



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
1655 Heindon Road
Arcata, CA 95521-4573

AUG 22 2011

In response refer to:
151401SWR2004AR9090

Dr. Lowell Diller
Aquatic Resources Coordinator
Green Diamond Resource Company
P.O. Box 68
Korbel, California 95550

Dear Dr. Diller:

On August 19, 2011, NOAA's National Marine Fisheries Service (NMFS) received an electronic mail request, with an attached letter of the same date, from Mr. Matthew House. Mr. House requested an amendment to Permit 1060 Modification 1 (Permit 1060-Mod 1) to reflect personnel changes, specifically to change the Primary Contact and Principal Investigator from Mr. Daniel Berman to Mr. Ryan Bourque. By this letter, NMFS hereby amends Permit 1060-Mod 1.

While conducting permitted activities under Permit 1060- Mod 1, at least one of the listed investigators must possess copies of the following documents: (1) the original permit; (2) NMFS August 18, 2010, amendment letter; and (3) this amendment letter.

Please contact Ms. Diane Ashton at (707) 825-5185, or by email at diane.ashton@noaa.gov, if you have any questions or need further assistance with this permit.

Sincerely,


Irma Lagonarsino
Northern California Office Supervisor

cc: Matthew House- Green Diamond
ARN 151401SWR2005AR9090





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region Arcata Area Office
1655 Heindon Road
Arcata, California 95521
Tel (707) 825-5163; Fax (707) 825-4840

In response refer to:
151401SWR2004AR9090

AUG 18 2010

Dr. Lowell Diller
Aquatic Resources Coordinator
Green Diamond Resource Company
P.O. Box 68
Korbel, California 95550

Dear Dr. Diller:

On August 17, 2010, NOAA's National Marine Fisheries Service (NMFS) received an August 16, 2010, letter from Mr. Matthew House requesting an amendment to Modification Number 1 of Permit 1060 (Permit 1060 Mod 1), specifically to (1) update the list of authorized investigators; and (2) change the Primary Contact and Principal Investigator from Mr. Darold Perry to Mr. Daniel Berman. By this letter, NMFS hereby amends Permit 1060 Mod 1. The following list of investigators replaces the list of investigators in Permit 1060 Mod 1, issued to you on May 18, 2009:

Daniel Berman, Lowell Diller, Charles Holt, Matthew House, Claire Knopf, Keith Lackey,
Matthew Nannizzi, Pat Righter

This list of investigators will remain in effect until requested otherwise or until the permit expires. It remains your responsibility, as the permit holder, to be certain that all of the above investigators are knowledgeable of the conditions contained in Permit 1060 Mod 1. A copy of Permit 1060 Mod 1 and a copy of this letter must be in the possession of at least one of the listed investigators while conducting permitted activities under Permit 1060 Mod 1.

Please contact Ms. Diane Ashton at (707) 825-5185, or by email at diane.ashton@noaa.gov, if you have any questions or need further assistance with this permit.

Sincerely,

Irma Lagomarsino
Northern California Office Supervisor

cc: Matthew House—Green Diamond
ARN 151401SWR2005AR9090





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802- 4213

MAY 18 2009

In response refer to:
151401SWR2004AR9090

Dr. Lowell Diller
Aquatic Resources Coordinator
Green Diamond Resource Company
P.O. Box 68
Korbel, California 95550

Dear Dr. Diller:

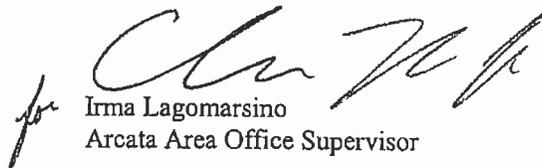
On January 30, 2009, NOAA's National Marine Fisheries Service (NMFS) received an electronic mail from Mr. Darold Perry requesting to update the list of investigators authorized to work under Modification number 1 of Permit 1060 (Permit 1060 Mod 1). This letter is to provide you with an updated list of investigators to work under Permit 1060 Mod 1. By this letter, NMFS hereby amends Permit 1060 Mod 1. The following list of investigators replaces the list of investigators in Permit 1060 Mod 1, issued to you on June 4, 2004.

Lowell Diller, Charles Holt, Matthew House, Claire Knopf, Keith Lackey, Jesse Nolan,
Darold Perry, Pat Righter

This list of investigators will remain in effect until requested otherwise or until the permit expires. It remains your responsibility, as the permit holder, to be certain that all of the above investigators are knowledgeable of the conditions contained in Permit 1060 Mod 1. A copy of Permit 1060 Mod 1 and a copy of this letter must be in the possession of at least one of the listed investigators while conducting permitted activities under Permit 1060 Mod 1.

Please contact Ms. Diane Ashton at (707) 825-5185, or by email at diane.ashton@noaa.gov, if you have any questions or need further assistance with this permit.

Sincerely,


Irma Lagomarsino
Arcata Area Office Supervisor

cc: Darold Perry- Green Diamond
ARN 151401SWR2005AR9090





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802- 4213

JUN 4 2004

In response refer to:
151401SWR04AR9090: KMH

Dr. Lowell Diller
Aquatic Resources Coordinator
Green Diamond Resource Company
P.O. Box 68
Korbel, California 95550

Dear Dr. Diller:

On May 18, 2004, the National Marine Fisheries Service (NOAA Fisheries) received Matthew House's (Green Diamond Resource Company) May 14, 2004, letter, requesting changes to the renewed and modified Permit 1060 that was issued to Green Diamond Resource Company on April 8, 2004. Mr. House requested the following changes to the renewed and modified Permit 1060: (1) "Simpson Resource Company" should be changed to "Green Diamond Resource Company," (2) the Permit Holder should be Green Diamond Resource Company, and (3) the name on the signature page should be Dr. Lowell Diller. The enclosed Permit 1060-Mod 1, issued to you under the authority of section 10 of the Endangered Species Act of 1973, as amended (ESA), and its implementing regulations, reflects these changes. In addition, please note that all text in bold identify changes from the original Permit 1060, issued on March 28, 1998. The enclosed Permit 1060-Mod 1 supercedes the renewed and modified Permit 1060 issued to Mr. House on April 8, 2004.

Permit 1060-Mod 1 authorizes take of Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*), California Coastal Chinook salmon (*O. tshawytscha*), and Northern California steelhead (*O. mykiss*) associated with scientific research in coastal streams in northern California. In effecting the take authorized by Permit 1060-Mod 1, you will have accepted the conditions of the Permit and be prepared to comply with the provisions of the Permit, the applicable regulations, and the ESA.

You are required to review the Permit prior to engaging in your research activities and comply with the Permit conditions. The original Permit and a file copy of the signature page are enclosed. Please sign and date both, and return the signature page marked "FILE COPY" to the NOAA Fisheries contact at the Arcata Area Office. In the future, should you need a change in this authorization, please submit a modification request.

Your attention is directed to Section C which describes annual reporting and reauthorization requirements. Reports are due by January 31 each year. Permit 1060-Mod 1 is subject to annual review based, in part, on your reported take per annual period and your compliance with the conditions of the Permit. This Permit expires on April 1, 2013.



Please note that Permit 1060-Mod 1 is not valid until the Arcata Area Office receives the signed copy of the signature page. You may submit the copy by facsimile to (707) 825-4840 and confirm by mail. If you have any questions concerning the Permit, please contact Karen Hans at (707) 825-5180.

Sincerely,

A handwritten signature in cursive script that reads "Rodney R. McInnis".

Rodney R. McInnis
Acting Regional Administrator

Enclosure

ENDANGERED SPECIES ACT SECTION 10 PERMIT FOR TAKE OF LISTED SPECIES

Permit Number: 1060-Mod 1
Permit Type: Research
Expiration Date: April 1, 2013
Reporting Period: November 1 through October 31
Annual Reports Due: January 31

Permit Holder:
Green Diamond Resource Company
P.O. Box 68
Korbel, CA 95550
707-668-4400

Primary Contact:
Mr. Matthew R. House
Green Diamond Resource Company
P.O. Box 68
Korbel, CA 95550
707-668-4400

Investigators:
Lowell Diller, Matthew House, Brian Michaels, Glen Wightman, Chris Howard

Authorization:
This authorization is subject to the provisions of the Endangered Species Act of 1973 (16 U.S.C. §§ 1531-1543) as amended (ESA), the National Marine Fisheries Service (NOAA Fisheries) regulations governing ESA-listed species permits (50 CFR Parts 222-226), and the conditions hereinafter set forth.

Green Diamond Resource Company is hereby authorized to take coho salmon (*Oncorhynchus kisutch*) from the Southern Oregon/Northern California Coast (SONCC) Evolutionary Significant Unit (ESU), **Chinook salmon (*O. tshawytscha*) from the California Coastal (CC) ESU, and steelhead (*O. mykiss*) from the Northern California (NC) ESU**, all listed as threatened under the ESA. SONCC coho salmon, CC Chinook salmon, and NC steelhead are henceforth referred to as "listed salmonids." Take numbers are listed by category in section A of this Permit.

Background:
This is the renewal and modification of Permit 1060 to Green Diamond Resource Company. This Permit authorizes Green Diamond Resource Company to capture by backpack electrofishing and in-stream trapping (rotary screw trap or pipe and box), handle, and release juvenile listed salmonids from coastal drainages on its land in northern California. **A subset of these fish may also be fin clipped or Passive Integrated Transponder (PIT) tagged. Fin-clipped fish will be transported up-stream and released for a mark and recapture study. Take of adult listed salmonids is also authorized, as they may be inadvertently captured in the in-stream traps.** Green Diamond Resource Company may also collect tissue samples from adult listed salmonid carcasses encountered during spawning ground surveys and from fin-clipped juvenile listed salmonids. This Permit also authorizes unintentional mortalities associated with the research activities. This proposed research will provide information necessary to determine species presence, their proportionate abundances, and genetic diversity in selected streams.

A. Number and Species of Animals

This Permit is for research activities to be conducted over approximately a ten-year period. Take numbers listed below are the maximum take authorized per annual reporting period (November 1 through October 31).

Table 1. Summary of potential annual take of SONCC coho salmon associated with Permit 1060-Mod 1

Requested take by activity	Juveniles	Unintentional Mortality	Adults	Unintentional Mortality
Capture by in-stream trap and release	126,000	2.0 percent of fish captured	10	0
Capture by in-stream trap, tranquilize, handle, measure, fin clip or PIT tag, transport and release	10,000 PIT tag subset of up to 2,000	2.0 percent of fish captured	0	0
Capture by electrofishing, tranquilize, handle, measure, and release	34,000	2.0 percent of fish captured	0	0
Total:	170,000	2.0 percent of fish captured	10	0

Table 2. Summary of potential annual take of CC Chinook salmon associated with Permit 1060-Mod 1

Requested take by activity	Juveniles	Unintentional Mortality	Adults	Unintentional Mortality
Capture by in-stream trap and release	18,000	2.0 percent of fish captured	0	0
Capture by electrofishing, tranquilize, handle, measure, and release	2,000	2.0 percent of fish captured	0	0
Total:	20,000	2.0 percent of fish captured	0	0

Table 3. Summary of potential annual take of NC steelhead associated with Permit 1060-Mod 1

Requested take by activity	Juveniles	Unintentional Mortality	Adults	Unintentional Mortality
Capture by in-stream trap and release	36,000	3.0 percent of fish captured	100	0
Capture by in-stream trap, tranquilize, handle, measure, fin clip or PIT tag, transport, and release	4,000 PIT tag subset of up to 1000	3.0 percent of fish captured	0	0
Capture by electrofishing, tranquilize, handle, measure, and release	10,000	3.0 percent of fish captured	0	0
Total:	50,000	3.0 percent of fish captured	100	0

In addition to the take specified in Tables 1 through 3, Green Diamond Resource Company is authorized to collect and possess tissue samples from juvenile listed salmonids used in their mark and recapture study, and from adult listed salmonid carcasses encountered during adult spawning surveys.

B. Special Conditions

1. All personnel operating under this Permit shall exercise due caution to avoid disturbance or disruption to live adult salmonids or redds. Spawning adult salmonids shall not be harassed. Whenever possible, walking in the stream shall be avoided, especially in areas where listed salmonids are likely to spawn.
2. Listed salmonids shall be handled with extreme care and kept in water to the maximum extent possible during sampling and processing procedures. Adequate circulation and replenishment of water in holding units are required. The transfer of listed salmonids shall be conducted using a sanctuary net that holds water during transfer to prevent the added stress of an out-of-water transfer. When using gear that captures a mix of species, listed salmonids shall be processed first and released as soon as possible to minimize the duration of handling stress.
3. **All persons operating under Permit 1060-Mod 1 shall be properly trained and use properly maintained state-of-the-art equipment. Personnel operating under Permit 1060-Mod 1 are required to follow the guidelines in *National Marine Fisheries Service Guidelines for Electrofishing Waters Containing Salmonids Listed Under the Endangered Species Act* (NOAA Fisheries 2002). The investigators shall ensure that all persons operating under Permit 1060-Mod 1 will follow the conditions therein.**
4. **No intentional lethal take of listed salmonids is authorized. If any authorized unintentional mortality occurs, the tissue sample shall be preserved as a voucher specimen. All voucher specimens collected under this Permit shall**

**be sent to the NOAA Fisheries Southwest Fisheries Science Center (SWFSC)
Santa Cruz Laboratory Tissue Repository.**

5. Listed salmonids shall not be handled if stream temperatures exceed 70 degrees Fahrenheit at the capture site. Under these conditions, fish shall only be identified and counted.

C. Permit Reporting and Reauthorization Requirements

NOAA Fisheries Contact:

Karen Hans, Permit Specialist
Protected Resources Division
National Marine Fisheries Service
1655 Heindon Road
Arcata, California 95521
(707) 825-5180
(707) 825-4840 (FAX)

1. Final Report: The Permit Holder shall submit a final report to the NOAA Fisheries contact within ninety (90) days of the expiration of this Permit summarizing the results of the research and the success of the research relative to its goals.
2. Annual Report(s): The authorization of this Permit is contingent upon receipt of annual reports. Annual reports for the reporting period (November 1 to October 31) are due on January 31. Once an annual report is submitted to NOAA Fisheries, the Permit Holder may continue permitted research activities unless otherwise notified by NOAA Fisheries. NOAA Fisheries will notify the Permit Holder if the annual report is inadequate and more information is required. If information is requested and not supplied, research activities may be suspended until the NOAA Fisheries request is met.
3. Annual Reports shall include:
 - a. a detailed description of activities conducted under this Permit, including the total number of listed salmonids taken, the manner of take, the dates/locations of take; and a brief narrative of the circumstances surrounding listed salmonids' injuries or mortalities, including the disposition of the mortality specimen;
 - b. any and all preliminary analyses of the data;
 - c. measures taken to minimize disturbance to listed salmonids, the effectiveness of these measures, and a description of any problems and/or unforeseen effects which may have arisen during the research activities; and
 - d. any other research or monitoring occurring in the same location as the Permit Holder's activities and steps that have been and will be taken to coordinate the research with that of other researchers.

D. Notification Requirements and Operational Reports

Karen Hans, Permit Specialist
Protected Resources Division
National Marine Fisheries Service
1655 Heindon Road
Arcata, California 95521
(707) 825-5180
(707) 825-4840 (FAX)

1. Notification of Field Activities: The Permit Holder shall notify the above contact, via phone or fax, at least two weeks in advance of initiating the research. The required notification shall include start date(s), location(s), projected end date(s), and the names and affiliations of all personnel who will operate under the Permit not included as an investigator. The Permit Holder shall also notify the above contact of any other research or monitoring activities occurring in the locations of the Permit Holder's activities.
2. Exceeding Authorized Take: **The Permit Holder is not exempt from the ESA section 9 take prohibition for any additional take above that authorized, including mortalities. In the event that the authorized level of take, including mortalities, is exceeded, the Permit Holder shall notify, via phone or fax, the above contact as soon as possible, but no later than two calendar days after the unauthorized take. In the notification, the Permit Holder shall explain the circumstances of the unauthorized take, if the unauthorized take included mortalities, or if the take occurred in a manner not authorized by Permit 1060-Mod 1. The notification shall also include a re-evaluation of the techniques that were used, or an explanation as to why permitted sampling techniques were not at fault for exceeding take. NOAA Fisheries may then evaluate the research project to determine if those techniques shall be revised accordingly to prevent additional take. Pending review of these circumstances, NOAA Fisheries may suspend research activities or amend this Permit in order to allow research activities to continue.**
3. Taking of Unauthorized ESA-listed Species: In the event any ESA-listed species not included in this Permit, or covered by another permit or exemption, is taken during the course of research activities, the Permit Holder shall notify, via phone or fax, the above contact as soon as possible, but not later than two calendar days after the event. In the notification, the Permit Holder shall explain the circumstances of the unauthorized take. Pending review of these circumstances, NOAA Fisheries may suspend research activities or amend this Permit in order to allow research activities to continue.
4. Transfer of Biological Samples: **Biological samples collected from listed salmonids are the responsibility of the Permit Holder and shall be properly handled until transferred. All tissue samples shall be sent to the NOAA Fisheries SWFSC Santa Cruz Laboratory Tissue Repository unless otherwise authorized by written approval from NOAA Fisheries. Any such transfer will be subject to such conditions as NOAA Fisheries deems appropriate.**

5. **Taking of Marine Mammals: In the event any marine mammal is taken during the course of research activities, the Permit Holder shall notify, via phone or fax, the above contact as soon as possible, but no later than two days after the event. The Permit Holder shall then submit a written report to the above contact, describing the circumstances of the unauthorized take. Pending review of these circumstances, NOAA Fisheries may suspend research activities or amend this Permit in order to allow research activities to continue.**

E. General Conditions

1. The Permit Holder shall ensure that listed salmonids are taken only by the means, in the areas, and for the purposes set forth in the Permit application, as limited by the special conditions in this Permit.
2. **Should NOAA Fisheries determine that a sampling procedure provided for under this Permit is no longer acceptable, the Permit Holder shall immediately cease using such procedure until an acceptable procedure has been prescribed by NOAA Fisheries.**
3. The Permit Holder, in effecting the take authorized by this Permit, is considered to have accepted the conditions of this Permit and shall be prepared to comply with the provisions of this Permit, the applicable regulations, and the ESA.
4. The Permit Holder is responsible for the actions of any individual operating under this Permit.
5. The Permit Holder, personnel, or designated agent acting on the Permit Holder's behalf shall possess a copy of this Permit when conducting the activities for which take of listed salmonids is authorized herein.
6. The Permit Holder may not transfer or assign this Permit to any other person(s), as person is defined in section 3(12) of the ESA. This Permit ceases to be in force or effective if transferred or assigned to any other person without prior authorization from NOAA Fisheries.
7. Any personnel operating under Permit 1060-Mod 1 that require Federal or state licenses to practice their profession shall be duly licensed under the appropriate law.
8. The Permit Holder shall coordinate with other co-managers and/or researchers to ensure that no unnecessary research duplication and/or adverse cumulative effects to listed salmonids occur as a result of the Permit Holder's activities.
9. The Permit Holder shall allow any NOAA Fisheries employee(s) or any other person(s) duly designated by NOAA Fisheries, to accompany field personnel during the activities provided for in this Permit and/or to inspect the Permit Holder's records and facilities if such records and facilities pertain to activities for which take of listed salmonids is authorized by this Permit, relate to listed salmonids, or otherwise pertain to NOAA Fisheries' responsibilities under the ESA.

10. Under the terms of the regulations, a violation of any of the conditions of this Permit will subject the Permit Holder, and/or any individual who is operating under this Permit, to penalties as provided for in the ESA.
11. The provisions of this Permit may be amended by the NOAA Fisheries, Office of Protected Resources, upon reasonable notice to the Permit Holder.
12. **50 CFR section 222.23(d)(8) provides for a reasonable fee to be charged to cover the costs of the issuance of permits under the ESA. The fee for this Permit has been waived.**
13. **This Permit may be revoked by NOAA Fisheries if the activities provided for by this Permit are not carried out, if the activities are not carried out in accordance with the conditions of the Permit and the purposes and requirements of the ESA and its implementing regulations, or if NOAA Fisheries otherwise determines that the findings made under section 10(d) of the ESA no longer hold.**
14. Any falsification of annual reports or records pertaining to this Permit is a violation of this Permit.
15. The Permit Holder, in signing this Permit, has accepted and shall comply with the provisions of this Permit, applicable regulations (50 CFR 222), and the ESA.

F. 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.
2. All permits are subject to suspension, revocation, and denial in accordance with the provisions of subpart D [Permit Sanctions and Denials] of 15 CFR part 904.

Rodney R McInnis
 Rodney R. McInnis
 Acting Regional Administrator
 Southwest Region
 National Marine Fisheries Service

6-4-04
 Date

Lowell V. Diller
 Dr. Lowell Diller
 Senior Wildlife Biologist
 Green Diamond Resource Company
 P.O. Box 68
 Korb, CA 95550

6-17-04
 Date