

Research Permitting workshop

DIADROMOUS SPECIES RESTORATION RESEARCH NETWORK

Penobscot Science Exchange

November 4, 2010



Overview

Who, what where and when to apply for a scientific
research permit

Who needs a research permit?

- State, Federal and University researchers conducting directed research on ESA listed species in Maine
- Professors, teachers, students and Non Governmental Organizations conducting aquatic research within the expanded GOM DPS of Atlantic salmon
- Actually...anyone conducting research activities within the geographic range of an ESA listed species, where such activities may encounter and potentially harm any protected species or adversely modify designated critical habitat which may be present.

What type of permit do I need?

- Depending on the scope and location of the research activity, individual permits may be required from State, Federal and Tribal authorities.
- **State of Maine**
 - Inland Fish and Wildlife
 - Department of Marine Resources
- **Federal government**
 - United States Fish and Wildlife Service
 - NOAA's National Marine Fisheries Service
- **Tribal landowners**
 - Penobscot Indian Nation
 - Passamaquoddy Nation

Permits available

Federal Government

- Section 10 (a)(1)(A) Scientific research permit

Penobscot Nation

- Land Use and Work Related Permits

State of Maine

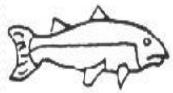
Department of Marine Resources

- Special License

Department of Inland Fish and Wildlife

- Scientific Fish and Wildlife Collectors Permit

Information Needs



Permit application package should include the following:

- ✓ Complete research proposal and/or description of work
- ✓ Scope of work and detailed description of action
- ✓ Geographic location of activities
- ✓ Timeframe for study
- ✓ Principal investigator and collaborators involved
- ✓ Species collected or affected by action
- ✓ Anticipated effects on ESA listed species and designated critical habitat

Permit application submittal timeline

Federal Permit and
annual reports

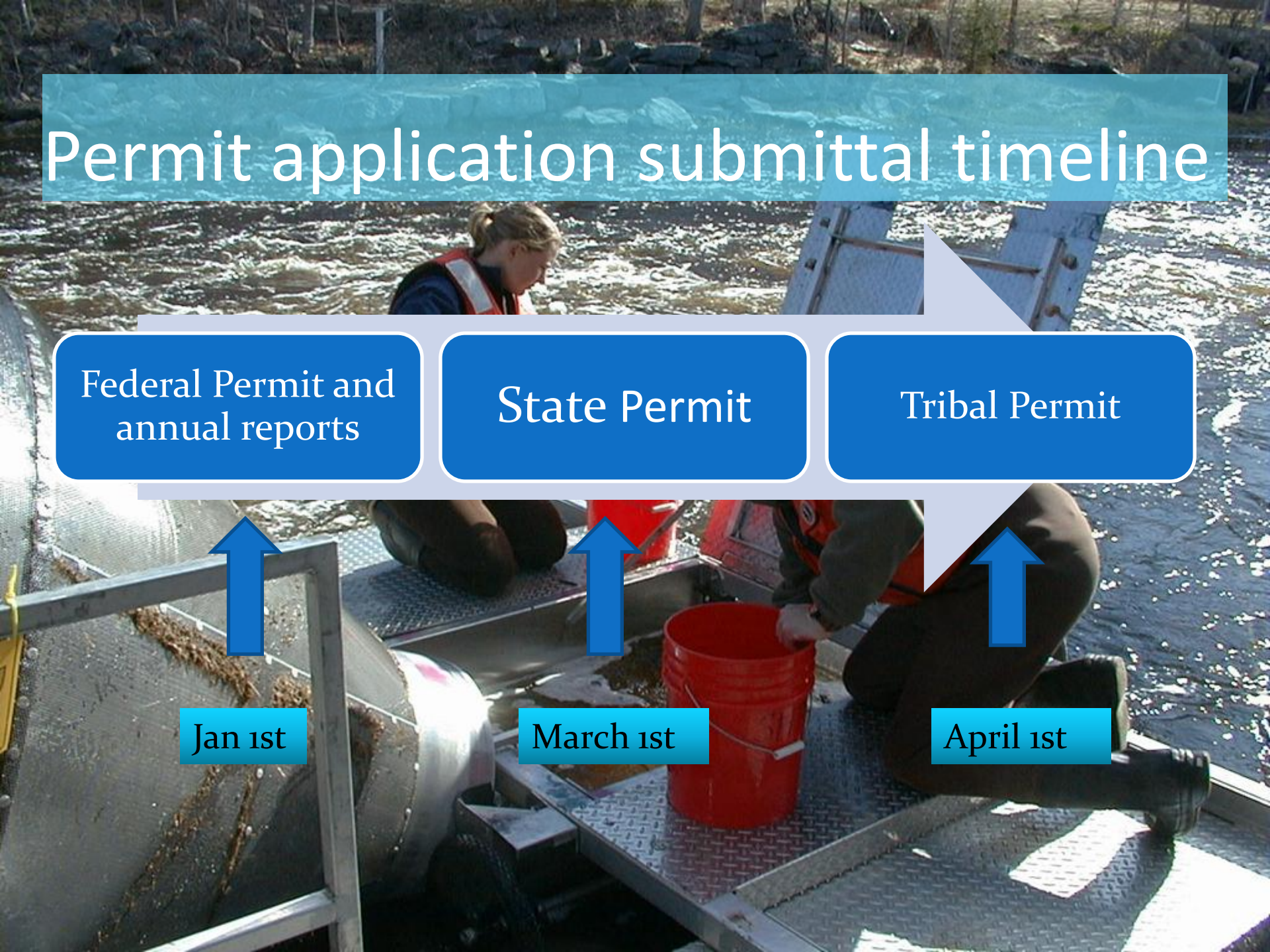
State Permit

Tribal Permit

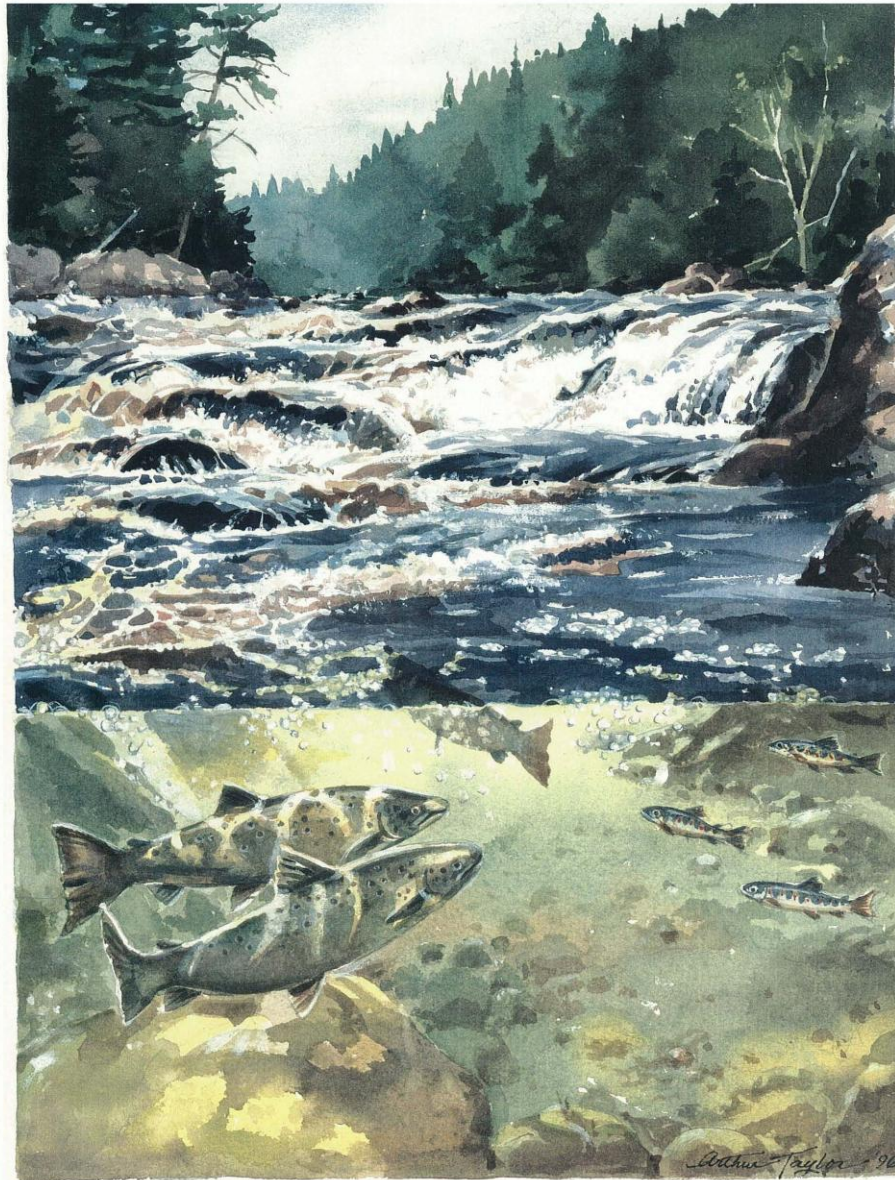
Jan 1st

March 1st

April 1st



Atlantic Salmon Permitting



17/50

Arthur Taylor '96
Arthur Taylor



Federal Permitting Process for Atlantic salmon Section 10(a)(1)(A) Research Permits

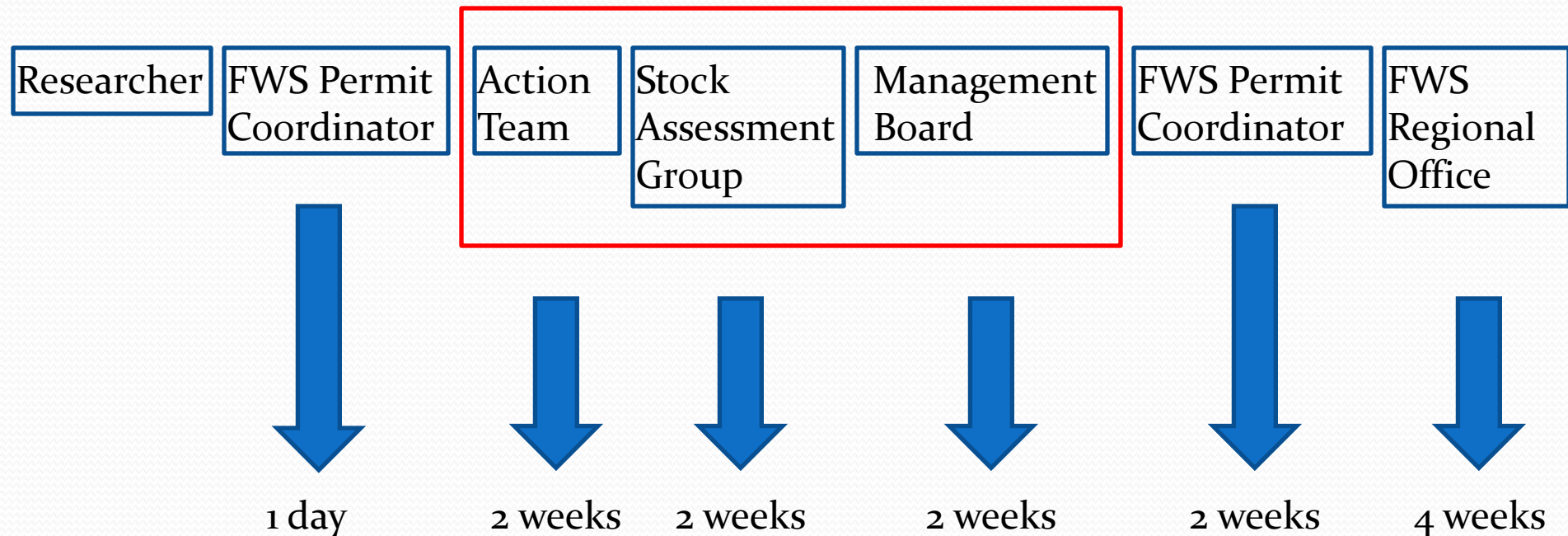
1. Write research proposal
2. Have permit application reviewed
3. Get permit or not

FWS issues permits for Atlantic salmon

- FWS Log in Process: currently Antonio Bentivoglio
- Framework Review: Action Teams, Stock Assessment Group, Management Board
- FWS Permit Write-up: currently Antonio Bentivoglio
- FWS Regional Office signature and send to researcher

Atlantic salmon permit process

Framework (FWS, NMFS, DMR, PIN)



Total time should be no more than 90 days

Atlantic Salmon Permitting

Information Needs:

- Research Proposal: How the work will increase our knowledge of Atlantic salmon.
- Type of collection and sampling; tagging, handling, anesthesia, efishing, transportation. Must have SOP for these activities.
- Geographic location of activities
- Timeframe for study: Start and end date
- Principal investigator and all collaborators
- Disposition of fish; if catch and release or direct mortality

- **Reporting:** Must provide FWS Permitting Coordinator with an end of year report by Dec 31.
 - **Hatchery Coordinating:** If you need fish please coordinate with the hatchery EARLY.
 - Scott Craig
 - Acting Craig Brook manager
 - Scott_Craig@fws.gov
 - (207) 469-6701 x226
 - **Permitting Coordinator**
 - Antonio Bentivoglio
 - 17 Godfrey Drive, Suite 2
 - Orono, ME 04473
 - Antonio_Bentivoglio@fws.gov
 - (207) 866-3344 x 151
- Anitra Firmenich
Green Lake Hatchery manager
Anitra_Firmenich@fws.gov
(207) 667-9531

NOAA Fisheries Northeast Region

ESA Section 10 (a)(1)(A) Scientific research permit

- Applies to directed research of ESA listed species under NMFS jurisdiction
 - Atlantic salmon and shortnose sturgeon
- Regional sub-permit authority for Atlantic salmon through USFWS
 - Limited to research projects conducted or funded by NMFS
- Shortnose sturgeon permits are approved through NMFS HQ office in Silver Spring, Maryland

Research Permit Criteria

- Requires research activities to be consistent with ESA purposes and policies and may include lethal take of ESA listed species
- Requires researchers to adhere to established Standard Operating Protocols for procedures such as; tagging, handling, anesthesia, and activities like electro-fishing and transporting animals
- May require the use of special equipment and expertise i.e., electro-fishing, rotary screw traps, surgical equipment and transportation tanks
- Monitoring and Reporting requirements

NOAA Fisheries Northeast Region Sturgeon Program Contacts

**Kimberly Damon-Randall, Endangered Species Program Coordinator,
Kimberly.Damon.Randall@noaa.gov (978) 282-8485**

Lynn Lankshear, Atlantic Sturgeon
Coordinator,
Lynn.Lankshear@noaa.gov
(978) 282- 8473

Jessica Pruden, Shortnose Sturgeon
Recovery Coordinator,
Jessica.Pruden@noaa.gov
(978) 282-8482

For Sturgeon Section 7 Related Questions: Julie Crocker, Section 7
Coordinator, Julie.Crocker@noaa.gov (978) 282-8480

For Additional Information on NOAA Fisheries Northeast Region Sturgeon
Programs:
<http://www.nero.noaa.gov>

Penobscot Nation

Land Use and Work Related Permits

Authority:

- Land and Residency Laws of Penobscot Nation (enacted June 27, 1988)
- Subchapter IV (Penobscot Nation Lands) (2) (I) Licenses and Permits (Reservation Lands)
 - Subchapter IV (3) (F) Trust Lands
 - Subchapter IV (7) (C) Fee Lands
 - Subchapter IV, Section 2 (I) (4)

Application* should include:

- Name and contact information of applicant requesting access
- Narrative description of reason requesting access to tribal lands
- Timeframe of project or dates requested for access
- Specific area to be accessed
- Names and affiliations of all individuals to have access

*Requests for land use or work-related permits should be sent by regular mail to;

Mr. Orland Clark, Land Coordinator

Penobscot Nation

Department of Trust Services

12 Wabanaki Way

Indian Island, ME 04468

DMR Special Licenses (SL)

- **IT'S THE LAW: 12 MRSA 6074**

The commissioner may issue a special license for research, aquaculture or education that **exempts the holder from one or more marine resources' laws as to the time, place, length, condition, amount and manner of taking or possessing a marine organism**. Except as provided in subsection 8, the commissioner may not issue a special license unless the application for that license is approved by the advisory council.

- Towns, tribal lands, state properties, parks etc may require separate access permission.

DMR contact: Laurice Churchill – DMR Regulations Officer
laurice.churchill@maine.gov, or cell 207-441-2125

DMR SL application is a letter including:

- Who (for each person): Name, residential address and business address (if applicable), date of birth (mandatory), telephone contact information (include a fax number if available) and email address.
- Why: Doctoral thesis, laboratory class, research on what. Provide copy of executive summary of grants, etc
- What: Describe activity, objectives. **If requesting an exemption for any federally endangered, threatened or listed species of concern provide in writing information about your contact with the respective federal agency and any conditions or requirements by that agency.**
- Quantify: State the amount of each species to be collected, handled, tagged, etc
- How: Gear type, hand collection, other? Quantify if applicable.
- When: Date(s), timeframe, annual, number of annual renewals required – may be up to 4, what is duration of project?
- Where: Location: sites, Cove(s), bay, town – where collection takes place, where specimens may be held/housed if applicable, where specimens may be released if applicable
- **US Coast Guard Commercial Fishing Vessel Inspection Decal – for powered vessels**

DMR Special Licenses (SL)

- **IT'S NOT OUR PRIMARY JOB!**
 - So send in your application early.
 - Make your application complete and consistent.
 - More information is better.
 - DMR conducts background checks for resource violations (this may be a problem when working with commercial fishermen).

**STATE OF MAINE
INLAND FISHERIES & WILDLIFE
FISHERIES DIVISION
284 STATE STREET-STA #41
AUGUSTA, MAINE 04333**

APPLICATION FOR SCIENTIFIC COLLECTORS PERMIT

- Affiliation or Company name:
 - Principal Officer:
 - Address and Telephone Number
 - Dates of Collection
 - Purpose of collection:
 - Location:(water names, township, county)
 - Type of gear:
 - Species and Numbers to be collected:
 - What disposition will be made of the specimens collected?
 - Names of subpermittees:
 - Signature __ Date
- * You must include your biosecurity plan with this application.**

State of Maine
Maine Department of Inland Fisheries and Wildlife
Wildlife Resource Assessment Section
650 State Street
Bangor, ME 04401-5654

APPLICATION FOR SCIENTIFIC COLLECTOR'S PERMIT

Name

Address

Telephone

hereby applies for a permit to collect, possess, and transport wild animals and/or birds or their nests and eggs in Maine in accordance with the laws of the State for scientific or educational purposes only during the calendar year _____.

1. I understand that in the case of migratory birds, a permit from the U.S. Fish and Wildlife Service is also required. (Migratory Bird Permit Office, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, PO Box 779, Hadley, MA 01035-0779 (413) 253-8643). However, the Maine Scientific Collector's permit must first be issued before a federal permit will be approved.

Permit application Cont'd

2. If an applicant plans to utilize firearms for any purpose while conducting activities covered by a scientific collecting permit, the application must be accompanied by proof that the applicant possesses a current valid Maine hunting license. This requirement also applies to any sub-permittee listed on the application. Also, if applicable, proof must be furnished of a valid federal scientific collector's or special purpose permit.

Do you plan to use firearms? Yes/ No

If yes, my current State of Maine hunting license number is _____.

3. Are you over 16?

4. If, while you are collecting, your residence will be different from the one stated above, please list the address of that residence.

5. Did you have a Maine permit last year for the same study? If so, do not answer question 6.

Permit Application Cont'd

6. Describe the studies in which you are engaged that make it necessary for you to collect the specimens desired. Attach your study proposal.
7. List, by species, the number of specimens you require:
8. Where in Maine do you plan to make collections?
9. When do you plan to make collections?
10. What disposition will be made of the specimens you collect?
11. List individuals authorized by you to assist in, or carry out, the work described in this Application.

I certify that the answers to the preceding questions are correct to the best of my knowledge and belief.

(Date) (Signature)



Questions?