**SPUTE**

**Special Purpose Utility – Electric**

**Template for APLIC Review (6-19-2014)**

[SPUTE conditions loaded 4-28-2014]

**[ISSUER: Enter the following information in Block 10 (Location)]**

Company property and rights-of-way in [enter State(s) ]

**Option: Region may list names of subpermittees here if they chose. The rest of the Subpermittee condition remains under Condition L.**

D. **Possession and transport.**

1. You and subpermittees are authorized to collect, transport and temporarily possess carcasses and partial remains of migratory birds found at the location/property specified in Block 10 for migratory bird mortality monitoring purposes or for human health and safety purposes.
2. **For Bald and Golden Eagles (Eagles) and federally listed Threatened or Endangered Species under the U.S. Endangered Species Act (see 50 CFR 17.11)** you must call a U.S. Fish and Wildlife Service (Service), Office of Law Enforcement (OLE) special agent for instructions and approval BEFORE collecting or moving the carcass(es) or parts, unless you are working under a specific alternative protocol established by you and OLE.. It may be necessary to preserve the carcass(es) or parts onsite until an agent or other Service or State representative arrives to collect them. Your OLE contact phone number is [**enter phone number**].

(3) For all other migratory birds, gather data required by Condition F below PRIOR to collecting or moving the carcass or its parts.

E. **Active Nest Relocation**. **Except for Eagles and federally listed Threatened or Endangered Species**, in emergency situations you are authorized to relocate active migratory bird nests, including eggs or nestlings, found on the utility structures when (1) the safety of the migratory birds, nests or eggs is at risk, or (2) the migratory birds, nests, or eggs pose a threat of serious bodily injury or a risk to human life, including a threat of fire hazard, mechanical failure or power outage. You may not use this authority for situations in which migratory birds are merely causing a nuisance or inconvenience. Nests must be relocated to a site and structure (natural or artificial) appropriate to the species’ requirements. (If extenuating circumstances warrant, destruction of an active nest may be authorized by contacting your permit issuing office prior to destruction.) To conduct activities involving nests of **Eagles or federally listed Threatened or Endangered Species**, you must obtain additional appropriate permit(s).

F. **Data Collection**.

(1) All relevant data associated with each carcass/part(s)/injured bird discovered or collected, must be recorded, including the information below.

(a) discovery date

(b) collection date

(c) species, or if unknown, either the type of bird (e.g., gull, raptor), or “unknown”

(d) sex and age (hatchling, juvenile, adult), if known

(e) how carcass was located (during standardized carcass search or opportunistic or incidental find?)

(f) condition (alive or dead?)

(g) description of bird or carcass (If alive, indicate if sick or injured. If dead, indicate if intact; freshly killed (eyes moist); semi-fresh (stiff, eyes desiccated); partially decomposed feathers and/or bones; other)

(h) the GPS coordinates in decimal degrees using clearly identified datum (the standard position or level that measurements are taken from such as WGS 84) for the location where found OR nearest pole/structure ID number and city or county

(i) suspected cause of mortality/injury (collision with wire, collision with other structure, electrocution, shot, other)

(j) disposition (freezer onsite, left in place, buried, incinerated, rehabilitator, OLE, nest relocated, other)

(k) any special notes or additional information (e.g., mortality events involving unusually high numbers of birds or species groups; weather conditions at likely time of death, if known).

(2) All carcasses and partial remains you collect and transport must be bagged and labeled with a unique specimen identification number and the collector’s name PRIOR to transport unless you are working under a specific alternative protocol established by you and OLE. The data sheet with the information listed in Condition E.2. must be attached to or included in the bag.

G. **Injured/orphaned birds.** In the event migratory birds, including **Eagles and federally listed Threatened or Endangered Species**, are injured or orphaned, you must immediately contact a federally permitted migratory bird rehabilitator or a licensed veterinarian for instructions. Rehabilitation and/or veterinary costs for birds that may have been injured or orphaned by utility operations or infrastructure are the utility’s responsibility. See ConditionI for reporting instructions.

H. Except as authorized by Condition E, **take and collection of live, non-injured migratory birds, eggs, or nests is not authorized by this permit.** In addition, this permit does not authorize the take, capture, harassment or disturbance of **Eagles and federally listed Endangered or Threatened Species**.

I. **Reporting.**

 (1)  **How to report.**

1. Immediate (written follow-up) reports. Until a new on-line reporting system is completed, you have three options for submitting reports:

(i) If you have an account with the Service’s Bird Injury and Mortality Reporting System (BIMRS) for reporting injury and mortality incidents, you may report incidents in BIMRS at: <https://birdreport.fws.gov/>.

(ii) You may report the incident using the Avian Injury/Mortality Reporting System (AIMRS) database (form 3-202-17). Download the database at <http://www.fws.gov/forms/3-202-17.pdf>.

(iii) You may submit an Excel spreadsheet from your own database in lieu of using AIMRS provided all of the “required” information in AIMRS (in exact AIMRS format) is included.

(b) Annual report. Submit your annual report using the AIMRS database or you may submit an Excel spreadsheet from your own database in lieu of using the AIMRS database, provided all of the “required” information in AIMRS (in exact AIMRS format)is included. If your company holds a BIMRS account, you may generate your annual report in Excel from BIMRS.

(2) **Immediate reports.**

1. Eagles and T&E species. You must report any **Eagles and federally listed Threatened or Endangered Species** found dead or injured to your OLE special agent (see Condition D for contact information) or the general OLE phone number **[enter phone number]** and your Ecological Services Field Office **[enter phone number here]** **immediately** if possible, but no later than 48 hours from discovery of the bird, or at the beginning of the next business day. Your report must include as much of the information from Condition F(1) as possible.

A written injury/mortality report, including information not available at the time of your initial report, must be submitted to your migratory bird permit issuing office to include the data in Condition F(1) and/or as directed by your OLE special agent no later than **7 days** from the date of discovery and collection of the carcass.

A list of Threatened and Endangered species by State may be found in the Service’s Threatened and Endangered Species System (TESS) database at: <http://www.fws.gov/endangered>.

1. Significant mortality events. Report mortality events involving unusually high numbers of birds or unusual species groups to your migratory bird permit issuing office **[enter phone number]**  immediately if possible but not later than 48 hours from discovery of the birds, or at the beginning of the next business day.

(3) **Annual report.** You must submit a cumulative annual reportof all dead and injured birds, including **Eagles and federally listed Threatened or Endangered Specie**s, discovered or collected and any active nests relocated, to your migratory bird permit issuing office by **January 31** following each calendar year in which the permit is in effect. Your report must include at a minimum the information required in Condition F(1). For active nests, please indicate the species and date relocated.

J. **Disposition of Carcasses and Parts.**

(1) In accordance with Condition D(1) above, the Service will advise you on disposition of **Eagles and federally listed Threatened or Endangered Species** specimens. The special agent will advise if they will recover an eagle carcass or if you need to ship the carcass to the Service. With PRIOR written authorization from an OLE special agent, you may contact the U.S. Fish and Wildlife Service, National Eagle and Wildlife Property Repository (NER) at (303) 287-2110 for shipping instructions. The written authorization from the special agent must accompany the Eagleif it is shipped to the NER. Disposition must be reported in your annual report to your migratory bird permit issuing office.

(2) Carcasses of migratory birds, other than Eagles and federally listed Threatened or Endangered Species, may be necropsied to determine cause of death PROVIDED necropsy is authorized in writing by OLE.

(3) Unless otherwise specified in this permit, Migratory **Bird carcasses** and parts (**other than** **Eagles and federally listed Threatened or Endangered Species**) collected during the calendar year (ending Dec 31) that have been documented in your records must be stored in the freezer at the facilities at the location specified in Block 10 **until January 15** of the following year in which they were collected. Unless otherwise specified by your migratory bird permit issuing office or OLE, after **January 15** and after your annual report has been submitted to the migratory bird permit issuing office (due January 31), carcasses and parts may be:

(a) turned over to the State wildlife agency for official purposes, or,

(b) donated to a public scientific or educational institution, or to an individual or entity authorized by Federal permit to acquire and possess migratory bird specimens.

After all permit requirements have been met, carcasses and parts (**except Eagles and federally listed Threatened or Endangered species**) that you do not transfer to another authorized party must be disposed of by burial or incineration.

K. **Renewal.** Any renewal request for this permit must include information on any modifications made to your operations or infrastructure to avoid or minimize migratory bird mortalities, and if you have made modifications, any preliminary results of those modifications.

L. **Subpermittees.**  Any person who is employed by or under contract to the permittee for the activities specified in this permit, or any person who is otherwise designated as a subpermittee in writing by the permittee may exercise the authority of this permit.

M**. Standard Conditions.** You and any subpermittees must comply with the attached Standard Conditions for Migratory Bird Special Purpose Utility Permits. **These standard conditions are a continuation of your permit conditions and must remain with your permit.**

**For suspected illegal activity immediately contact the USFWS Law Enforcement at: (\_\_\_) \_\_\_-\_\_\_\_.**

*This permit does not, nor shall it be construed to, authorize lethal take or injury of migratory birds or limit or preclude the U.S. Fish and Wildlife Service from exercising its authority under any law, statute, or regulation, or from taking enforcement action against any individual, company, or agency. This permit is not intended to relieve any individual, company, or agency of its obligations to comply with any applicable Federal, State, Tribal, or local law, statute, or regulation. We strongly encourage you to develop/update and implement a proactive Avian Protection Plan (APP) per current U.S. Fish and Wildlife Service/Avian Power Line Interaction Committee (APLIC) guidelines found at:*  [www.aplic.org](http://www.aplic.org/).