1. use of noise making equipment, including cannons, pyrotechnics, guns, etc.;
 2. harassment by bird control staff;
 3. vegetation management;
 4. removal of potential food and water sources in the vicinity of runways;
 5. and any other method which the Department determines, in writing, is acceptable.
- B. The licensee and/or designated agents are authorized to use lethal control methods on migratory birds, except endangered/threatened species (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering JFK airspace or when immediate removal of birds is required to protect human health or safety. Lethal control methods include:
1. shooting, using shotguns and non-toxic shot only;
 2. trapping, using modified Bal-Chatri noose traps;
 3. treatment of nests and eggs of Canada geese;
 4. removal of nests and eggs of Double-crested cormorants;
 5. removal of nests and eggs of American oystercatchers;
 6. and removal of inactive (NO EGGS or CHICKS) Osprey nests, and beginning nest structures (i.e. twigs, sticks, etc.)
- C. Prior to shooting migratory birds pursuant to this license, the licensee shall certify to the Department, in writing, that the non-lethal control methods identified above are being implemented at JFK. Employees of the Department are authorized to enter the licensed premises at any time to ensure that such non-lethal control methods are being implemented.
- D. Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.
- E. If, for any five (5) consecutive days, the number of herring, ring-billed and great black-backed gulls taken by the licensee and/or designated agents exceeds ten percent (10%) of the daily total take, the licensee shall immediately notify the NYS DEC Regional Wildlife Manager, (718) 482-4922.
- F. The licensee shall submit bi-weekly reports during any period when lethal control methods are being used, that includes number of birds shot or found dead on the property, by species, number of individuals shooting, location of shooting positions and hours of operation, to the NYS DEC Regional Wildlife Manager and shall consult with him as deemed appropriate.
- G. The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport. Activities to reduce bird attractants shall include:
1. vegetation management;
 2. insect control;
 3. solid waste management;
 4. water retention management;
 5. removal of food sources and garbage from the airport;
 6. and, landscape management.
- The licensee shall update the previous years report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.
- H. The licensee and/or designated agents shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by burial and/or incineration.
- I. The licensee shall conduct a census of the laughing gull nesting colony at Joco, East High Meadow and Silver Hole Marshes, Gateway National Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.
- J. The licensee may designate agents to conduct activities authorized by this license. Such designations MUST be made in writing to the NYS DEC Special Licenses Unit by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent. This list MUST be on file at the NYS DEC Special Licenses Unit. The licensee is responsible for all actions take by designated agents under this license.
- K. The licensee is further authorized to designate licensed falconers to possess, train and use falconry birds (list to be provided by the licensee) to control gull activity at JFK. Such designated staff is also authorized to use noise making equipment, pyrotechnics and gun shot in connection with the falconry procedures. The taking and harassment of gulls by falconry techniques is not permitted without a corresponding Federal Permit from the USFWS.
- L. The licensee is responsible for all actions taken by designated falconry staff while undertaking gull control activities at JFK. Port Authority (PA) Staff shall actively monitor and direct falconry staff so that they comply with all applicable State and Federal Regulations and license conditions.
- M. Falconry staff shall only operate on PA property. They shall not enter the adjacent wildlife refuge and shall control the movements of



New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions: The raptors to the maximum degree possible. Raptors shall NOT be flown closer than 1/4 mile from the laughing gull nesting colony in Jamaica Bay.

N. The PA shall coordinate the activities of the falconry staff with representatives of the National Park Service (Park). The PA shall ensure that the Park is aware of any entry into the Park property, any associated impacts and complies with Park staff directives.

O. The falconry staff shall keep a daily log of all activities, which shall include the number of birds flown, locations, times, dates, gull interactions and interactions with any endangered/threatened species. This log shall be confirmed by appropriate representatives of the PA prior to submission to the Department at the conclusion of the falconry activities. The licensee shall submit a bi-weekly report summarizing falconry procedures to the Regional Wildlife Manager, Mr. Joseph Pane.

P. This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the Department at (718) 482-4922.

Q. The licensee shall cease activities if any interactions are observed with NYS designated endangered/threatened species, including peregrine falcons, northern harrier and common tern (6 NYCRR Part 182). Such interactions shall be reported to the Department at (718) 482-4922.

R. This license is invalid without a corresponding Federal Permit. The licensee must comply with all terms and conditions of the Federal Permit.

3. A. Please read all license conditions BEFORE conducting any activity pursuant to this license.

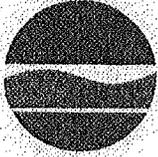
B. The licensee assumes all liability and responsibility for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

C. This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the Department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the Department for insufficient funds or nonpayment after the license has been issued.

D. The renewal of this license is the responsibility of the licensee. This license is deemed expired on the date of expiration listed on the license unless otherwise notified by the Department.

E. Direct all questions concerning this license to the Special Licenses Unit (518) 402-8985.



New York State Department of Environmental Conservation
 Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
 625 Broadway
 Albany, NY 12233-4752
 Phone Number (518) 402-8985
 Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

License Type: Depredation: Airports

License Number: 30

Licensee:

LAURA C FRANCOEUR
 THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY
 JFK INTERNATIONAL AIRPORT BLDG 14 3RD FLR
 JAMAICA, NY 11430

Fee Amount: \$.00

Effective Date: 02/28/2009

Expiration Date: 02/28/2010

Region: 2 County: QUEENS

Home Phone Number

DOB:

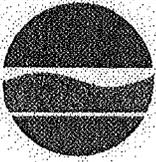
Business Phone Number: (718) 244-3773

Statutory Authority:

6NYCRR	Part 175	6NYCRR	Part 182
ECL	11-0505(5)	ECL	11-0521
ECL	11-0535	Federal	16 USC 703-712
Federal	50 CFR Part 13	Federal	50 CFR Part 21.41

Conditions:

1. A. Please read all license conditions BEFORE conducting any activity pursuant to this license.
- B. The licensee assumes all liability and responsibility for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.
- C. This license may be revoked for any of the following reasons:
 - i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
 - ii. failure by the licensee to comply with any terms or conditions of this license;
 - iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
 - iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the Department directly related to the licensed activity;
 - v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the Department for insufficient funds or nonpayment after the license has been issued.
- D. The renewal of this license is the responsibility of the licensee. This license is deemed expired on the date of expiration listed on the license unless otherwise notified by the Department.
- E. Direct all questions concerning this license to the Special Licenses Unit (518) 402-8985.

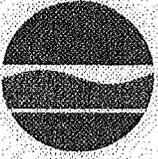


New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions:

2.
 - A. This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee must comply with all terms and conditions of the Federal Permit.
 - B. The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit, 625 Broadway, Albany, NY 12233-4752 no less than forty-five (45) days prior to the expiration of this license.
 - C. The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing to the NYS DEC Special Licenses Unit by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent. This list shall be current and on file at the NYS DEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.
 - D. The licensee shall not take any endangered or threatened species or species of special concern using lethal control techniques.
 - E. This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation's Region 2 Wildlife Manager at (718) 482-4922.
 - F. The licensee and/or designated agents shall carry a copy of this license when conducting activities authorized by this license and shall display a copy of this license when requested.
3.
 - A. The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at John F. Kennedy International Airport (JFK), Jamaica, Queens County, New York.
 - B. The licensee is authorized to use lethal control methods (pursuant to take limits provided by Federal License MB816581-0) on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering JFK airspace or when immediate removal of birds is required to protect human health or safety. Lethal control methods include:
 1. shooting, using shotguns and non-toxic shot only;
 2. trapping, using modified Bal-Chatri noose traps;
 3. treatment of nests and eggs of Canada geese (*Branta canadensis*);
 4. removal of nests and eggs of Double-crested cormorants (*Phalacrocorax auritus*);
 5. removal of nests and eggs of American oystercatchers (*Haematopus palliatus*);
 6. and removal of inactive (NO EGGS or CHICKS) Osprey nests, and beginning nest structures (i.e. twigs, sticks, etc.)
 - C. Control measures shall include non-lethal techniques designed to frighten migratory birds from the hazard areas.
 - D. Lethal control techniques may be used only when alternative methods have failed or when immediate removal of offending animals is required to protect human health and safety.
 - E. Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.
 - F. The licensee is authorized in emergency situations only to take, trap, or relocate any migratory birds, nests and eggs (except bald eagles, golden eagles or endangered or threatened species) when the migratory birds, nests or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.
 - G. The licensee and/or designated agents shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration. If any endangered or threatened species are found dead, the licensee shall immediately freeze and hold the carcasses and shall notify the NYS Department of Environmental Conservation Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.
 - H. The licensee shall conduct a census of the laughing gull nesting colony at Joco, East High Meadow and Silver Hole Marshes, Gateway National Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.
4.
 - A. The licensee is further authorized to designate licensed falconers to possess, train and use falconry birds (list to be provided by the licensee) to control gull activity at JFK. Such designated licensed falconers are also authorized to use noise making equipment, pyrotechnics and gun shot in connection with the falconry procedures. The taking and harassment of gulls by falconry techniques is not permitted without a corresponding Federal Permit from the USFWS.
 - B. The licensee is responsible for all actions taken by designated falconry staff while undertaking gull control activities at JFK. Port Authority (PA) Staff shall actively monitor and direct falconry staff so that they comply with all applicable State and Federal Regulations and license conditions.
 - C. Falconry staff shall only operate on PA property. They shall not enter the adjacent wildlife refuge and shall control the movements of their raptors to the maximum degree possible. Raptors shall not be flown closer than one quarter (1/4) mile from the laughing gull nesting colony in Jamaica Bay.



New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources - Special Licenses Unit
625 Broadway
Albany, NY 12233-4752
Phone Number (518) 402-8985
Fax Number: (518) 402-8925

NEW YORK STATE FISH AND WILDLIFE LICENSE

Conditions:

5. A. The licensee shall file a written annual report no less than forty-five (45) days prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, e) number of individuals shooting, and f) location of shooting positions and hours of operation, to the NYS DEC Regional Wildlife Manager. The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.
- B. The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport. Activities to reduce bird attractants shall include:
1. vegetation management;
 2. insect control;
 3. solid waste management;
 4. water retention management;
 5. removal of food sources and garbage from the airport;
 6. and, landscape management.
- The licensee shall update the previous years report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.
- C. The falconry staff shall keep a daily log of all activities, which shall include the number of birds flown, locations, times, dates, gull interactions and interactions with any endangered/threatened species. This log shall be confirmed by appropriate representatives of the PA prior to submission to the Department at the conclusion of the falconry activities. The licensee shall submit an annual report summarizing falconry procedures to the Regional Wildlife Manager, Mr. Joseph Pane.



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:
LAURA C FRANCOEUR
THE PORT AUTHORITY OF NY AND NJ,
ATTN: LAURA FRANCOEUR
225 PARK AVE., SOUTH R-1209
NEW YORK, NY 10003

Facility:
JFK INTERNATIONAL AIRPORT
JOHN F KENNEDY EXPRY

JAMAICA, NY 11430

(718) 244-3773
COUNTY: QUEENS
REGION: 2

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 42

New License Effective Date: 4/11/2013 Expiration Date: 3/31/2014

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182



Depredation Licenses - Airport # 42

ECL 11-0535
6 NYCRR Part 175
ECL 11-0521
ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at JFK International Airport Queens County, New York.

2. DEPA – Authorization for Lethal Control Methods – JFK The licensee is authorized to use lethal control methods (pursuant to take limits provided by Federal License MB816581-0 on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering JFK International Airport airspace or when immediate removal of birds is required to protect human health or safety. Lethal control techniques include:

1. shooting, using shotguns and non-toxic shot only;
2. trapping, using modified Bal-Chatri noose traps;
3. treatment of nests and eggs of Canada geese (*Branta canadensis*);
4. removal of nests and eggs of double-crested cormorants (*Phalacrocorax auritus*);
5. removal of nests and eggs of American oystercatchers (*Haematopus palliatus*);
6. removal or inactive (No eggs or chicks) osprey (*Pandion haliaetus*).

3. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than 20 Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

4. DEPA – Federal Emergency Authorization with Exception The licensee is authorized in emergency situations only to take, using shotguns not larger than 10 gauge any migratory bird, (except bald eagles, golden eagles or endangered or threatened species with the exception of 20 Osprey (*Pandion haliaetus*) listed in Condition DEPA - Authorization for Lethal Control Methods Exception) when the migratory birds, are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

5. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).

6. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

7. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

8. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target
Issued License

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



Depredation Licenses - Airport # 42

species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation's Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

9. DEPA – Retrieval and Disposal of Carcasses The licensee shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.

10. DEPA – Reporting Endangered or Threatened Species Found Dead The licensee shall immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.

11. DEP –ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

12. DEPA – Laughing Gull Nesting Colony Census – JFK The licensee shall conduct a census of the laughing gull (*Larus atricilla*) colony at Joco, East High Meadow and Silver Hole Marshes, Gateway National Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.

13. DEPA – Status Report Requirement – JFK The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport. Activities to reduce bird attractants shall include:

1. vegetation management;
2. insect control;
3. solid waste management;
4. water retention management;
5. removal of food sources and garbage from the airport;
6. landscape management.

The licensee shall update the previous year's report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.

14. DEPA – Reporting Requirement - Regional Manager The licensee shall file a written annual report prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, and e) number of individuals shooting. The licensee shall send this report to

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.

15. DEP - ALL – Licensee Shall Submit copies of Federal Reports The licensee shall submit copies of
Issued License



Depredation Licenses - Airport # 42

all reports required under their Federal Permit to the NYS DEC Special Licenses Unit at the address listed on the front of this license prior to the expiration of this license.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

- 1. GC – Licensee Shall Read All Conditions** The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.
- 2. GC – License is Not Transferrable** This license is not transferrable and is valid only for the person identified as the licensee.
- 3. GC – Licensee Responsible for Federal, State or Local Permits/Licenses** The licensee is responsible for obtaining any and all necessary, corresponding Federal, State or local permits or licenses prior to conducting any activity authorized pursuant to this license.
- 4. GC – Reasons for Revocation** This license may be revoked for any of the following reasons:
 - i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
 - ii. failure by the licensee to comply with any terms or conditions of this license;
 - iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
 - iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
 - v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.
- 5. GC – Licensee Shall Carry Copy of License** The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.
- 6. GC – Licensee Shall Notify of Change of Address** The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.
- 7. GC – Licensee is Liable for Designated Agents** If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.
- 8. GC – Licensee Renewal** The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

Issued License



NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN- Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN – Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:

LAURA C FRANCOEUR
THE PORT AUTHORITY OF NY AND NJ
JFK INTERNATIONAL AIRPORT BLDG 145
2ND FLR
JAMAICA, NY 11430

Facility:

JFK INTERNATIONAL AIRPORT
JOHN F KENNEDY EXPRY
JAMAICA, NY 11430

(718) 244-3773
COUNTY: QUEENS

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 42

New License

Effective Date: 4/1/2012

Expiration Date: 3/31/2013

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182
ECL 11-0535



6 NYCRR Part 175
ECL 11-0521
ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at JFK International Airport, Queens County, New York.

2. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than 10 Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

3. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

4. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).

5. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

6. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation’s Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

7. DEP –ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

8. DEPA – Laughing Gull Nesting Colony Census – JFK The licensee shall conduct a census of the laughing gull (*Larus atricilla*) colony at Joco, East High Meadow and Silver Hole Marshes, Gateway National Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.



Depredation Licenses - Airport # 42

9. DEPA – Status Report Requirement – JFK The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport.

Activities to reduce bird attractants shall include:

1. vegetation management;
2. insect control;
3. solid waste management;
4. water retention management;
5. removal of food sources and garbage from the airport;
6. landscape management.

The licensee shall update the previous year's report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

3. GC – Licensee Responsible for Federal, State or Local Permits/Licenses The licensee is responsible for obtaining any and all necessary, corresponding Federal, State or local permits or licenses prior to conducting any activity authorized pursuant to this license.

4. GC – Reasons for Revocation This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

5. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.

6. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

7. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.



8. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN– Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN – Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:

LAURA C FRANCOEUR
THE PORT AUTHORITY OF NY AND NJ
JFK INTERNATIONAL AIRPORT BLDG 14
3RD FLR
JAMAICA, NY 11430

Facility:

JFK INTERNATIONAL AIRPORT
JOHN F KENNEDY EXPRY
JAMAICA, NY 11430

(718) 244-3773

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 42

New License

Effective Date: 4/1/2011

Expiration Date: 3/31/2012

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182
ECL 11-0535
6 NYCRR Part 175

ECL 11-0521

ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds and upland game birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at JFK International Airport Queens County, New York.

2. DEPA – Authorization for Lethal Control Methods – JFK The licensee is authorized to use lethal control methods (pursuant to take limits provided by Federal License MB816581-0 on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering JFK International Airport airspace or when immediate removal of birds is required to protect human health or safety. Lethal control techniques include:

1. shooting, using shotguns and non-toxic shot only;
2. trapping, using modified Bal-Chatri noose traps;
3. treatment of nests and eggs of Canada geese (*Branta canadensis*);
4. removal of nests and eggs of double-crested cormorants (*Phalacrocorax auritus*);
5. removal of nests and eggs of American oystercatchers (*Haematopus palliatus*);
6. removal or inactive (No eggs or chicks) osprey (*Pandion haliaetus*).

3. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than 10 Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

4. DEPA – Federal Emergency Authorization with Exception The licensee is authorized in emergency situations only to take, using shotguns not larger than 10 gauge any migratory bird, (except bald eagles, golden eagles or endangered or threatened species with the exception of 10 Osprey (*Pandion haliaetus*) listed in Condition DEPA - Authorization for Lethal Control Methods Exception) when the migratory birds, are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

5. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).

6. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

7. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

8. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation's Regional Wildlife Manager at

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Depredation Licenses - Airport # 42

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

9. DEPA – Retrieval and Disposal of Carcasses The licensee shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.

10. DEPA – Reporting Endangered or Threatened Species Found Dead The licensee shall immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.

11. DEP – ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

12. DEPA – Authority to Designate Licensed Falconers The licensee is authorized to designate licensed falconers to possess, train and use falconry birds (list to be provided by the licensee) to control gull activity at JFK. Such designated licensed falconers are also authorized to use noise making equipment, pyrotechnics and gun shot in connection with the falconry procedures. The taking and harassment of gulls by falconry techniques is not permitted without a corresponding Federal permit from the USFWS.

13. DEPA – Licensee Liable for Designated Licensed Falconers The licensee is liable for all actions taken by designated falconry staff while undertaking gull control activities at JFK. Port Authority staff shall actively monitor and direct falconry staff so that they comply with all applicable state and Federal regulations and license conditions.

14. DEPA- Location of Falconry Activities Falconry staff shall only operate on Port Authority property. Falconry staff shall not enter the adjacent wildlife refuge and shall control the movements of their raptors to the maximum degree possible. Raptors shall not be flown closer than one quarter (1/4) mile from the laughing gull nesting colony in Jamaica Bay.

15. DEPA – Falconry Log of Activities Falconry staff shall keep a daily log of all activities which shall include the number of birds flown, locations, times, dates, gull interactions and interactions with any endangered/threatened species. This log shall be confirmed by appropriate representatives of the Port Authority prior to submission to the Department at the conclusion of the falconry activities. The licensee shall submit an annual report summarizing falconry procedures to

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

16. DEPA – Laughing Gull Nesting Colony Census – JFK The licensee shall conduct a census of the laughing gull (*Larus atricilla*) colony at Joco, East High Meadow and Silver Hole Marshes, gateway national Recreation Area, Jamaica Bay, Queens County, prior to or immediately after implementation of shooting and prior to June 15.

Depredation Licenses - Airport # 42

17. DEPA – Status Report Requirement – JFK The licensee shall submit an annual status report that identifies specific activities that have been undertaken to reduce bird attractants both on and off the airport. Activities to reduce bird attractants shall include:

1. vegetation management;
2. insect control;
3. solid waste management;
4. water retention management;
5. removal of food sources and garbage from the airport;
6. landscape management.

The licensee shall update the previous year's report and identify activities accomplished, those still ongoing and those actions still in the planning stage. Estimated time frames shall be provided.

18. DEPA – Reporting Requirement - Regional Manager The licensee shall file a written annual report prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, and e) number of individuals shooting. The licensee shall send this report to

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – Reasons for Revocation This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

3. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.

4. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

Depredation Licenses - Airport # 42

5. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

6. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.

7. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

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FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 14 - 3RD FLOOR
JAMAICA, NY 11430
U.S.A.

2. AUTHORITY-STATUTES
16 USC 703-712

REGULATIONS (Attached)
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB816581-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2007

7. EXPIRES
02/29/2008

8. NAME AND TITLE OF PRINCIPAL OFFICER (if #1 is a business)
ROBERT H. JUNGE
MANAGER, AERONAUTICAL SERVICES

9. TYPE OF PERMIT
DEPREDDATION

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

**WITHIN THE PROPERTY BOUNDARIES OF J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY
TEL: 718-244-3773**

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. Authorized to kill, using shotgun, within runway and safety areas, up to:

- (a) 8,100 Laughing gulls,
- (b) 1,500 Herring gulls,
- (c) 300 of each: Atlantic brant, Great black-backed, and Ring-billed gulls,
- (d) 50 American black ducks,
- (e) 75 Double-crested cormorants,
- (f) 20 American oystercatchers,
- (g) 150 of each: Tree swallows and Mourning doves,
- (h) 100 of each: Canada geese and Mallards

E. Authorized to capture and relocate, using any legal techniques up to:

- (a) 5 American kestrels,
- (b) 10 Osprey

Alternatively authorized to kill these birds, when capture or relocation is not possible.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT FOR CALENDAR YEAR 2006 IS DUE 1/31/08: (A) SPECIES, NUMBERS, DATES, AND DISPOSITION OF BIRDS TAKEN; (B) REPORT ON THE PERMITTEE'S NON-LETHAL MANAGEMENT ACTIVITIES; AND (C) DESCRIPTION OF STAFF INVOLVED IN BIRD CONTROL ACTIVITIES.

ISSUED BY

Jedanne Dyer

TITLE

ARD, MIGRATORY BIRDS & STATE PROGRAMS

DATE

02/21/2007

F. Authorized to **destroy up to 50 Canada goose nests, 100 Double-crested cormorant nests, and 25 American oystercatcher nests**, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. **(NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).**

G. Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

H. **In cases of bona fide emergencies, you are authorized to take ANY MIGRATORY BIRD*, posing threat to human health, safety, AND/OR air traffic safety, using shotguns not larger than 10 gauge.** You may take additional numbers of the species identified above, and other species listed in 50 CFR 10.13 under this Condition. **However, if you kill birds under this Condition, you must submit a written report to the Federal issuing office within seven (7) days.** Information required includes the date taken, and the species and numbers of each. ***EXCEPTION: You may not take Federally endangered or threatened species listed in 50 CFR 17.11, including nests and eggs.** In the Northeast U.S., these include primarily Bald eagle, Piping plover, and Roseate tern, although other endangered or threatened species may occasionally occur. For a complete list, see: <http://endangered.fws.gov/wildlife.html>

I. A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

J. **State restrictions:** Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

K. Authorized Subpermittees: **Employees of the Port Authority of New York and New Jersey; employees of USDA/APHIS/Wildlife Services and employees of Falcon Environmental Services**

L. Permittee **MUST** also comply with the attached Depredation Permit Standard Conditions.



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 145 - 2ND FLOOR
JAMAICA, NY 11430
U.S.A.

3. NUMBER
MB816581-1 AMENDMENT

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/19/2013

7. EXPIRES
02/28/2014

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ALL PROPERTY BELONGING TO J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY

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.

AMENDMENT 1 IN BOLD AND UNDERLINED

D. You are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 5,500 Laughing gulls,
- (b) 1,500 Herring gulls,
- (c) 800 Atlantic brant
- (d) 50 American black ducks,
- (e) 400 Great black-backed gulls
- (f) 600 Ring-billed gulls
- (g) 300 Canada geese and Double-crested cormorants
- (h) 20 American oystercatchers,
- (i) 1000 Mourning doves,
- (j) 100 Mallards
- (k) 50 Killdeer
- (l) 25 Barn Swallows
- (m) 10 Tree Swallows
- (n) **25 Snow Buntings**
- (o) **5 Gadwall and Snow Geese**

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT IS DUE WITH NEXT RENEWAL

REPORT FORMS CAN BE FOUND AT: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

03/19/2013

Lethal take is not to be the primary means of control. Active hazing, harassment or other non-lethal techniques must continue in conjunction with any lethal take of migratory birds.

(2) The following may be live-trapped and relocated: FIVE (5) American kestrels and TWENTY (20) OSPREY. Alternatively authorized to kill these birds, when capture or relocation is not possible.

(3) The following active nests (including eggs) may be destroyed: Up to 10 Killdeer nest, 75 Barn Swallow nests, 2 Gadwall nests, 300 Double-crested cormorant nests, and 25 American oystercatcher nests, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. (NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).

(4) Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

State restrictions: Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at **413-253-8424(fax)**. The Repository will provide directions for shipment of these specimens.

G. 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.

H You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: Employees of the Port Authority of NY & NJ; employees of Falcon Environmental Services and employees of USDA/APHIS/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, may exercise the authority of this permit.

K. 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: Valley Stream, NY: 516-825-3950



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 <http://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 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)



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 145 - 2ND FLOOR
JAMAICA, NY 11430
U.S.A.

3. NUMBER
MB816581-1 AMENDMENT

4. RENEWABLE

YES
 NO

5. MAY COPY

YES
 NO

6. EFFECTIVE
03/19/2013

7. EXPIRES
02/28/2014

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDEATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ALL PROPERTY BELONGING TO J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY

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.

AMENDMENT 1 IN BOLD AND UNDERLINED

D. You are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

- (1) The following may be lethally taken:
 - (a) 5,500 Laughing gulls,
 - (b) 1,500 Herring gulls,
 - (c) 800 Atlantic brant
 - (d) 50 American black ducks,
 - (e) 400 Great black-backed gulls
 - (f) 600 Ring-billed gulls
 - (g) 300 Canada geese and Double-crested cormorants
 - (h) 20 American oystercatchers,
 - (i) 1000 Mourning doves,
 - (j) 100 Mallards
 - (k) 50 Killdeer
 - (l) 25 Barn Swallows
 - (m) 10 Tree Swallows
 - (n) 25 Snow Buntings**
 - (o) 5 Gadwall and Snow Geese**

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT IS DUE WITH NEXT RENEWAL

REPORT FORMS CAN BE FOUND AT: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY:

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

03/19/2013

Lethal take is not to be the primary means of control. Active hazing, harassment or other non-lethal techniques must continue in conjunction with any lethal take of migratory birds.

(2) The following may be live-trapped and relocated: FIVE (5) American kestrels and TWENTY (20) OSPREY. Alternatively authorized to kill these birds, when capture or relocation is not possible.

(3) The following active nests (including eggs) may be destroyed: Up to 10 Killdeer nest, 75 Barn Swallow nests, 2 Gadwall nests, 300 Double-crested cormorant nests, and 25 American oystercatcher nests, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. (NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).

(4) Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

State restrictions: Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office by **FAXING to 413-253-8424** within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport 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 National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at **413-253-8424(fax)**. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) Shotguns (1a) other types of firearms by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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

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

J. The following subpermittees are authorized: Employees of the Port Authority of NY & NJ; employees of Falcon Environmental Services and employees of USDA/APHIS/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, may exercise the authority of this permit.

K. 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: Valley Stream, NY: 516-825-3950



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 <http://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 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)



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 14 - 3RD FLOOR
JAMAICA, NY 11430
U.S.A.

2. AUTHORITY-STATUTES
16 USC 703-712

REGULATIONS (Attached)
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB816581-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/01/2008

7. EXPIRES
02/28/2009

8. NAME AND TITLE OF PRINCIPAL OFFICER (If it is a business)
LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT
DEPREDAATION

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

**WITHIN THE PROPERTY BOUNDARIES OF J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY
TEL: 718-244-3773**

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. Authorized to kill, using shotgun, within runway and safety areas, up to:

- (a) 8,100 Laughing gulls,
- (b) 1,500 Herring gulls,
- (c) 300 of each: Atlantic brant, Great black-backed, and Ring-billed gulls,
- (d) 50 American black ducks,
- (e) 100 Double-crested cormorants,
- (f) 20 American oystercatchers,
- (g) 150 Tree swallows,
- (h) 200 Mourning doves,
- (i) 100 of each: Canada geese and Mallards

E. Authorized to capture and relocate, using any legal techniques up to:

- (a) 5 American kestrels,
- (b) 10 Osprey

Alternatively authorized to kill these birds, when capture or relocation is not possible.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT FOR CALENDAR YEAR 2008 IS DUE 1/31/09: (A) SPECIES, NUMBERS, DATES, AND DISPOSITION OF BIRDS TAKEN; (B) REPORT ON THE PERMITTEE'S NON-LETHAL MANAGEMENT ACTIVITIES; AND (C) DESCRIPTION OF STAFF INVOLVED IN BIRD CONTROL ACTIVITIES.

ISSUED BY

Stoburne Dyer

TITLE

ARD, MIGRATORY BIRDS & STATE PROGRAMS

DATE

02/22/2008

F. Authorized to **destroy up to 100 Double-crested cormorant nests, and 25 American oystercatcher nests,** and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. **(NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).**

G. Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

H. **In cases of bona fide emergencies, you are authorized to take ANY MIGRATORY BIRD*, posing threat to human health, safety, AND/OR air traffic safety, using shotguns not larger than 10 gauge.** You may take additional numbers of the species identified above, and other species listed in 50 CFR 10.13 under this Condition. **However, if you kill birds under this Condition, you must submit a written report to the Federal issuing office within seven (7) days.** Information required includes the date taken, and the species and numbers of each. ***EXCEPTION: You may not take Federally endangered or threatened species listed in 50 CFR 17.11, including nests and eggs.** In the Northeast U.S., these include primarily Bald eagle, Piping plover, and Roseate tern, although other endangered or threatened species may occasionally occur. For a complete list, see: <http://endangered.fws.gov/wildlife.html>

I. A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

J. **State restrictions:** Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

K. Authorized Subpermittees: **Employees of the Port Authority of New York and New Jersey; employees of USDA/APHIS/Wildlife Services and employees of Falcon Environmental Services**

L. Permittee **MUST** also comply with the attached Depredation Permit Standard Conditions.



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

PORT AUTHORITY OF NY AND NJ
J.F. KENNEDY INTERNATIONAL AIRPORT
BUILDING 145 - 2ND FLOOR
JAMAICA, NY 11430
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB816581-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
03/17/2009

7. EXPIRES
02/28/2010

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

Laura Francoeur
Wildlife Biologist

9. TYPE OF PERMIT

DEPREDAATION - AIRPORT

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

ALL PROPERTY BELONGING TO J.F. KENNEDY INTERNATIONAL AIRPORT, JAMAICA, NY
TEL: 718-244-3773

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 8,100 Laughing gulls,
- (b) 1,500 Herring gulls,
- (c) 800 Atlantic brant
- (d) 50 American black ducks,
- (e) 400 Great black-backed gulls
- (f) 600 Ring-billed gulls
- (g) 300 Canada geese and Double-crested cormorants
- (h) 20 American oystercatchers,
- (i) 150 Tree swallows,
- (j) 200 Mourning doves,
- (k) 100 Mallards
- (l) 30 Killdeer

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT FOR CALENDAR YEAR 2009 DUE WITH RENEWAL FORM: (A) SPECIES, NUMBERS, DATES, AND DISPOSITION OF BIRDS TAKEN; (B) REPORT ON THE PERMITTEE'S NON-LETHAL MANAGEMENT ACTIVITIES; AND (C) DESCRIPTION OF STAFF INVOLVED IN BIRD CONTROL ACTIVITIES.

ISSUED BY

for
To Anne Dyer

TITLE

ARD, MIGRATORY BIRDS & STATE PROGRAMS

DATE

03/17/2009

(2) The following may be live-trapped and relocated:

- (a) 5 American kestrels,
- (b) 10 Osprey

Alternatively authorized to kill these birds, when capture or relocation is not possible.

(3) The following active nests (including eggs) may be destroyed:

300 Double-crested cormorant nests, and 25 American oystercatcher nests, and any eggs contained therein. Alternatively, authorized to freeze, shake, puncture, or oil (using Egg Oil, 100% food grade corn oil, ADC Tech Note-June 1996) and immediately replace the eggs in these nests for subsequent incubation. **(NOTE: you can eliminate inactive (NO EGGS or CHICKS) Osprey nests without a depredation permit; therefore, you should not have active nests on airport property).**

(4) Raptors used for hazing other migratory birds as part of the airport's integrated wildlife damage management program must be housed at the airport in appropriate facilities as follows: (a) raptors housed for less than thirty (30) days must be provided with an adequate perch and protected from extreme temperatures and excessive disturbance; and (b) raptors held for longer than thirty (30) days must be provided with facilities described in 50 CFR 21.29(g).

A copy of the Federal permit or Form 3-186A or similar record of acquisition, indicating lawful possession of the raptors used for hazing other migratory birds, must be prominently displayed at or near the mews or weathering area for each bird. Only captive-bred raptors may be used, and must be marked on the metatarsus with a seamless numbered band issued by the USFWS. Eagles may not be used for these purposes.

State restrictions: Peregrine falcons and other bird species are listed as endangered/threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office, Hadley, MA, 413-253-8642, within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8642. The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: (1) firearms; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of the Port Authority of New York and New Jersey; employees of USDA/APHIS/Wildlife Services and employees of Falcon Environmental 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, may exercise the authority of this permit.

K. You and any subpermittee(s) must comply with the attached Standard Conditions for Migratory Bird Depredation Permits

For suspected illegal activity, immediately contact USFWS Law Enforcement at: 516-825-3950



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. The standard conditions below are additional provisions and conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the 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: www.fws.gov/permits/mbpermits/birdbasics.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.
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: 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 or 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.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. 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,
 - (b) donated to a public educational or scientific institution as defined by 50 CFR 10, or
 - (c) completely destroyed by burial or incineration.
9. 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 letters you have provided.
10. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever you are exercising its authority.



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:
DOUG STEARNS
LA GUARDIA AIRPORT
HANGAR 7C
FLUSHING, NY 11371

Facility:
LAGUARDIA AIRPORT
GRAND CENTRL PKWY
QUEENS, NY

(718) 533-3402
COUNTY: QUEENS

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 43

New License Effective Date: 4/1/2012 Expiration Date: 3/31/2013

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182
ECL 11-0535
6 NYCRR Part 175

ECL 11-0521

ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

- 1. DEPA – Authorization for Non-lethal Control Methods** The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at LaGuardia Airport Queens County, New York.
- 2. DEP - ALL – Licensee Shall Submit copies of Federal Reports** The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit at the address listed on the front of this license prior to the expiration of this license.
- 3. DEPA – Reporting Endangered or Threatened Species Found Dead** The licensee shall immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.
- 4. DEPA – Retrieval and Disposal of Carcasses** The licensee shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.
- 5. DEPA – Federal Emergency Authorization** The licensee is authorized in emergency situations only to take any migratory birds, nests and eggs (except bald eagles, golden eagles or endangered or threatened species) when the migratory birds, nests or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.
- 6. DEPA – Authorization for Lethal Control Methods** The licensee is authorized to use lethal control methods (pursuant to take limits and methods provided by Federal License MB719627-0) on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering LaGuardia Airport airspace or when immediate removal of birds is required to protect human health or safety.
- 7. DEPA – Control Measures** Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).
- 8. DEP – ALL – License not Valid Without Federal Permit** This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.
- 9. DEPA – No Take of Non - Target Species** This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation's Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Depredation Licenses - Airport # 43

LONG ISLAND CITY, NY 11101 -5407

10. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

11. DEP – ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

3. GC – Licensee Responsible for Federal, State or Local Permits/Licenses The licensee is responsible for obtaining any and all necessary, corresponding Federal, State or local permits or licenses prior to conducting any activity authorized pursuant to this license.

4. GC – Reasons for Revocation This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

5. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.

6. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

7. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.

8. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license

Issued License

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Depredation Licenses - Airport # 43

prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN- Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN - Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

1. PERMITTEE

La GUARDIA AIRPORT
PORT AUTHORITY OF NY & NJ, HANGER 7C 3RD FLOOR
ATTN: DOUG STEARNS
FLUSHING, NY 11371

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB719627-2

AMENDMENT

4. RENEWABLE
YES
NO

5. MAY COPY
YES
NO

6. EFFECTIVE
08/19/2010

7. EXPIRES
03/31/2011

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
DOUG STEARNS
MANAGER OF AIRPORT OPERATIONS

9. TYPE OF PERMIT
DEPREDTATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF LA GUARDIA AIRPORT, FLUSHING, NY
TEL: 718-533-3402

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.

Amendment 2 in Bold - D. You are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

- (1) The following may be lethally taken: by means of shooting:
 - (a) 200 of each: Atlantic brant and Canada Geese,
 - (b) 500 of each: Ring-billed, Laughing, Great Black-backed and Herring Gulls,
 - (c) 100 of each: Mallards, American Black Duck, **Barn Swallows**; Double-crested cormorants, Mourning Doves.
 - (d) 25 of each: Ruddy Duck and Killdeer
 - (e) **10 Ospreys**
 - (f) 5 of each Great Egrets, 5 Great Blue Herons
 - (g) **200 Barn Swallow NEST and eggs contained within**
 - (h) 50 Killdeer NEST and eggs contained within

State restrictions: Peregrine Falcons and other bird species are listed as Endangered/ Threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You are authorized in emergency situations only to take, trap, or relocate any migratory birds, nests and eggs, including

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

08/19/2010



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

La GUARDIA AIRPORT
225 PARK AVENUE SOUTH, 9TH FLOOR
ATTN: JEFF KOLODZINSKI
NEW YORK, NY 10003

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
60 CFR 21.41

3. NUMBER
ME719627-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
04/05/2011

7. EXPIRES
03/31/2012

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
DOUG STEARNS
MANAGER OF AIRPORT OPERATIONS

9. TYPE OF PERMIT
DEPREDATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

**WITHIN THE PROPERTY BOUNDARIES OF LA GUARDIA AIRPORT, FLUSHING, NY
TEL: 718-533-3402**

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

- (1) The following may be lethally taken: by means of shooting:
 - (a) 200 of each: Atlantic brant, Canada geese, Double-crested cormorants and Mourning Doves;
 - (b) 500 of each: Ring-billed, Laughing, Great Black-backed and Herring Gulls;
 - (c) 100 of each: Mallards, American Black Duck, Barn swallows;
 - (d) 25 of each: Ruddy Duck and Killdeer;
 - (e) 10 Ospreys;
 - (f) 5 of each Great Egrets, 5 Great Blue Herons.

- (2) The following active nests (including eggs) may be destroyed:
 - (a) 200 Barn swallows,
 - (b) 50 Killdeer.

State restrictions: Peregrine Falcons and other bird species are listed as Endangered/ Threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

04/05/2011

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office (Hadley, MA, by fax to: 413-253-8424), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 by fax to 413-253-8424. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) other firearms used by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: **Supervisory staff of the Port Authority of NY & NJ**. 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.

K. 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: Valley Stream, NY: 516-825-3950



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. 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 <http://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 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.
7. This permit does not authorize take or release of any migratory birds, nests, or eggs on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
8. 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.

9. 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 letters you have provided.
10. 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.
11. 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.
12. 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.
13. 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 - 2/24/2011)



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

FEDERAL FISH AND WILDLIFE PERMIT

I. PERMITTEE

La GUARDIA AIRPORT
225 PARK AVENUE SOUTH, 9TH FLOOR
ATTN: JEFF KOLODZINSKI
NEW YORK, NY 10003

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB719627-0

4. RENEWABLE

YES
 NO

5. MAY COPY

YES
 NO

6. EFFECTIVE
04/01/2012

7. EXPIRES
03/31/2013

8. NAME AND TITLE OF PRINCIPAL OFFICER *(If - I is a business)*

DOUG STEARNS
MANAGER OF AIRPORT OPERATIONS

9. TYPE OF PERMIT

DEPREDATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF LA GUARDIA AIRPORT, FLUSHING, NY
TEL: 718-533-3402

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

- (1) The following may be lethally taken: by means of shooting:
 - (a) 200 of each: Atlantic brant, Canada geese, Double-crested cormorants and Mourning Doves;
 - (b) 500 of each: Ring-billed, Laughing, Great Black-backed and Herring Gulls;
 - (c) 100 of each: Mallards, American Black Duck, Barn swallows;
 - (d) 25 of each: Ruddy Duck and Killdeer;
 - (e) 10 Ospreys;
 - (f) 5 of each Great Egrets, 5 Great Blue Herons.
- (2) The following active nests (including eggs) may be destroyed:
 - (a) 200 Barn swallows,
 - (b) 50 Killdeer.

State restrictions: Peregrine Falcons and other bird species are listed as Endangered/ Threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

04/02/2012

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office (Hadley, MA, by fax to: 413-253-8424), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 by fax to 413-253-8424. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) other firearms used by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: **Supervisory staff of the Port Authority of NY & NJ**
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.

K. 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: Valley Stream, NY: 516-825-3950



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

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

La GUARDIA AIRPORT
225 PARK AVENUE SOUTH, 9TH FLOOR
ATTN: JEFF KOLODZINSKI
NEW YORK, NY 10003

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB719627-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
04/01/2013

7. EXPIRES
03/31/2014

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
LAURA FRANCOEUR
CHIEF WILDLIFE BIOLOGIST

9. TYPE OF PERMIT
DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
WITHIN THE PROPERTY BOUNDARIES OF LA GUARDIA AIRPORT, FLUSHING, NY
TEL: 718-533-3402

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken: by means of shooting:

- (a) 200 of each: Atlantic brant, Canada geese, Double-crested cormorants, Mourning Doves and Barn Swallows;
- (b) 500 of each: Ring-billed, Laughing, Great Black-backed and Herring Gulls;
- (c) 100 of each: Mallards, American Black Duck,
- (d) 25 of each: Ruddy Duck and Killdeer;
- (e) 10 Ospreys and Great Egrets;
- (f) 5 of each: 5 Great Blue Herons.

(2) The following active nests (including eggs) may be destroyed, including by egg oiling or adding:

- (a) 200 Barn swallows,
- (b) 50 Killdeer,
- (c) 3 of each: Mallards and American Black Duck nests.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

USFWS Forms can be found at: <http://www.fws.gov/migratorybirds/mbpermits.html>

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

04/01/2013

State restrictions: Peregrine Falcons and other bird species are listed as Endangered/ Threatened by New York State law and therefore may not be taken, unless otherwise authorized by the New York Department of Environmental Conservation.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office (Hadley, MA, by fax to: 413-253-8424), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 by fax to 413-253-8424. The Repository will provide directions for shipment of these specimens.

G. 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.

H. You may use the following methods of take: (1) other firearms used by USDA only; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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.

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).

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

J. The following subpermittees are authorized: **Supervisory staff of the Port Authority of NY & NJ**. 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.

K. 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: Valley Stream, NY: 516-825-3950



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 <http://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 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)



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To: LAURA C FRANCOEUR THE PORT AUTHORITY OF NY AND NJ JFK INTERNATIONAL AIRPORT BLDG 14 3RD FLR JAMAICA, NY 11430	Facility: LAGUARDIA AIRPORT GRAND CENTRL PKWY QUEENS, NY
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(718) 244-3773

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 44

New License	Effective Date: <u>4/1/2011</u>	Expiration Date: <u>3/31/2012</u>
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NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182
ECL 11-0535
6 NYCRR Part 175

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Depredation Licenses - Airport # 44

ECL 11-0521
ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds and upland game birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at La Guardia Airport Queens County, New York.

2. DEPA – Authorization for Lethal Control Methods The licensee is authorized to use lethal control methods (pursuant to take limits and methods provided by Federal License MB719627-0) on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering La Guardia Airport airspace or when immediate removal of birds is required to protect human health or safety.

3. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than 10 Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

4. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).

5. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

6. DEPA – Federal Emergency Authorization The licensee is authorized in emergency situations only to take any migratory birds, nests and eggs (except bald eagles, golden eagles or endangered or threatened species) when the migratory birds, nests or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

7. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

8. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation's Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

9. DEPA – Retrieval and Disposal of Carcasses The licensee shall attempt to retrieve birds shot or found



Depredation Licenses - Airport # 44

dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.

10. DEPA – Reporting Endangered or Threatened Species Found Dead The licensee shall immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.

11. DEP – ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

12. DEP - ALL – Licensee Shall Submit copies of Federal Reports The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit at the address listed on the front of this license prior to the expiration of this license.

13. DEPA – Reporting Requirement - Regional Manager The licensee shall file a written annual report prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, and e) number of individuals shooting. The licensee shall send this report to

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – Reasons for Revocation This license may be revoked for any of the following reasons;

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

3. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Depredation Licenses - Airport # 44

4. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

5. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

6. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.

7. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN– Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN – Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:

LAURA C FRANCOEUR
THE PORT AUTHORITY OF NY AND NJ
JFK INTERNATIONAL AIRPORT BLDG 145
2ND FLR
JAMAICA, NY 11430

Facility:

LAGUARDIA AIRPORT
GRAND CENTRL PKWY
QUEENS, NY

(718) 244-3773
COUNTY: QUEENS

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 44

Renewal
Modification # 1

Effective Date: 4/1/2012
Effective Date: 1/17/2013

Expiration Date: 3/31/2013
Expiration Date: 3/31/2013

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182



Depredation Licenses - Airport # 44

ECL 11-0535
6 NYCRR Part 175
ECL 11-0521
ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at LaGuardia Airport Queens County, New York.

2. DEPA – Authorization for Lethal Control Methods The licensee is authorized to use lethal control methods (pursuant to take limits and methods provided by Federal License MB719627-1) on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering LaGuardia airspace or when immediate removal of birds is required to protect human health or safety.

3. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than 10 Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

4. DEPA – Federal Emergency Authorization with Exception The licensee is authorized in emergency situations only to take, using shotguns not larger than 10 gauge any migratory bird, (except bald eagles, golden eagles or endangered or threatened species with the exception of 10 Osprey (*Pandion haliaetus*) listed in Condition DEPA - Authorization for Lethal Control Methods Exception) when the migratory birds, are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

5. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).

6. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

7. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

8. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation’s Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS



Depredation Licenses - Airport # 44

47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

9. DEPA – Reporting Endangered or Threatened Species Found Dead The licensee shall immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.

10. DEPA – Retrieval and Disposal of Carcasses The licensee shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.

11. DEP –ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

12. DEP - ALL – Licensee Shall Submit copies of Federal Reports The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit at the address listed on the front of this license prior to the expiration of this license.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

3. GC – Licensee Responsible for Federal, State or Local Permits/Licenses The licensee is responsible for obtaining any and all necessary, corresponding Federal, State or local permits or licenses prior to conducting any activity authorized pursuant to this license.

4. GC – Reasons for Revocation This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

5. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.



6. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

7. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.

8. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN– Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN – Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:

LAURA C FRANCOEUR
THE PORT AUTHORITY OF NY AND NJ,
ATTN: LAURA FRANCOEUR
225 PARK AVE., SOUTH R-1209
NEW YORK, NY 10003

Facility:

LAGUARDIA AIRPORT
GRAND CENTRL PKWY
QUEENS, NY

(718) 244-3773
COUNTY: QUEENS
REGION: 2

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 44

New License

Effective Date: 4/11/2013

Expiration Date: 3/31/2014

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 182



Depredation Licenses - Airport # 44

ECL 11-0535
6 NYCRR Part 175
ECL 11-0521
ECL 11-0505 (5)

DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at LaGuardia Airport Queens County, New York.

2. DEPA – Authorization for Lethal Control Methods The licensee is authorized to use lethal control methods (pursuant to take limits and methods provided by Federal License MB719627-1) on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering LaGuardia Airport airspace or when immediate removal of birds is required to protect human health or safety.

3. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than 10 Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

4. DEPA – Federal Emergency Authorization with Exception The licensee is authorized in emergency situations only to take, using shotguns not larger than 10 gauge any migratory bird, (except bald eagles, golden eagles or endangered or threatened species with the exception of 10 Osprey (*Pandion haliaetus*) listed in Condition DEPA - Authorization for Lethal Control Methods Exception) when the migratory birds, are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

5. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the authorized location(s).

6. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

7. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

8. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation’s Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS



Depredation Licenses - Airport # 44

47-40 21ST ST
LONG ISLAND CITY, NY11101 -5407

9. DEPA – Retrieval and Disposal of Carcasses The licensee shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.

10. DEPA – Reporting Endangered or Threatened Species Found Dead The licensee shall immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.

11. DEP –ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYSDEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

12. DEPA – Reporting Requirement - Regional Manager The licensee shall file a written annual report prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, and e) number of individuals shooting. The licensee shall send this report to

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY11101 -5407

The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.

13. DEP - ALL – Licensee Shall Submit copies of Federal Reports The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit at the address listed on the front of this license prior to the expiration of this license.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

3. GC – Licensee Responsible for Federal, State or Local Permits/Licenses The licensee is responsible for obtaining any and all necessary, corresponding Federal, State or local permits or licenses prior to conducting any activity authorized pursuant to this license.

4. GC – Reasons for Revocation This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;



Depredation Licenses - Airport # 44

- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

5. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.

6. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

7. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.

8. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN– Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN – Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



LICENSE
Under the Environmental Conservation Law (ECL)

Licensee and Facility Information

License Issued To:
PORT AUTHORITY OF NEW YORK & NEW
JERSEY
225 PARK AVE S
NEW YORK, NY 10003

Facility:
LAGUARDIA AIRPORT

GRAND CENTRL PKWY
QUEENS, NY

DEC Contact Information

DIVISION OF FISH, WILDLIFE AND MARINE RESOURCES
SPECIAL LICENSES UNIT
625 BROADWAY, ALBANY, NEW YORK 12233-4752
PHONE: (518) 402-8985 FAX: (518) 402-8925
WEBSITE: www.dec.state.ny.us

License Authorizations

Depredation Licenses - Airport
License # 35

New License

Effective Date: 7/15/2010

Expiration Date: 3/31/2011

NYSDEC Approval

By acceptance of this license, the licensee agrees that the license is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this license.

License Regulations

6 NYCRR Part 175
ECL 11-0521
ECL 11-0505 (5)



DEPREDATION LICENSES - AIRPORT - LICENSE CONDITIONS

1. DEPA – Authorization for Non-lethal Control Methods The licensee is authorized to use department approved non-lethal control methods on migratory birds and upland game birds, including state listed endangered or threatened species or species of special concern (6 NYCRR Part 182), that are creating or will create a hazard to human health or safety at , La Guardia Airport Queens County, New York.

2. DEPA – Authorization for Lethal Control Methods The licensee is authorized to use lethal control methods (pursuant to take limits provided by Federal License MB719627-0 on migratory birds, except endangered or threatened species or species of special concern (6 NYCRR Part 182), when non-lethal control methods have failed to deter birds from entering La Guardia Airport airspace or when immediate removal of birds is required to protect human health or safety. Lethal control techniques include: shotguns not larger than 10 gauge.

3. DEPA - Authorization for Lethal Control Methods Exception The licensee is authorized to take no more than ten (10) Osprey (*Pandion haliaetus*) on airport grounds when non-lethal control measures have failed and the animal has landed on a runway in use or poses a direct threat to human safety.

4. DEPA – Control Measures Control measures shall include non-lethal methods designed to frighten migratory birds from the hazard areas.

5. DEPA – No Lethal Take of Listed Species The licensee shall not take any endangered or threatened species or species of special concern using lethal control methods.

6. DEPA – No Take of Non - Target Species This license does not authorize the taking of any non-target species. In the event such species are taken, the licensee shall cease activities and contact the New York State Department of Environmental Conservation’s Regional Wildlife Manager at

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY11101 -5407

7. DEPA – Training Requirement Prior to Use of Lethal Control Methods Only persons who have received training in species identification and wildlife control techniques within the previous two (2) years are authorized to use lethal control methods pursuant to this license.

8. DEPA – Federal Emergency Authorization with Exception The licensee is authorized in emergency situations only to take, using shotguns not larger than 10 gauge any migratory bird, (except bald eagles, golden eagles or endangered or threatened species with the exception of osprey listed in Condition DEPA - Authorization for Lethal Control Methods Exception) when the migratory birds, are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

9. DEPA – Retrieval and Disposal of Carcasses The licensee and/or designated agents shall attempt to retrieve birds shot or found dead on the property and properly dispose of the carcasses by donation to public, scientific and/or educational institutions, or by prompt burial and/or incineration.

10. DEPA – Reporting Endangered or Threatened Species Found Dead The licensee shall
Issued License



Depredation Licenses - Airport # 35

immediately freeze and hold the carcasses of any endangered or threatened species found dead, and shall notify the NYSDEC Endangered Species Unit (518) 402-8863 within three (3) business days of finding the carcass.

11. DEP – ALL – License not Valid Without Federal Permit This license is not valid without a corresponding Federal Permit from the US Fish and Wildlife Service. The licensee shall comply with all terms and conditions of the Federal Permit.

12. DEP –ALL – Designated Agents The licensee may designate agents to conduct activities authorized by this license. Such designations shall be made in writing by sending a list with the name and address of the person(s) the licensee wishes to designate as an agent to the NYSDEC Special Licenses Unit at the address listed on the front of this license. This list shall be current and on file at the NYS DEC Special Licenses Unit. The licensee is responsible for all actions taken by designated agents under this license.

13. DEP - ALL – Licensee Shall Submit copies of Federal Reports The licensee shall submit copies of all reports required under their Federal Permit to the NYS DEC Special Licenses Unit at the address listed on the front of this license prior to the expiration of this license.

14. DEPA – Reporting Requirement The licensee shall file a written annual report prior to the expiration date of this license. Such annual report shall contain: a) name of the licensee, b) license number, c) number of birds shot or found dead on the property by species, d) any band numbers or other markings present on birds shot or found dead, e) number of individuals shooting, and f) location of shooting positions and hours of operation. The licensee shall send this report to

Regional Wildlife Manager
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY11101 -5407

The licensee shall consult with the Regional Wildlife Manager as deemed appropriate.

GENERAL CONDITIONS - Apply to ALL Authorized Licenses

1. GC – Licensee Shall Read All Conditions The licensee shall read all license conditions prior to conducting any activities authorized pursuant to this license.

2. GC – Reasons for Revocation This license may be revoked for any of the following reasons:

- i. licensee provided materially false or inaccurate statements in his or her application, supporting documentation or on required reports;
- ii. failure by the licensee to comply with any terms or conditions of this license;
- iii. licensee exceeds the scope of the purpose or activities described in his or her application for this license;
- iv. licensee fails to comply with any provisions of the NYS Environmental Conservation Law, any other State or Federal laws or regulations of the department directly related to the licensed activity;
- v. licensee submits a check, money order or voucher for this license or application for this license that is subsequently returned to the department for insufficient funds or nonpayment after the license has been issued.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Depredation Licenses - Airport # 35



3. GC – Licensee Shall Carry Copy of License The licensee shall carry a copy of this license or a document provided by the department, if relevant, when conducting activities pursuant to this license.

4. GC – Licensee Shall Notify of Change of Address The licensee shall notify the Special Licenses Unit in writing, by mail or email, within five (5) days of the official change of residence.

5. GC – License is Not Transferrable This license is not transferrable and is valid only for the person identified as the licensee.

6. GC – Licensee is Liable for Designated Agents If designated agents are authorized pursuant to this license, the licensee shall be liable and responsible for any activities conducted by designated agents pursuant to this license or any actions by designated agents resulting from activities authorized by this license.

7. GC – Licensee Renewal The licensee shall submit a written request for the renewal of this license prior to the expiration date listed on the license. The licensee shall include accurate and complete copies of any required reports with their renewal request. This renewal paperwork shall be sent to:

NYSDEC
Special Licenses Unit
625 Broadway
Albany, NY 12233-4752.

This license is deemed expired on the date of expiration listed on the license.

NOTIFICATION OF OTHER LICENSEE OBLIGATIONS

MN– Licensee is Liable

The licensee shall be liable and responsible for any activities conducted under the authority of this license or any actions resulting from activities authorized by the license.

MN – Access by Law Enforcement

The licensee shall allow representatives of the NYS DEC Division of Law Enforcement to enter the licensed premises to inspect his or her operations and records for compliance with license conditions.

Trespassing Prohibited

This license is not a license to trespass. The licensee shall obtain permission from the appropriate landowner/land manager prior to conducting activities authorized pursuant to this license



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

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

TETERBORO AIRPORT
ATTENTION: LAURA FRANCOEUR
225 PARK AVENUE SOUTH, 9TH FLOOR
NEW YORK, NY 10003
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB822595-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
07/15/2013

7. EXPIRES
02/28/2014

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF TETERBORO AIRPORT, TETERBORO, NJ

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 100 of each: Canada geese, Mourning Doves, Ring-Billed Gulls
- (b) 25 of each: Great Blue Herons, Wood Ducks, American Coot
- (c) 50 of each: Herring, Great black-backed Gull, Laughing gulls, American Black duck, Great egret, Barn Swallows,
- (d) 10 of each: Turkey vultures and Black vultures, American robin, Double-crested cormorants,
- (e) 150 Mallards
- (f) 20 Tree swallows
- (g) 60 Killdeer

(2) The following active nests (including eggs) may be destroyed:

- (a) up to 30 nests of Mallards, and

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 8/6/13

ISSUED BY

TITLE

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

07/15/2013

(b) up to 15 nests of Killdeer (and any eggs contained therein) within the airport boundaries.

(3) The following may be live-trapped and relocated.

(a) 25 American Kestrels and Red-tailed Hawks

Alternatively authorized to kill these birds, when relocation is not possible.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken. Other bird species are protected under New Jersey State Endangered Species law and may not be taken in accordance with State law, unless otherwise authorized by the New Jersey Division of Fish, Game and Wildlife.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office Hadley, MA, 413-253-8424(fax), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8424(fax). The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: (1) **Shotguns (1a) other types of firearms by USDA/APHIS-Wildlife Services only**; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of Teterboro Airport, Port Authority of NY and NJ, USDA/APHIS-Wildlife Services and Jim Destephano. 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.

K. You and any subpermittees 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.

L. A "No Feeding Policy" must be in place.

For Canada Geese Egg Addling or Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Elizabeth, NJ 908-787-1321



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 <http://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 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)



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

TETERBORO AIRPORT
ATTENTION: LAURA FRANCOEUR
225 PARK AVENUE SOUTH, 9TH FLOOR
NEW YORK, NY 10003
U.S.A.

3. NUMBER
MB822595-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
08/01/2012

7. EXPIRES
07/31/2013

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

9. TYPE OF PERMIT
DEPREDEATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF TETERBORO AIRPORT, TETERBORO, NJ

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 100 Canada geese
- (b) 150 Mallards
- (c) 50 of each: Herring, Great black-backed, Laughing gulls, American Black duck, Great egret.
- (d) 10 of each: Turkey vultures and Black vultures, Great blue heron, American robin, Double-crested cormorants
- (e) 20 Tree swallows
- (f) 100 Mourning doves, Ring-billed Gulls
- (g) 60 Killdeer
- (h) 50 Barn swallows
- (i) 25 Great Blue Herons, Wood Ducks, American Coot

(2) The following active nests (including eggs) may be destroyed:

- (a) up to 30 nests of Mallards, and

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM:

NJ STATE CO-SIGNATURE REQUIRED:

DATE: 7/14/12

ISSUED BY: *[Signature]*

TITLE
CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE
07/06/2012

(b) up to 15 nests of Killdeer (and any eggs contained therein) within the airport boundaries.

(3) The following may be live-trapped and relocated.

(a) 25 American Kestrels and Red-tailed Hawks

Alternatively authorized to kill these birds when relocation is not possible.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken. Other bird species are protected under New Jersey State Endangered Species law and may not be taken in accordance with State law, unless otherwise authorized by the New Jersey Division of Fish, Game and Wildlife.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office Hadley, MA, 413-253-8424(fax), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8424 (fax). The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: **(1) Shotguns (1a) other types of firearms by USDA only;** (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of Teterboro Airport, Port Authority of NY and NJ, USDA, Wildlife Services and Jim Destephano. 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.

K. You and any subpermittees 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.

L. A "No Feeding Policy" must be in place.

For Canada Geese Egg Addling or Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Elizabeth, NJ 908-787-1321

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)



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

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

TETERBORO AIRPORT
ATTENTION: LAURA FRANCOEUR
225 PARK AVENUE SOUTH, 9TH FLOOR
NEW YORK, NY 10003
U.S.A.

3. NUMBER
MB822595-1 AMENDMENT

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
08/01/2012

7. EXPIRES
07/31/2013

8. NAME AND TITLE OF PRINCIPAL OFFICER (If not a business)

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF TETERBORO AIRPORT, TETERBORO, NJ

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 take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 100 Canada geese
- (b) 150 Mallards
- (c) 50 of each: Herring, Great black-backed, Laughing gulls, American Black duck, Great egret,
- (d) 10 of each: Turkey vultures and Black vultures, American robin, Double-crested cormorants
- (e) 20 Tree swallows
- (f) 100 Mourning doves, Ring-billed Gulls
- (g) 60 Killdeer
- (h) 50 Barn swallows
- (i) 25 Great Blue Herons, Wood Ducks, American Coot

(2) The following active nests (including eggs) may be destroyed:

- (a) up to 30 nests of Mallards, and

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

NJ STATE CO-SIGNATURE REQUIRED:

[Signature]
WILDLIFE PERMITS UNIT
[Signature]
CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE: 8/8/12

DATE
08/01/2012

(b) up to 15 nests of Killdeer (and any eggs contained therein) within the airport boundaries.

(3) The following may be live-trapped and relocated.

(a) 25 American Kestrels and Red-tailed Hawks

Alternatively authorized to kill these birds, when relocation is not possible.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken. Other bird species are protected under New Jersey State Endangered Species law and may not be taken in accordance with State law, unless otherwise authorized by the New Jersey Division of Fish, Game and Wildlife.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office Hadley, MA, 413-253-8424(fax), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8424 (fax). The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: **(1) Shotguns (1a) other types of firearms by USDA only;** (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of Teterboro Airport, Port Authority of NY and NJ, USDA, Wildlife Services and Jim Destephano. 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.

K. You and any subpermittees 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.

L. A "No Feeding Policy" must be in place.

For Canada Geese Egg Addling or Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Elizabeth, NJ 908-787-1321



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 <http://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 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)



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

TETERBORO AIRPORT
ATTENTION: LAURA FRANCOEUR
225 PARK AVENUE SOUTH, 9TH FLOOR
NEW YORK, NY 10003
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB822595-1 AMENDMENT

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
08/29/2011

7. EXPIRES
07/31/2012

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

LAURA FRANCOEUR
WILDLIFE BIOLOGIST

9. TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF TETERBORO AIRPORT, TETERBORO, NJ

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

AMENDMENT 1 CHANGES IN BOLD BELOW - (1) The following may be lethally taken:

- (a) 75 Canada geese
- (b) 100 Mallards
- (c) 50 of each: Ring-billed, Herring, Great black-backed, Laughing gulls and American Black duck**
- (d) 10 of each: Turkey vultures and Black vultures, Great blue heron, American robin, Double-crested cormorants and Great egret,
- (e) 20 Tree swallows
- (f) 100 Mourning doves, and**
- (g) 60 Killdeer**
- (h) 50 Barn swallows**

(2) The following active nests (including eggs) may be destroyed:

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

NJ-STATE CO-SIGNATURE REQUIRED:

Laura Francoeur

DATE: 9/2/11

ISSUED BY

Peggy L. Labonté

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

08/29/2011

- (a) up to 30 nests of Mallards, and
- (b) up to 15 nests of Killdeer (and any eggs contained therein) within the airport boundaries.

(3) The following may be live-trapped and relocated.

- (a) 25 American Kestrels
- (b) 10 Red-tailed Hawks

Alternatively authorized to kill these birds, when relocation is not possible.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken. Other bird species are protected under New Jersey State Endangered Species law and may not be taken in accordance with State law, unless otherwise authorized by the New Jersey Division of Fish, Game and Wildlife.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office Hadley, MA, 413-253-8424(fax), within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8424 (fax). The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: **(1) Shotguns (1a) other types of firearms by USDA only;** (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of Teterboro Airport, Port Authority of NY and NJ, USDA, Wildlife Services and Jim Destephano. 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.

K. You and any subpermittees 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.

L. A "No Feeding Policy" must be in place.

For Canada Geese Egg Addling or Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Elizabeth, NJ 908-787-1321



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

3-301
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

1. PERMITTEE

TETERBORO AIRPORT
399 INDUSTRIAL AVENUE
TETERBORO, NJ 07608
U.S.A.

3. NUMBER
MB822595-0

4. RENEWABLE
YES
NO

5. MAY COPY
YES
NO

6. EFFECTIVE
08/01/2010

7. EXPIRES
07/31/2011

B. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
ARI ELLINSKY
OPERATIONS SUPERVISOR

9. TYPE OF PERMIT
DEPREDDATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF TETERBORO AIRPORT, TETERBORO, NJ

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 are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken:

- (a) 75 Canada geese
- (b) 100 Mallards
- (c) 30 of each: Ring-billed, Herring, Great black-backed, and Laughing gulls,
- (d) 10 of each: Turkey vultures and Black vultures, Great blue heron, American robin, Double-crested cormorants and Great egret,
- (e) 20 of each: Tree swallows and Barn swallows,
- (f) 20 Mourning doves, and
- (g) 30 Killdeer

(3) The following active nests (including eggs) may be destroyed:

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

NJ STATE CO-SIGNATURE REQUIRED:

[Signature]
Wildlife Services Unit

DATE: 8/2/10

ISSUED BY

[Signature]

TITLE
CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE
07/20/2010

- (a) up to 30 nests of Mallards, and
- (b) up to 15 nests of Killdeer (and any eggs contained therein) within the airport boundaries.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore may not be taken. Other bird species are protected under New Jersey State Endangered Species law and may not be taken in accordance with State law, unless otherwise authorized by the New Jersey Division of Fish, Game and Wildlife.

E. You 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 eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life.

You must report any emergency take activity to your migratory bird permit issuing office Hadley, MA, 413-253-8576, within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8576. The Repository will provide directions for shipment of these specimens.

G. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Law Enforcement any migratory birds that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise injured as the result of potential criminal activity.

H. You may use the following methods of take: (1) up to 10 gauge shotgun or other firearms by USDA only; (2) traps; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

J. The following subpermittees are authorized: Employees of Teterboro Airport, Port Authority of NY and NJ, USDA, Wildlife Services and Jim Destephano

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.

K. You and any subpermittee(s) must comply with the attached Standard Conditions for Migratory Bird Depredation Permits

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Elizabeth, NJ 908-787-1321



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

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

TETERBORO AIRPORT
ATTENTION: LAURA FRANCOEUR
225 PARK AVENUE SOUTH, 9TH FLOOR
NEW YORK, NY 10003
U.S.A.

2. AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3. NUMBER
MB822595-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
08/01/2011

7. EXPIRES
07/31/2012

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

9. TYPE OF PERMIT
DEPREDEATION AT AIRPORTS

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

WITHIN THE PROPERTY BOUNDARIES OF TETERBORO AIRPORT, TETERBORO, NJ

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.

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(1) The following may be lethally taken:

- (a) 75 Canada geese
- (b) 100 Mallards
- (c) 30 of each: Ring-billed, Herring, Great black-backed, and Laughing gulls,
- (d) 10 of each: Turkey vultures and Black vultures, Great blue heron, American robin, Double-crested cormorants and Great egret,
- (e) 20 of each: Tree swallows and Barn swallows,
- (f) 20 Mourning doves, and
- (g) 30 Killdeer

(3) The following active nests (including eggs) may be destroyed:

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE WITH NEXT RENEWAL FORM

NO STATE CO-SIGNATURE REQUIRED:

DATE: 8/22/11

ISSUED BY

Reggy L. Labonte

J. J. J.

CHIEF, MIGRATORY BIRD PERMIT OFFICE - REGION 5

DATE

08/12/2011

- (a) up to 30 nests of Mallards, and
- (b) up to 15 nests of Killdeer (and any eggs contained therein) within the airport boundaries.

State restrictions: Peregrine Falcons are listed as Endangered by New Jersey State law and therefore **may not be taken**. Other bird species are protected under New Jersey State Endangered Species law and may not be taken in accordance with State law, unless otherwise authorized by the New Jersey Division of Fish, Game and Wildlife.

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You must report any emergency take activity to your migratory bird permit issuing office Hadley, MA, 413-253-8424 (fax) within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

F. 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 airport personnel, (5) donation to a public charity (those suitable for human consumption), or (6) donation to a public scientific or educational institution as defined in 50 CFR 10.12. 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 at 413-253-8424 (fax). The Repository will provide directions for shipment of these specimens.

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H. You may use the following methods of take: (1) **up to 10 gauge shotgun or other firearms by USDA only**; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live 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. The use of any of the above techniques is at your discretion for each situation.

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

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K. You and any subpermittees 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.**

L. A "No Feeding Policy" must be in place.

For Canada Geese Egg Addling or Nest Destruction you MUST register each year between January 1 and June 30 at: <https://epermits.fws.gov/eRCGR>. You must return to website and report your take before October 31 each year.

For suspected illegal activity, immediately contact USFWS Law Enforcement at: Elizabeth, NJ 908-787-1321

9. 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 letters you have provided.
10. 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.
11. 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.
12. 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.
13. 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 - 2/24/2011)