



U.S. Fish & Wildlife Service
Migratory Birds
Mountain-Prairie Region



Update for Public:

U.S. Fish and Wildlife Service Reconsideration of Garrett Construction Company Permit Application for an Eagle Incidental Take Permit for the Caliber at the Flatirons Apartment Project.

- Earlier in 2019 Garrett Construction Company LLC (Garrett) requested that the U.S. Fish and Wildlife Service (Service) reconsider their application for an eagle incidental take permit, for the 2019 bald eagle nesting season, in relation to their Caliber at the Flatirons Apartment Project (Project) in the City and County of Broomfield (Broomfield), Colorado.
- Garrett's Project occurs in proximity to a bald eagle nest that was active in 2019. Hence, they worked with the Service to (1) avoid and minimize the potential for disturbance take of nesting eagles due to the Project, and (2) they applied for an eagle incidental take permit for possible disturbance take, if it were to occur during the nesting season.
- Recently Garrett withdrew their application for an eagle incidental take permit which was being reconsidered by the Service for the 2019 nesting season.
- The young have fledged from this bald eagle nest and the Service is no longer concerned about disturbance take during the remainder of 2019 in relation to Garrett's Project.
- Therefore the Service is terminating the National Environmental Policy Act (NEPA) process because there is no longer a permit decision to be made and therefore no federal action.
- The Service encourages Garrett and Broomfield to coordinate to ensure completion of the Project by the end of 2019.