

**Incidental Take Permit Endangered Species Section 10 (a)(1)(B) - NOAA-1
National Oceanic and Atmospheric Administration
National Marine Fisheries Service**

Permit Packet Includes:

1. Process Overview
2. Endangered Species Act of 1973 (see Addendum **ESA**)
3. EPA, FWS, and NMFS MOA, February 2001 (see Addendum **ESA**)
4. Section 10 Regulations (see Addendum **ESA Section 10**)
5. FWS and NMFS HCP and ITP Processing Handbook, November 1996 (see Addendum **ESA Section 10**)
6. Addendum to FWS and NMFS HCP and ITP Processing Handbook, June 2000 (see Addendum **ESA Section 10**)
7. HCP Assurances “No Surprises” Rule, February 1998 (see Addendum **ESA Section 10**)
8. FWS and NOAA Safe Harbor Policy, June 1999 (see Addendum **ESA Section 10**)
9. Marine Protected Species of the Hawaiian Islands, April 2008

Approval or Permit Required:

To conduct an otherwise lawful activity that might incidentally, but not intentionally, “take” (harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) an Endangered Species Act (ESA) listed marine mammal, anadromous fish, or other living marine resources.

Contact Information:

NMFS Pacific Islands Regional Office (PIRO)
Protected Resources Division (PRD)
1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814
Phone: 808-944-2200

Website:

NOAA Fisheries – Office of Protected Resources
Conservation Plans (CPs)

Website: <http://www.nmfs.noaa.gov/pr/permits/cp.htm>

Endangered Species Permits and Conservation Plans

Website: http://www.nmfs.noaa.gov/pr/permits/esa_permits.htm

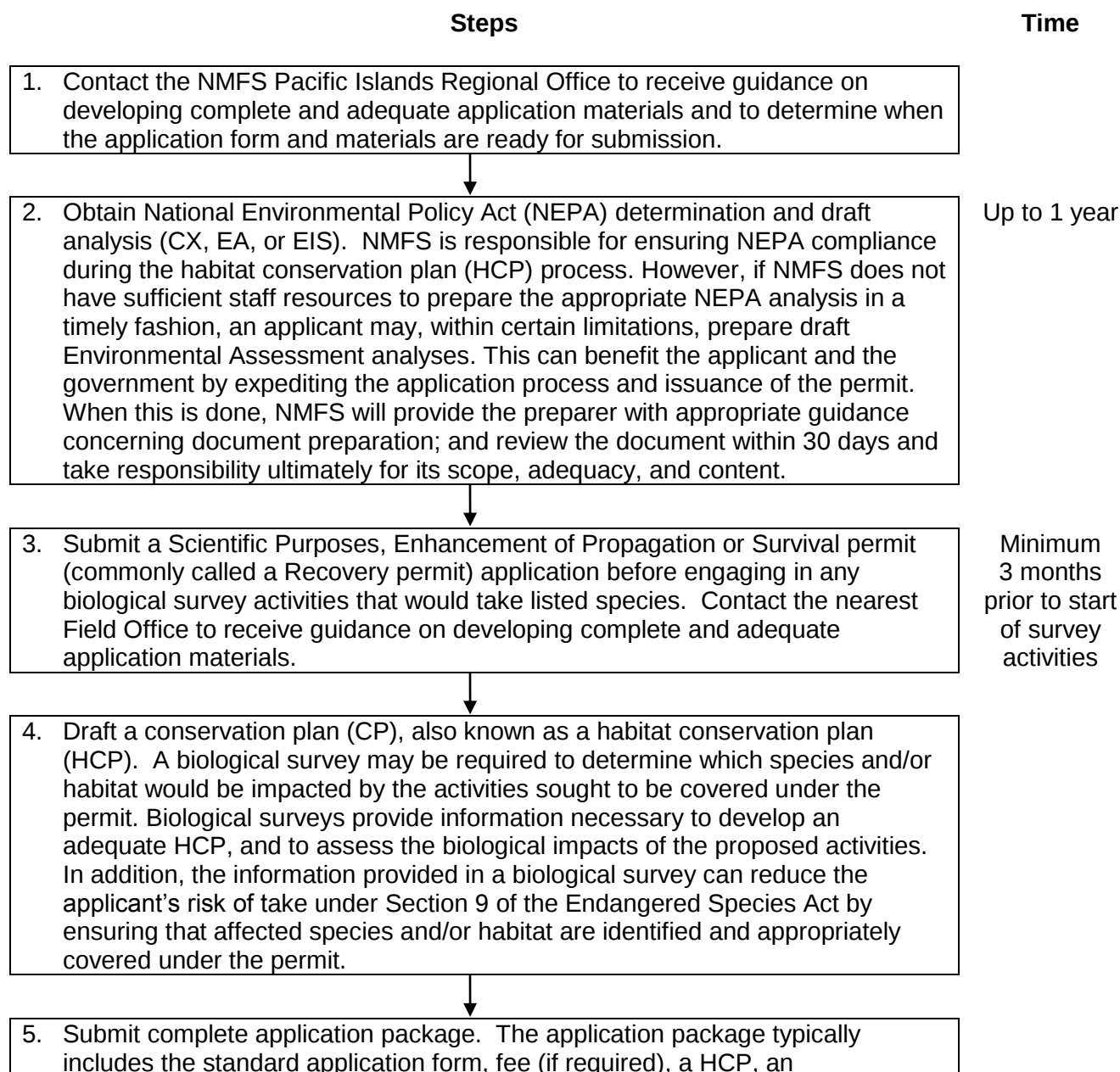
Incidental Take Authorizations NOAA Fisheries – Office of Protected Services

Website: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>

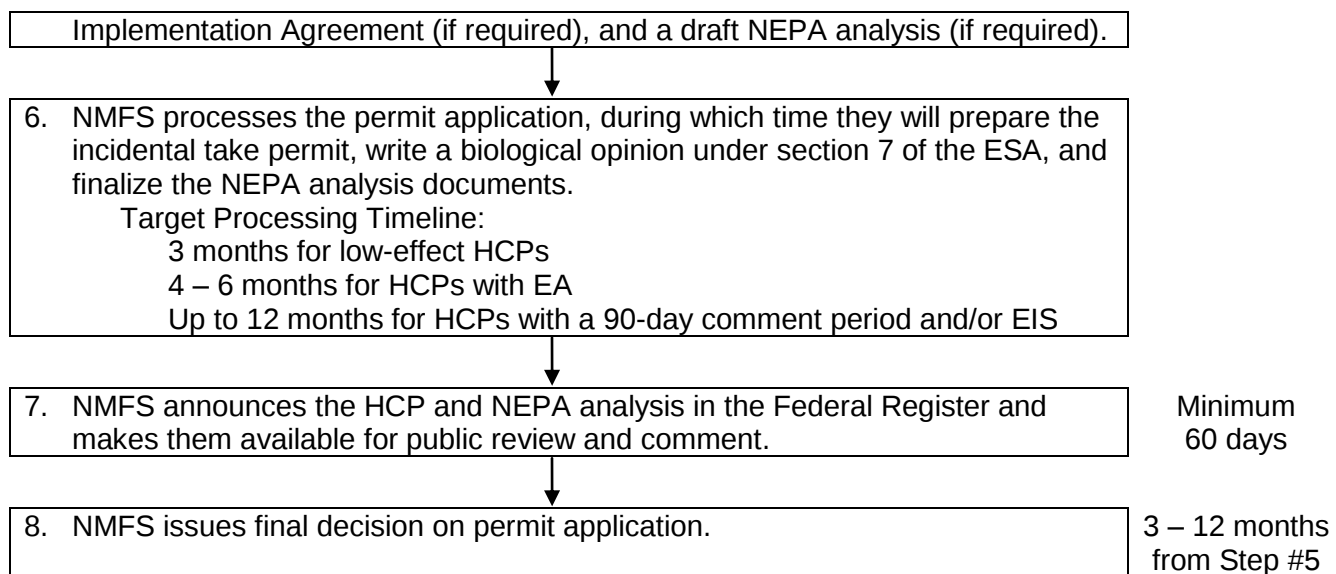
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Notes:

- An Endangered Species Act (ESA) Section 7 Determination is required for any federal agency (other than NMFS) providing any type of authorization or funding to a proposed project. This federal agency (the “action agency”) is required to obtain a Biological Opinion (BO) and Incidental Take Statement (ITS), also known as an Endangered Species Permit, to allow the agency to authorize or fund the project.
- **Section 7 will apply to the majority of renewable energy projects in Hawai`i.**
- An ESA Section 10 Determination is required for non-federal entities to obtain an Incidental Take Permit (ITP), which is only necessary if there is no federal authorization or funding to the proposed project.



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**Total Time Period: 3 months to
 2 years**

Fees	Amount	Maximum
Application fee	\$25	\$25
Total Fees:	\$25 (minimum)	\$25 (maximum)