



UNITED STATE DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northwest Region
7600 Sand Point Way NE
Seattle, Washington 98115

June 29, 2007

F/NWR3

Mr. Robert Lothrop
Manager, Public Policy and Litigation
Columbia River Inter-Tribal Fish Commission
729 N.E. Oregon Street
Suite 200
Portland, Oregon 97232

Re: Permit 1339

Dear Mr. Lothrop:

Enclosed is Scientific Research Permit 1339 issued to the Columbia River Inter-Tribal Fish Commission (CRITFC) under the authority of Section 10(a)(1)(A) of the Endangered Species Act (ESA). The permit authorizes CRITFC to annually take listed salmonids while conducting the study: Assessing Adult Steelhead Status in Tributaries of the Imnaha River. Please note that the permit does not include any take for listed hatchery fish with clipped adipose fins because taking such fish is not prohibited by the ESA.

The National Marine Fisheries Service (NMFS) requires that the individuals acting under the authority of Permit 1339 review the permit before engaging in the permitted activities. Please sign and date the last page then fax a copy of it (or mail a photocopy) to our office to the attention of Robert Clapp. Our fax number is (503) 230-5441. Please note that you are not authorized to conduct activities under Permit 1339 until our office receives a signed copy of the signature page.

Your attention is directed to Section B(19) and the attached annual report form that describe annual authorization requirements. Permit 1339 is subject to annual authorization based on your reported annual take and compliance with the authorization requirements. Annual reports are due by January 31 each year. Permit 1339 expires on December 31, 2011.

If you have any questions concerning the permit, please contact Robert Clapp at (503) 231-2314.

Sincerely,

D. Robert Lohn
Regional Administrator

Enclosure

cc: File copy - [1339], F/EN6 - NMFS Enforcement (Raneses), F/NWC1 - Northwest Fisheries Science Center (Ferguson)

Consultation No. 2006/07420

Permit No. 1339

National Marine Fisheries Service (NMFS)
Endangered Species Act (ESA) Section 10(a)(1)(A) Research Permit
(16 U.S.C. §§ 1531-1543) (50 CFR Parts 222-226)

Permit Number: 1339
Permit Type: Scientific Research
Expiration Date: December 31, 2011
Reporting Period: January 1 through December 31
Annual Report Due: January 31

Permit Holder: Robert Lothrop
Manager, Public Policy and Litigation
Columbia River Inter-Tribal Fish Commission
Address: 729 N.E. Oregon Street
Suite 200
Portland, Oregon 97232
Phone: (503) 238-0667
Email: Lotr@CRITFC.org

Contact: Jay Hesse
Director of Biological Services
Nez Perce Tribe - Fisheries Resource Management
Address: P.O. Box 356
Lapwai, Idaho 83540
Phone: (208) 843-7145
Fax: (208) 843-9184
Email: jayh@nezperce.org

Principal Investigators: Jay Hesse, Jason Vogel

Field Supervisors: Michael Blenden

Field Personnel: Neil Espinosa

Authorization:

The CRITFC is hereby authorized to conduct research activities that will take salmonid species listed under the ESA. The taking is subject to the provisions of section 10(a)(1)(A) of the ESA (16 U.S.C. §§ 1531-1543), NMFS regulations governing permits to take listed species, and the conditions set forth in this permit. The species are:

Snake River (SR) spring/summer (spr/sum) Chinook (*Oncorhynchus tshawytscha*)
SR steelhead (*O. mykiss*)

Abstract:

The CRITFC is hereby authorized to annually take adult, threatened, SR spr/sum Chinook salmon and adult, threatened, SR steelhead while conducting research in a number of the tributaries to the Imnaha River in Oregon. The purpose of the research is to acquire information on the status (escapement abundance, genetic structure, life history traits) of steelhead in the Imnaha River Basin. The research will benefit the listed species by providing information that fisheries managers can use to determine if recovery actions are helping increase wild Snake River salmonid populations. Baseline information on steelhead populations in the Imnaha River Basin will also be used to help guide future management actions. Adult salmon and steelhead will be observed and harassed during spawning ground surveys and snorkeling activities. They will also be collected using temporary/portable picket weirs, sampled for biological information, sampled for fin tissues and scales, marked with opercule punches, tagged with Tyvek disc tags, and released. Adult steelhead carcasses will also be collected and sampled for tissues and/or scales and biological information. The CRITFC does not intend to kill any of the fish being captured but a small number may die as an unintended result of the activities.

A. Take Descriptions and/or Levels

This permit is for activities to be conducted over an approximately five-year period. Annual take levels (listed below) are subject to NMFS' annual authorization process (see Section B - Conditions).

Listed Species	Life Stage	Origin	Take Activity*	# of Fish Authorized for Take	Authorized Unintentional Mortality	Research Location	Research Period
SR Spr/sum Chinook	Adult	Natural	C/H/R	20	0	Tributaries to the Imnaha River in Oregon	January - July
SR Steelhead	Adult	Natural	C/H/T/R	800	12/800	Tributaries to the Imnaha River in Oregon	January - July

*C=Capture, H=Handle, T=Tag, R=Release

B. Conditions Common to All Research Permits Issued by NMFS' Northwest Region

Not all of these conditions may apply to the specific actions authorized by this permit. Nonetheless, failure to adhere to any condition that does apply may cause NMFS to revoke the permit.

1. The permit holder must ensure that listed species are taken only at the levels, by the means, in the areas and for the purposes stated in the permit application, and according to the conditions in this permit.
2. The permit holder must not intentionally kill or cause to be killed any listed species unless the permit specifically allows intentional lethal take.

3. The permit holder must handle listed fish with extreme care and keep them in cold water to the maximum extent possible during sampling and processing procedures. When fish are transferred or held, a healthy environment must be provided; e.g., the holding units must contain adequate amounts of well-circulated water. When using gear that captures a mix of species, the permit holder must process listed fish first to minimize handling stress.
4. The permit holder must stop handling listed juvenile fish if the water temperature exceeds 70 degrees Fahrenheit at the capture site. Under these conditions, listed fish may only be visually identified and counted.
5. If the permit holder anesthetizes listed fish to avoid injuring or killing them during handling, the fish must be allowed to recover before being released. Fish that are only counted must remain in water and not be anesthetized.
6. The permit holder must use a sterilized needle for each individual injection when passive integrated transponder tags (PIT-tags) are inserted into listed fish.
7. If the permit holder unintentionally captures any listed adult fish while sampling for juveniles, the adult fish must be released without further handling and such take must be reported.
8. The permit holder must exercise care during spawning ground surveys to avoid disturbing listed adult salmonids when they are spawning. Researchers must avoid walking in salmon streams whenever possible, especially where listed salmonids are likely to spawn. Visual observation must be used instead of intrusive sampling methods, especially when just determining fish presence.
9. The permit holder using backpack electrofishing equipment must comply with NMFS' Backpack Electrofishing Guidelines (June 2000) available at <http://www.nwr.noaa.gov/ESA-Salmon-Regulations-Permits/4d-Rules/upload/electro2000.pdf>.
10. The permit holder must obtain approval from NMFS before changing sampling locations or research protocols.
11. The permit holder must notify NMFS as soon as possible but no later than two days after any authorized level of take is exceeded or if such an event is likely. The permit holder must submit a written report detailing why the authorized take level was exceeded or is likely to be exceeded.
12. The permit holder is responsible for any biological samples collected from listed species as long as they are used for research purposes. The permit holder may not transfer biological samples to anyone not listed in the application without prior written approval from NMFS.
13. The person(s) actually doing the research must carry a copy of this permit while conducting the authorized activities.
14. The permit holder must allow any NMFS employee or representative to accompany field personnel while they conduct the research activities.

15. The permit holder must allow any NMFS employee or representative to inspect any records or facilities related to the permit activities.
16. The permit holder may not transfer or assign this permit to any other person as defined in Section 3(12) of the ESA. This permit ceases to be in effect if transferred or assigned to any other person without NMFS' authorization.
17. NMFS may amend the provisions of this permit after giving the permit holder reasonable notice of the amendment.
18. The permit holder must obtain all other Federal, state, and local permits/authorizations needed for the research activities.
19. On or before January 31st of every year, the permit holder must submit to NMFS a post-season report in the prescribed form describing the research activities, the number of listed fish taken and the location, the type of take, the number of fish intentionally killed and unintentionally killed, the take dates, and a brief summary of the research results. Falsifying annual reports or permit records is a violation of this permit.
20. If the permit holder violates any permit condition they will be subject to any and all penalties provided by the ESA. NMFS may revoke this permit if the authorized activities are not conducted in compliance with the permit and the requirements of the ESA or if NMFS determines that its ESA section 10(d) findings are no longer valid.
21. Listed fish mortalities and tissue samples will be analyzed/archived at the Nez Perce facility at Lapwai, Idaho.

C. Penalties and Permit Sanctions

1. Any person who violates any provision of this permit is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the ESA and 15 CFR part 904 [Civil Procedures].
2. All permits are subject to suspension, revocation, modification, and denial in accordance with the provisions of subpart D [Permit Sanctions and Denials] of 15 CFR part 904.

for 

D. Robert Lohn
Regional Administrator

June 29, 2007
Date

Robert Lothrop
Mnager, Public Policy and Litigation
Columbia River Inter-Tribal Fish Commission
Consultation No. 2006/07420

Date

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