



State of Vermont  
**PERMIT AND LICENSE INFORMATION**

**PROTECTION OF ENDANGERED AND THREATENED SPECIES**

**SUMMARY DESCRIPTION OF PERMIT** State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. Endangered species are those whose continued existence as components of the State’s wild flora or fauna is determined to be in jeopardy. Threatened species are those likely within the foreseeable future to become endangered.

The Vermont Fish & Wildlife Department administers the permit program for the Secretary of the Agency of Natural Resources. The Department’s mission is to protect and conserve fish, wildlife, plants and their habitats for the people of Vermont.

Threatened & Endangered Species Takings Permits may be granted only for the following purposes: incidental take, scientific purposes, enhancement of the propagation of a species, zoological exhibition, educational purposes, and special purposes consistent with the purposes of the Federal Endangered Species Act (ESA).

**INFORMATION REQUIRED** Permit applications must identify proposed actions, species that may potentially be taken, purpose of proposed takings, methods and equipment to be used, probable impacts of the proposed actions, plan for conservation or mitigation of species impact, site map and final disposition of the species taken. Applications for research purposes must also include research proposals.

**WEB ADDRESS** ANR T&E Permits: <http://vtfishandwildlife.com/conservation/conservation-planning/endangered-and-threatened-species>

**FEES** Fees to be charged to a person applying to take a threatened or endangered species are as follows:

- (A) To take for scientific purposes, to enhance the propagation or survival of the species, for educational purposes or special purposes consistent with the federal Endangered Species Act, \$50.00
- (B) To take for zoological or botanical exhibition or for incidental purposes, \$250.00 for each listed animal or plant taken up to a maximum of \$25,000.00. The Secretary may require the implementation of mitigation strategies and may collect mitigation funds, in addition to the permit fees, in order to mitigate the impacts of a taking or the destruction of or adverse impact on critical habitat.

Authorization to take listed species may require Permittees to take specific survey, management and/or monitoring actions at the Permittee’s cost.

**APPLICATION  
TIME FRAME**

Depends on project and species involved. If a site visit is needed when a plant is identifiable, for example, a fall application might need a summer site visit.

**ADMINISTERING  
AGENCY**

<b>VERMONT FISH &amp; WILDLIFE DEPARTMENT</b>	
<b>CONTACT:</b>	<p><i>Animals:</i> Jon Kart Phone: 802-595-1810                      Fax: 802-828-1250 <a href="mailto:jon.kart@vermont.gov">jon.kart@vermont.gov</a></p> <p><i>Plants:</i> Bob Popp Phone: 802-476-0127                      Fax: 802-476-0129 <a href="mailto:bob.popp@vermont.gov">bob.popp@vermont.gov</a></p>
<b>ADDRESS:</b>	1 National Life Drive, Davis 2 Montpelier, VT 05620-3702

**AUTHORITY**

10 VSA Chapter 123

**APPLICABLE RULES**

T&E Rules:

<https://legislature.vermont.gov/statutes/section/10APPENDIX/001/00010>

Vermont Endangered and Threatened Species Lists:

- [Animals](#)
- [Plants](#)

**APPEAL  
PROCESS****Renewable Energy Projects – Right to Appeal to Vermont Public Utility Commission**

If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the Vermont Public Utility Commission pursuant to 10 V.S.A. §8506. This section does not apply to a facility that is subject to 10 V.S.A. §1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. §1006 (certification of hydroelectric projects) or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the Clerk of the Public Utility Commission within 30 days of the date of this decision; the appellant must file with the Clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. 8504(c)(2) and shall also serve a copy of the Notice of Appeal on the Vermont Department of Public Service. For further information, see the Rules and General Orders of the Public Utility Commission, available on line at <http://puc.vermont.gov/>. The address for the Public Utility Commission is 112 State Street, Montpelier, Vermont, 05620-2701 (Tel. # 802-828-2358).

**All Other Projects****Right to Appeal to Environmental Court**

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Division of the Superior Court within 30 days

of the date of the decision. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at [www.vermontjudiciary.org](http://www.vermontjudiciary.org). The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660).

**OTHER  
PERMITS**

Federal - For federally listed species, ESA of 1973 applies (Public Law 93-205)  
<http://www.fws.gov/Endangered/permits/index.html>

For migratory birds, Migratory Bird Treaty  
<http://www.fws.gov/migratorybirds/mbpermits.html>