



FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

NEVADA DEPARTMENT OF WILDLIFE
1100 VALLEY ROAD
RENO, NV 89512-2817
U.S.A.

2. AUTHORITY-STATUTES
16 USC 1539(a)

REGULATIONS (Attached)
50 CFR 17.22

50 CFR 13

3. NUMBER
TE114687-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
02/14/2007

7. EXPIRES
02/13/2057

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
KENNETH E. MAYER
NDOW DIRECTOR

9. TYPE OF PERMIT
ENDANGERED SPECIES

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
On non-Federal lands within Clark County Nevada.

11. CONDITIONS AND AUTHORIZATIONS:

- A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.
- B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.
- C. VALID FOR USE BY PERMITTEE NAMED ABOVE.
- D. Further conditions of authorization are contained in the attached Special Terms and Conditions.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS
ANNUAL REPORT DUE: 10/1

ISSUED BY

TITLE
FIELD SUPERVISOR

DATE
02/14/2007

U.S. Fish and Wildlife Service, Portland, Oregon
Special Terms and Conditions for Permit TE-114687-0

E. All sections of Title 50 Code of Federal Regulations, §§ 13 and 17.22 and 17.32 (Attachment) are conditions of this permit. If any such regulations are modified, any future action taken with respect to this permit shall be in accordance with such regulations in existence at the time such action is taken, except as specifically otherwise provided for by law.

F. The authorization granted by this permit is subject to full and complete compliance with, and implementation of, the Programmatic Safe Harbor Agreement for razorback sucker and bonytail chub within Clark County, Nevada (Safe Harbor Agreement), which is hereby incorporated into this permit. This permit and the Safe Harbor Agreement are binding upon the Permittee and any authorized officer, employee, contractor, or agent.

G. The Permittee and any person who is under the direct control of the Permittee (e.g., Cooperating landowner) or who is employed by or under contract to the Permittee for the purposes authorized by this permit are authorized to incidentally take (kill, harm, harass) razorback sucker (*Xyrauchen texanus*) and bonytail chub (*Gila elegans*) on or at the enrolled lands:

1. While the Safe Harbor Agreement is in effect and the Cooperating landowner(s) enrolled in the program through a Certificate of Inclusion and Cooperative Agreement are complying with the Safe Harbor Agreement;
2. During the term of the Cooperating landowner's Cooperative Agreement (minimum of 5 years after being signed by the parties), provided the Cooperating landowner(s) was in compliance with the Safe Harbor Agreement; and
3. If Cooperating landowner(s) terminate their Cooperative Agreement early, consistent with section 8.2 of the Cooperative Agreement.

Such take must be incidental to otherwise lawful activities on enrolled lands as described in the permit application, and as conditioned herein. This permit does not authorize intentional take of razorback suckers or bonytail chub.

H. The Permittee shall inform the U.S. Fish and Wildlife Service (Service) when a Cooperating landowner gives a 30-day advance notice (as per section 4.2 e. in the Cooperative Agreement) that the landowner expects to carry out an activity that is likely to result in the incidental take of razorback suckers or bonytail chub, to give the Service or their representatives the opportunity to work with the Permittee on the removal or relocation of any affected suckers or chub.

I. In the case of emergency situations arising from natural disasters or human-caused emergency circumstances (e.g., hurricanes, fire, failure of water delivery systems, extreme drought, excessive rainfall), certain management actions may need to be initiated by a Cooperating landowner that may result in take of razorback sucker and bonytail chub. If the Cooperating landowner is able to notify the Permittee prior to initiation of the land management activity, the Permittee will work with the Service to remove or relocate razorback suckers or bonytail chub. If prior notification is not possible, the Cooperating landowner will take into account known locations of razorback suckers and bonytail chub and avoid impacts to the maximum extent possible during his/her emergency actions. The Cooperator will notify the Nevada Department of Wildlife (NDOW) as soon as practicable of taking such actions, including the measures taken to avoid impacts to razorback suckers and bonytail chub. The Permittee will likewise notify the Service such taking as soon as they receive notification.

J. The Permittee, with the assistance of the Service will be responsible for conducting compliance and biological monitoring as described in Section 10.1 and 10.2 of the Safe Harbor Agreement.

K. The annual report, prepared by the Permittee, covering the period from July 1st to June 31st, will be due by October 1st of each year to the Field Supervisor, 1340 Financial Boulevard, Suite 234, Reno, Nevada, 89502. Reports shall include:

A. A narrative explanation describing the number of Cooperators and the amount of habitat potentially maintained, enhanced, or restored as a result of the management actions and/or conservation measures performed under each CA.

B. A summary of the location(s) and circumstance(s) where incidental take of razorback suckers and bonytail chub was anticipated including the identity of the Cooperator, the amount of habitat taken back to baseline, when the take occurred, and whether it was the result of a completed CA or early termination.

C. A summary of any interim take of razorback suckers or bonytail chub (any suckers, chub or habitat that is taken above returning the property to baseline) which may have occurred, including the identity of the Cooperator, location, the amount of take which occurred, and the management action and conservation measure under which it occurred.

D. A narrative explanation and results of all compliance monitoring activities for each enrolled property.

E. A narrative explanation and copies of any biological monitoring for each enrolled property.

F. A summary of actions of any Cooperators who are in non-compliance with the terms and conditions of their CA and/or CI, and the measures employed to remediate the non-compliance.

L. A copy of this permit must be on file with the Permittee. Please refer to Permit Number TE-114687-0 in all correspondence and reports concerning permit activities. Any questions you may have about his permit should be directed to the Assistant Field Supervisor, Nevada Fish and Wildlife Office in Las Vegas at 702-515-5230 or the Field Supervisor, Nevada Fish and Wildlife Office in Reno at 775-861-6300.

M. All applicable provisions of this permit must be presented and clearly explained to all authorizing officers, contractors, or agents of the Permittee that are conducting authorized activities.

N. NDOW will provide copies of all draft CAs to the Service for review and concurrence with the recommended activities/actions, baselines, and biological assessments. The Fish and Wildlife Service will provide comments within 15 business days or less of receiving a draft CA. If no comments are received during this period, NDOW may proceed to finalize the CA.