

U.S. Fish and Wildlife Service, Portland, Oregon
Special Terms and Conditions for Permit TE 051040-2

1. You were previously issued permit TE-051040-0 on March 18, 2002. The terms and conditions set forth in that permit are hereby superseded by this amendment.
2. The authorization granted by this permit is subject to full and complete compliance with the Habitat Conservation Plan and terms specified in the "Minor Amendment to Cyanotech Habitat Conservation Plan and Extension of Incidental Take Permit (TE-051040)" (Attachment 1). Cyanotech shall be responsible for ensuring compliance with the Habitat Conservation Plan by any Cyanotech authorized officer, employee, contractor, or agent while conducting covered activities.
3. Cyanotech, and its authorized officers, employees, contractors, and agents are authorized to incidentally take only the Permit Species (Hawaiian stilt, *Himantopus mexicanus knudseni*) in the course of otherwise lawful covered activities, as such activities are described in the Habitat Conservation Plan.
4. Cyanotech shall also notify the Service of locations of other species listed as threatened or endangered that are not Permit Species but may be discovered within the area covered by the Habitat Conservation Plan.
5. Upon locating any injured or sick Hawaiian stilt individuals, Cyanotech shall notify the Service's Pacific Islands Fish and Wildlife Office (PIFWO), Honolulu, Hawaii (phone: 808-792-9400, facsimile: 808-792-9580). Cyanotech shall use the following guidelines to provide care for sick or ill stilt individuals:
 - a. See if the bird can fly. If the bird can fly, do not remove from the field. Continue to monitor bird if possible. Record the following information:
 - i. Date
 - ii. Location
 - iii. Banded/Unbanded (If banded, record band number if possible.)
 - iv. Condition of bird, e.g. type of injury
 - v. Additional comments
 - b. If an injured or ill bird cannot fly, do the following:
 - i. Mark area and monitor the bird's behavior.
 - ii. The biological monitor may capture the bird for rehabilitation. Injured stilts may only be captured by the designated biological monitor or personnel who have been trained in the capture and collection of live stilts and after approval is received from the Service or the State Division of Forestry and Wildlife (DOFAW).

- iii. If the biological monitor is unavailable or unable to capture the injured or ill bird, notify DOFAW West Hawaii (tel: 808-887-6063, on weekends: 808-937-0303) as soon as possible to assist with capture.
 - iv. Once the injured or ill bird is captured, the bird may be given to one of the following veterinary clinics for care and rehabilitation:
 - A. Alii Veterinary Hospital, Dr. Maria Jose (phone: 808-322-9133, Keauhou Shopping Center, 78-6831 Alii Drive, Kailua-Kona).
 - B. Kona Veterinary Service, Dr. Betsy Webb (phone: 808-325-6637 or 808-969-9777, 73-4730 Mamalahoa Highway, Kailua-Kona).
6. Upon locating any Hawaiian stilt carcasses (e.g., adults, subadults, juveniles, fledglings, chicks, and damaged or abandoned eggs), Cyanotech shall immediately notify the Service's PIFWO (phone: 808-792-9400, facsimile: 808-792-9580). Within five calendar days, the Cyanotech must follow up such verbal notification in writing to the Service's PIFWO (address: U.S. Fish and Wildlife Service, 300 Ala Moana Blvd., Pacific Islands Fish and Wildlife Office, P.O. Box 50088, Honolulu, HI 96850).
- a. Cyanotech shall locate all stilt carcasses and collect fresh stilt carcasses for necropsy in order to determine cause of death, where possible. Each carcass submitted shall be individually tagged and labeled. The label shall include:
 - i. Collector's name
 - ii. Location collected
 - iii. Date collected
 - iv. Age, sex, suspected cause of death, if able to be determined
 - v. If found in raceway pond, type and stage of microalgal production, and
 - vi. Any other relevant information.
 - b. If a carcass is found and determined to be fresh (less than 48 hours after death):
 - i. Place each carcass in a separate, sealed plastic bag and place in refrigerator or on ice, and notify the Conservation Planning and Permits Program Leader of the Service's PIFWO (phone: 808-792-9400) and Dr. Thierry Work or Bob Rameyer at the National Wildlife Health Research Center (NWHRC) (phone: 808-792-9520 or 792-9521) and prepare the carcass for transport via air cargo.
 - ii. To transport the carcass, use a plastic cooler or insulated metal chest. If these are not available, a styrofoam cooler placed inside a cardboard box or a sturdy cardboard box with insulating material may be used to transport specimen(s). To keep specimens cool, use blue ice packets. Line the cooler or ice chest with a large plastic bag. Inside this bag, place the double-bagged carcasses with the blue-ice interspersed between

carcasses (if multiple carcasses). Fill any empty space with newspaper. Use strapping tape to secure the shipping container.

- iii. Write "WILDLIFE DIAGNOSTIC SPECIMEN" on the outside of the shipping container. Label the outside of the container with the submitter's name, address, and phone number. If submitting to the NWHRC directly, include the following information:

Dr. Thierry Work
National Wildlife Health Research Center
300 Ala Moana Blvd., Room 8-132
Honolulu, HI 96850
808-541-3445 x 185

- iv. Ship via inter-island air freight and notify the NWHRC when the specimen was shipped and the expected time of the arriving flight.
7. Cyanotech shall refer to permit number TE 051040-2 in all correspondence and reports concerning permit activities. Any questions about this permit should be directed to the Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, P.O. Box 50088, Honolulu, HI 96850 (phone: 808-792-9400, facsimile: 808-792-9580).
 8. All applicable provisions of this permit must be presented and clearly explained to all authorized officers, employees, contractors, or agents of Cyanotech conducting covered activities.
 9. Reporting requirements: Cyanotech shall submit implementation reports to the Service's Pacific Islands Fish and Wildlife Office as per the Habitat Conservation Plan, or as amended by written mutual consent between the Service and Cyanotech.
 10. Cyanotech is not required to obtain a new permit if there is a change in the legal individual or business name, or in the mailing address of Cyanotech. Cyanotech is required to notify the issuing office (Portland Regional Office) within 10 calendar days of such change. This provision does not authorize any change in location of the conduct of the permitted activity when approval of the location is a qualifying condition of the permit.
 11. All sections of 50 CFR 13 §17.22 are conditions of the 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.