



# FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

SOULEN LIVESTOCK CO.  
1760 FAIRMONT DRIVE  
WEISER, ID 83672  
U.S.A.

2. AUTHORITY-STATUTES

16 USC 1539(a)  
16 USC 1533(d)

REGULATIONS (Attached)

50 CFR 17.22  
50 CFR 17.32

50 CFR 13

3. NUMBER

TE055219-0

4. RENEWABLE

YES  
 NO

5. MAY COPY

YES  
 NO

6. EFFECTIVE

9/29/2002

7. EXPIRES

9/30/2002

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

MARGARET SOULEN HINSON  
SECRETARY

9. TYPE OF PERMIT

THREATENED AND ENDANGERED SPECIES

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

On 43,145 acres in Western Idaho, located in Payette and Washington Counties, near the city of Weiser, Idaho.

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.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ISSUED BY

TITLE

Carolyn A. Bohan  
*Carolyn A. Bohan*  
Deputy Regional Director

DATE

9/29/02

U.S. Fish and Wildlife Service, Portland, Oregon  
Special Terms and Conditions for Permit TE-055219

- E. All sections and provisions of Title 50 Code of Federal Regulations, parts 13 and 17, are conditions of this permit.
- F. The authorization granted by this permit is subject to full and complete compliance with, and implementation of the Southern Idaho Ground Squirrel Candidate Conservation Agreement with Assurances for the Soulen Livestock Company, Inc.(CCAA), and its Site-Specific Plan. This permit, the CCAA, and the Site-Specific Plan are binding upon the Soulen Livestock Company, Inc. (Permittee), and its designated agents, including any authorized officers, employees, or contractors conducting permitted activities.
- G. The Permittee and designated agents are authorized under the Federal Endangered Species Act of 1973, as amended (Act), to incidentally take (injure, kill, harass, harm) the southern Idaho ground squirrel (*Spermophilus brunnaus endemicus*), if and when it becomes listed. Take is authorized to the extent that take of this species would otherwise be prohibited under section 9 of the Act and its implementing regulations, or pursuant to a rule promulgated under section 4(d) of the Act. Take must be incidental to otherwise lawful activities on the enrolled lands in Washington and Payette Counties, Idaho and consistent with implementation of the CCAA.
- H. Incidental take of southern Idaho ground squirrels within the 43,145-acres of the Permittee's enrolled lands is authorized, however, in accordance with the CCAA, conservation measures will be applied at ground squirrel protected areas that will greatly diminish or avoid the chance of incidental take. If two individual southern Idaho ground squirrels are determined to have been incidentally taken at any southern Idaho ground squirrel protected area during any calendar year, the Fish and Wildlife Service and the Permittee will identify and implement additional protective measures to minimize any further incidental take.
- I. Upon locating any dead, injured, or sick individuals of any southern Idaho ground squirrel, the Permittee shall, within 3 working days, notify the Fish and Wildlife Service's Snake River Basin Fish and Wildlife Office (208-378-5243). The notification shall include the date, time, and location of the specimen, a photograph, cause of death, if known, and any other pertinent information. Care should be taken in handling the dead specimens to preserve biological material in the best possible state for later analysis.
- J. The Permittee will notify the Fish and Wildlife Service and the Idaho Department of Fish and Game of any new ground squirrel sightings or occupied sites within 7 working days.
- K. Consistent with Regional Fish and Wildlife Service policy, pesticide use is not a covered activity under the permit.

- L. Consistent with Part V. of the Site-Specific Plan, the Permittee will notify the Fish and Wildlife Service at least one (1) month prior to new ground disturbing activities within ground squirrel protected areas. Such new activities shall include excavations of all types, but shall not include normal plowing of established fields in which alfalfa, grass hay or other crops are grown. By March 1 of each year, the agencies will notify the Permittee if southern Idaho ground squirrels have expanded beyond the boundaries of any ground squirrel protected area or into cultivated fields that are within or adjacent to protected areas. If ground squirrels have expanded to adjacent lands beyond the boundaries of a protected area or to the cultivated fields within protected areas, the agencies and the Permittee will develop measures to minimize any incidental take that could result from ground disturbance activities.
- M. In accordance with the CCAA and Site-Specific Plan, site-specific protective measures will be identified and implemented by the Permittee and the agencies at each southern Idaho ground squirrel occupied site and reintroduction/translocation sites. Soulen Livestock and the agencies will cooperate in good faith to develop adequate site-specific southern Idaho ground squirrel protection measures. If the parties cannot reach agreement on these measures, and the Fish and Wildlife Service determines the measures will not meet intended conservation benefits, the Permittee will be found to not be in compliance with the conditions of the permit and the Fish and Wildlife Service will retain the authority to immediately suspend the permit at its sole discretion, consistent with current regulations described in 50 CFR 13.27(a).
- N. Permittee shall refer to permit number TE-055219 in all correspondence and reports concerning permit activities. Any questions you may have about this permit should be directed to the Field Supervisor, U.S. Fish and Wildlife Service, Snake River Basin Fish and Wildlife Office, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709 or at the above mentioned number.
- O. A copy of this permit must be in the possession of the Permittee and designated agents while conducting taking activities.