

U.S. Fish and Wildlife Service, Portland, Oregon  
Special Terms and Conditions for Permit TE032463-0

- E. The authorization granted by this permit is subject to full and complete compliance with, and implementation of, the Implementation Agreement (IA), executed by the Permittee, the U.S. Fish and Wildlife Service (Service) and the National Marine Fisheries Service, and those portions of the Habitat Conservation Plan expressly incorporated therein. Simpson shall be responsible for ensuring compliance with the Habitat Conservation Plan by any Simpson authorized officer, employee, contractor, or agent while conducting covered activities.
- F. Permittee, and its authorized officers, employees, contractors, and agents are authorized to incidentally take only the Permit Species listed in Table 1 in the course of otherwise lawful covered activities, as such activities are described in the IA and Habitat Conservation Plan.
- G. Migratory Birds other than Bald Eagle. This section 10(a) permit also constitutes a Special Purpose Permit under 50 CFR 21.27 for the take of those Permit Species subject to incidental take which are listed as threatened or endangered under the Endangered Species Act of 1973 as amended, and which are also protected by the Migratory Bird Treaty Act, except for the Bald Eagle. Such Special Purpose Permit shall be valid for a period of 3 years from the effective date, provided the section 10(a) permit remains in effect for such period. Such Special Purpose Permit shall be renewed, provided that the Permittee continues to fulfill its obligations under this agreement. Each such renewal shall be valid for the maximum period of time allowed by 50 CFR 21.27 or its successor at the time of renewal.
- H. Bald Eagle. The Service will not refer the incidental take of any bald eagle, *Haliaeetus leucocephalus*, for prosecution under the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. §703-712), or the Bald and Golden Eagle Protection Act of 1940, as amended (16 U.S.C. §668-668d), provided that such take results from covered activities conducted in accordance with the Habitat Conservation Plan on lands covered by this permit.
- I. Permittee shall notify the Service of new locations of listed Permit species that are discovered within the area covered by the Habitat Conservation Plan, including, but not limited to marbled murrelets, *Brachyramphus marmoratus*, and bald eagles. Permittee 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, such as but not limited to the Northern spotted owl, *Strix occidentalis caurina*, and the Gray wolf, *Canis lupus*.
- J. Upon locating any dead, injured, or sick individuals of any listed species covered by this permit, Permittee shall, within 3 working days, notify the Service's Western Washington Fish and Wildlife Office, Lacey, Washington (tel: 360-753-9440). Instructions for proper handling and disposition of such specimens will be issued at that time. Care must be taken in handling sick or injured specimens to ensure effective treatment and care, and in the handling of dead specimens to preserve biological material in the best possible state.
- K. Permittee shall refer to permit number TE032463-0 in all correspondence and reports concerning permit activities. Any questions you may have about this permit should be directed to the Field Office Supervisor, U.S. Fish and Wildlife Service, Western Washington Fish and Wildlife Office, Lacey, Washington (tel: 360-753-9440).
- L. All applicable provisions of this permit must be presented and clearly explained to all authorized officers, employees, contractors, or agents of Permittee conducting covered activities.

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- M Reporting requirements: Permittee shall submit implementation reports to the Service's Western Washington Fish and Wildlife Office as per the Habitat Conservation Plan (Habitat Conservation Plan Sections 8.2 and 8.3), or as amended by mutual consent between the Service and the Permittee.
- N. A permittee 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 the permittee. A permittee 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.
- O. To the extent provided in the IA, all sections of Title 50, Code of Federal Regulations, Part 13, Part 17.22, and Part 17.32 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 or in the IA.
- P. The permit authorization for take associated with the vertebrate control described in Section 1.5 of the Habitat Conservation Plan is limited to take resulting from either lethal or live trapping means of flat tail beavers (*Castor canadensis*) associated with roads where activities of such beavers pose a reasonably foreseeable risk to the integrity of one or more roads, including but not limited to erosion of the road surfaces, plugging of culverts and failure of road fills. Control of mountain beaver (*Aplodontia rufa*) is not a covered activity.
- Q. These additional permit conditions control over any contrary terms in the general conditions or authorizations.

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Table 1. Permit species in Simpson Timber Company Northwest Operations Habitat Conservation Plan

**Mammals:**

Roosevelt elk, *Cervus elaphus Roosevelti*

**Birds:**

\*Bald Eagle, *Haliaeetus leucocephalus*  
\*Marbled Murrelet, *Brachyramphus marmoratus*  
Band-tailed Pigeon, *Columba fasciata*  
Harlequin Duck, *Histrionicus histrionicus*  
Downy woodpecker, *Picoides pubescens*  
Black-capped chickadee, *Parus atricapillus*  
Chestnut-backed chickadee, *Parus rufescans*  
Western Bluebird, *Sialia mexicana*  
Purple martin, *Progne subis*  
Red-breasted sapsucker, *Sphyrapicus ruber*  
Tree swallow, *Tachycineta bicolor*  
Violet-green swallow, *Tachycineta thalassina*  
Hairy woodpecker, *Picoides villosus*  
Western screech owl, *Otus kennicottii*  
Northern pigmy owl, *Glaucidium gnoma*  
Northern saw-whet owl, *Aegolius acadicus*  
Northern flicker, *Colaptes auratus*  
Pileated woodpecker, *Dryocopus pileatus*  
Wood duck, *Aix sponsa*  
Common merganser, *Mergus merganser*

**Fish:**

\*Bull Trout, *Salvelinus confluentus*  
Pacific lamprey, *Entosphenus tridentatus*  
River lamprey, *Lampetra ayresi*  
Brook lamprey, *Lampetra richardsoni*  
Cutthroat trout, *Oncorhynchus clarki clarki*  
Shorthead sculpin, *Cottus confusus*  
Riffle sculpin, *Cottus gulosus*  
Coast Range sculpin, *Cottus aleuticus*  
Reticulate sculpin, *Cottus perplexus*  
Torrent sculpin, *Cottus rotheus*  
Prickly sculpin, *Cottus asper*  
Speckled dace, *Rhinichthys osculus*  
Longnose dace, *Rhinichthys cataractae*  
Dolly varden, *Salvelinus malma*  
Olympic mudminnow, *Novumbra hubbsi*  
Threespine stickleback, *Gasterosteus aculeatus*

**Amphibians:**

Torrent salamander, *Rhyacotriton olympicus*  
Long-toed Salamander, *Ambystoma macrodactylum*  
Northwestern Salamander, *Ambystoma gracile*  
Cope's giant salamander, *Dicamptodon copei*  
Red-legged Frog, *Rana aurora*  
Tailed Frog, *Ascaphus truei*  
Van Dyke's Salamander, *Plethodon vandykei*  
Western Redback Salamander, *Plethodon vehiculum*  
Western toad, *Bufo boreas*

\*Listed as threatened under the Endangered Species Act at time of permit issuance.