

SPECIAL TERMS AND CONDITIONS FOR  
PANORAMALAND RESOURCE, CONSERVATION AND DEVELOPMENT COUNCIL  
ENHANCEMENT OF SURVIVAL PERMIT

Species: Utah prairie dog

This permit authorizes the Panoramaland Resource, Conservation and Development Council (Permittee) through December 31, 2058 to implement the Programmatic Safe Harbor Agreement (Programmatic Agreement). The Programmatic Agreement describes the conservation measures which are authorized in Beaver, Garfield, Iron, Kane, Piute, Sevier, and Wayne counties in Utah. The authorization granted through this permit is subject to the following conditions:

- E. The Permittee is authorized to extend the take authority of this permit via a Certificate of Inclusion to each eligible landowner (Cooperator), as defined in the Programmatic Agreement, who enters into a Cooperative Agreement with the Permittee.
- F. The continued validity of this permit is contingent upon the full and complete compliance of the Permittee and any participating Cooperator(s) with the terms and conditions established herein, as well as in the Programmatic Agreement and Cooperative Agreement(s). These permit terms and conditions supersede and take precedence over any provisions in the Programmatic Agreement or other associated documents that are inconsistent with this permit.
- G. The Permittee and Cooperator(s) shall conduct activities in full and complete compliance with all applicable local, State, or Federal law, regulations, or restrictions governing the lands and those conservation practices (as described within the Programmatic Agreement) pertaining to, but not limited to, wildlife, land use, water quality, air quality, local economy, and cultural resources.

Incidental Take

- H. Pursuant to 50 CFR 17.32(c)(1), this permit authorizes the incidental take of Utah prairie dogs resulting from the implementation of conservation practices and routine agricultural activities specified in the Programmatic Agreement. This permit does not authorize incidental take of Utah prairie dogs below the baseline of each enrolled property, as determined by each Cooperative Agreement. Incidental take shall be minimized by the standard conservation measures described in the Programmatic Agreement and the Cooperative Agreements. All such appropriate measures shall be incorporated into each Cooperative Agreement.
- I. The Permittee, in coordination with the Cooperator(s), shall submit an annual report, described in the Programmatic Agreement, to the Project Leader at the U.S. Fish and Wildlife Service (Service) (see List of Contacts). All incidental take of Utah prairie dogs shall be reported in the annual report. The report shall include the locations of the

enrolled properties under which the incidental take occurred, the number of animals affected, and the disposition of all animals.

### Direct Take

- J. Pursuant to 50 CFR 17.32 (a)(1), this permit authorizes the direct take of Utah prairie dogs resulting from the translocation and lethal control of Utah prairie dogs under specific conditions described in the Programmatic Agreement and the Cooperative Agreements. This permit does not authorize direct take of Utah prairie dogs below the baseline of each enrolled property, as determined by each Cooperative Agreement.
- K. Before removing Utah prairie dogs from the enrolled property, the Cooperator shall notify the Utah Division of Wildlife Resources (UDWR) (see List of Contacts) to determine if Utah prairie dogs are eligible for translocation or lethal control according to the conditions of the Cooperative Agreement. No lethal control shall occur until translocation has been considered and undertaken, if appropriate and feasible, by the UDWR or the Service. This permit does not authorize translocation by the Cooperator. Any approved lethal control shall be carried out by the Cooperator according to the relevant conditions described in the Cooperative Agreement. No lethal control shall occur before the Cooperator receives a Certificate of Registration from UDWR.
- L. The Cooperator is not authorized under any circumstances to control Utah prairie dogs below the baseline population of the enrolled property. Control is authorized if the total count of adult Utah prairie dogs on the enrolled property exceeds a specified number, which shall be no less than 20 adults (as determined by the previous spring count performed by UDWR) or twice the baseline number, whichever is larger. Authorization of control is restricted to areas within the enrolled property where Utah prairie dogs could detrimentally impact ongoing farming and ranching activities, or where they may detrimentally impact structures (i.e., within 50 feet of a house or barn). These areas must be identified on the map included with each Cooperative Agreement.
- M. This permit does not authorize the use of poison or pesticide of any kind to control Utah prairie dogs.
- N. The Permittee and Cooperator(s) shall submit an annual report, described in the Programmatic Agreement, to the Project Leader at the Service (see List of Contacts). All direct take of Utah prairie dogs shall be reported in the annual report. The report shall include the locations of the enrolled properties under which the direct take occurred, the number of animals affected, and the disposition of all animals.

### **List of Contacts:**

Project Leader, U.S. Fish and Wildlife Service, Ecological Services, 2369 West Orton Circle, West Valley City, Utah, 84119, telephone 801-975-3330

Native Species Biologist, Utah Division of Wildlife Resources, Southern Regional Office,  
1470 North Airport Road, Cedar City, Utah, 84720, telephone 435-865-6100