

Breadcrumb

1. [Home](#)
2. Print
3. Pdf
4. Node
5. Entity Print

# Migratory Bird Depredation Permit Process

Last Modified:

The U.S. Fish and Wildlife Service issues Federal Migratory Bird Depredation Permits to individuals and entities for lethal take of Migratory Birds when conditions warrant. This take can include any migratory birds except for eagles and threatened and endangered species. These permits designate the species, methods, and the number of birds that may be taken, and are only valid for the individuals named on the permits, permit locations, and dates of the permit.

Applicants who apply for a Migratory Bird Depredation Permit must apply to the U.S. Fish and Wildlife Service Regional Office. The application process involves the following steps:

**Step 1.** Contact USDA Wildlife Services for technical assistance.

**Step 2.** If a permit is justified, a USDA biologist will issue a WS Form 37 to the requestor.

**Step 3.** The requestor must submit a permit application to the U.S. Fish and Wildlife Service including the form 37 and a permit application fee.

# **WS Form 37 and USDA's Role in the Permit Process**

Although the USDA Wildlife Services Program is not a regulatory program, we have a role in some regulatory processes. Wildlife Services biologists conduct damage evaluations to provide information to the U.S. Fish and Wildlife Service and the state wildlife agency as part of their permit processes. WS provides technical assistance to callers with migratory bird conflicts. In some cases, lethal take may be required to resolve these issues or reinforce the effectiveness of non-lethal dispersal. In such cases, WS biologists complete an evaluation form (Form 37) that describes the incident and documents our recommendations for management options. When lethal take is recommended, those forms are forwarded by the applicant with applications and application fee for Federal Migratory Bird Depredation Permits.

[Migratory Bird Depredation Permit Application](#)

[More about FWS permits and the Federal laws and Treaties](#) that relate to migratory birds

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