



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
Northwest Region  
7600 Sand Point Way N.E., Bldg. 1  
Seattle, WA 98115

March 30, 2005

Mr. Virgil Moore, Chief  
Bureau of Fisheries  
Idaho Department of Fish and Game  
600 South Walnut Street  
Boise, Idaho 83707

Dear Mr. Moore:

Enclosed is Permit 1481, issued to the Idaho Department of Fish and Game (IDFG) under the authority of Section 10(a)(1)(B) of the Endangered Species Act (ESA). Permit 1481 authorizes IDFG annual incidental takes of ESA-listed anadromous fish under the jurisdiction of the National Marine Fisheries Service (NOAA Fisheries Service) associated with recreational fishing programs in the State of Idaho. The IDFG, in effecting the take authorized by Permit 1481, will be considered to have accepted the terms and conditions of the permit and to be prepared to comply with the provisions of the permit, the applicable regulations, and the ESA.

Please review Permit 1481 to ensure that you understand what is authorized, and that you comply with the Permit conditions. Please sign and date the signature page, and return a copy of the signature page, with both signatures, to us. In the future, should you need a change in this authorization, please submit a modification request.

Your attention is directed to Section D, which describes reporting and authorization requirements. An annual spring/summer chinook fishing proposal is due on March 15 each year. Annual progress reports are due according to the schedule in Section C of the permit. Permit 1481 is subject to annual reauthorization based on review of your annual fishing proposal and your compliance with the terms and conditions of the permit. Permit 1481 expires on May 31, 2010.

Please also note special condition B.10., which requires the IDFG to report on the feasibility of conducting a hooking mortality study on Salmon River chinook fisheries. Recreational fishery hook and release mortality is currently based on studies of salmon stocks that migrate a much shorter distance than those salmon stocks returning to the Salmon River. There is a lack of information concerning hook and release mortality associated with salmon stocks that migrate hundreds of miles and this permit condition is intended to identify the feasibility of conducting a

study to address this information gap. The permit does not require that Idaho conduct a study. The report must be provided to us by January 1, 2006.

Permit 1481 is not valid until our office receives the signed copy. You may submit the copy by facsimile to (503) 872-2737 and confirm by mail. If you have any questions concerning the permit, please contact Herbert Pollard at (208) 378-5614.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Robert Lohn". The signature is fluid and cursive, with a long horizontal stroke at the end.

D. Robert Lohn  
Regional Administrator

Enclosure

## SECTION 10 PERMIT FOR TAKES OF LISTED SPECIES

Permit Number: 1481  
Permit Type: Incidental take  
Expiration Date: May 31, 2010  
Reporting Period: January 1 through December 31  
Annual Report Due: April 15 each year

### *Permit Holder:*

Idaho Department of Fish and Game  
P.O. Box 25  
600 South Walnut Street  
Boise, Idaho 83707

### *Contact:*

Virgil Moore  
Phone: (208) 334-3791  
Fax: (208) 334-2114

### **Authorization:**

The Idaho Department of Fish and Game (IDFG) is hereby authorized an annual incidental take of endangered Snake River sockeye salmon (*Oncorhynchus nerka*), threatened Snake River steelhead (*O. mykiss*) threatened, Snake River spring/summer chinook salmon (*O. tshawytscha*); and threatened Snake River fall chinook salmon (*O. tshawytscha*) while implementing the State of Idaho's recreational fishing programs, as cited in the Permit Holder's application, subject to the provisions of Section 10(a)(1)(B) of the Endangered Species Act of 1973 (ESA) (16 U.S.C. §§ 1531-1543), the National Marine Fisheries Service (NMFS) regulations governing ESA-listed species permits (50 CFR Parts 222-226), and the conditions hereinafter set forth.

### **Abstract:**

The IDFG's recreational fishing programs include the following activities: (1) Recreational fishing for resident species in waters that also support ESA-listed chinook and sockeye salmon and steelhead under the IDFG General Fishing Regulations, including kokanee and trout fisheries in Redfish, Alturas, and Pettit Lakes; (2) chinook salmon recreational fishing in the Clearwater River, Snake River, Salmon River, Little Salmon River, and South Fork Salmon River under the IDFG Anadromous Salmon Fishing Regulations; and (3) summer steelhead fishing during the fall and spring seasons under the IDFG Steelhead Fishing Regulations. This permit constitutes authorization for implementation of the IDFG General Fishing Regulations, the IDFG Anadromous Salmon Fishing Regulations, and the IDFG Steelhead Fishing Regulations. Additional coverage of incidental take of juvenile listed Snake River Basin Steelhead due to recreational trout fishing is addressed in a Fisheries Management and Evaluation Plan developed by Idaho Department of Fish and Game under Section 4(d) of the Endangered Species Act and pending approval by NMFS-Northwest Region.

**General Fishing Regulations:**

*Mainstem Rivers and Tributary Streams* – The general statewide stream-fishing season in Idaho runs from the Saturday of Memorial Day weekend through November 30. Exceptions to the general stream-fishing season include certain river sections that are open year-round and rivers or stream sections that are closed to fishing for all or part of the general stream-fishing season. General fishing targets resident species in the Salmon River sub-basin, the Clearwater River sub-basin, and the Snake River below Hells Canyon Dam. The incidental take of ESA-listed fish occurs when adult, jack, or juvenile threatened, Snake River spring/summer or fall chinook salmon, sockeye, or steelhead are mistaken for resident species and harvested unintentionally or as a result of hooking mortalities when listed species are caught and released by anglers in legal pursuit of unlisted species.

*Redfish, Alturas, and Pettit Lakes* – IDFG is authorized annual incidental take of endangered, residual Snake River sockeye salmon associated with a kokanee fishery in Redfish, Alturas, and Pettit Lakes from January 1 until August 7. The purpose of the fishery is to reduce the kokanee population in the Stanley Basin lakes because kokanee are a direct competitor with captive brood sockeye salmon for habitat and food. Anglers will be directed to avoid harvesting fish marked with external hatchery indications. An annual incidental take of juvenile, endangered, anadromous Snake River sockeye salmon is authorized associated with resident trout fisheries in Redfish, Alturas, and Pettit Lakes.

**Anadromous Salmon Fishing Regulations:**

These fisheries are subject to annual approval by the Regional Administrator, NMFS-Northwest Region, in the Northwest Region based on projected returns of listed and non-listed, hatchery-produced adult salmon to the respective watershed (see Operational Reports and Notification Requirement D.1.). In any year that a chinook salmon fishery is approved by NMFS, the specifics of the fishery, including season dates, duration, locations, and mitigative activities will be tailored to provide the appropriate level of protection for ESA-listed fish in the watershed. Annual incidental take caps will be determined based on the sliding scale described below in Section A. The fishery will be terminated when quotas are achieved, the authorized mortality level of ESA-listed adult fish is reached, or August 7, whichever occurs first. NMFS-Northwest Region will review the predicted return of non-listed, hatchery-produced, adult salmon as well as the predicted return of ESA-listed hatchery and naturally-produced salmon, the proposed fishing regulations, and incidental take quotas. The IDFG fishery, in conjunction with other fisheries proposed by treaty tribes, must be in compliance with total incidental take limits and harvest sharing agreements for that year.

*Rapid River/Little Salmon River* – The Rapid River/Little Salmon River chinook salmon fishery occurs from approximately mid-April until either the incidental take quota is reached, the State's harvest objective is attained, or August 7, whichever comes first, and is targeted at unlisted surplus fish returning to the Rapid River Fish Hatchery. Any ESA-listed adult fish that are taken incidentally in this fishery are expected to be fish that are bound for the Little Salmon River. The fishery typically takes place in the Little Salmon River from its mouth upstream to the Smokey Boulder Bridge, a distance of about 25 miles.

*Salmon River* – The Salmon River chinook salmon fishery occurs from approximately mid-April until either the annual incidental take quota is reached, the State’s harvest objective is attained or August 7, whichever comes first, and may harvest hatchery-produced fish returning to the Rapid River Fish Hatchery, McCall Fish Hatchery, Pahsimeroi Fish Hatchery, and/or Sawtooth Fish Hatchery, depending upon timing of the fishery and the number of harvestable spring/summer chinook returning to these facilities in any given year. ESA-listed adult fish that are taken incidentally in this fishery might be fish that are bound for the Little Salmon River or other upstream tributaries. The fishery typically takes place in the Salmon River from its confluence with the Snake River upstream to the mouth of the South Fork Salmon River, a distance of about 120 miles, but may include sections of the Salmon River near Pahsimeroi and Sawtooth fish Hatcheries in years that surplus fish return.

*Snake River, Imnaha River upstream to Hells Canyon Dam* – The Snake River chinook salmon fishery occurs between the Imnaha River and Hells Canyon Dam from approximately mid-April until either the annual incidental take quota is reached, the State’s harvest objective is attained, or August 7, whichever comes first, and is targeted at surplus, unlisted, hatchery-produced fish of the Rapid River stock returning to Hells Canyon Dam fish trap. Any ESA-listed adult fish that are incidentally caught and released in this fishery are believed to be strays from other drainages because there is very limited production of spring chinook in the Hells Canyon reach of the Snake River and the canyon tributaries. The fishery typically takes place in the Snake River from a posted line upstream of the mouth of the Imnaha River upstream to a posted line downstream from Hells Canyon Dam, a distance of about 60 miles. This reach of the Snake River forms the boundary between the states of Idaho and Oregon. Anglers from either state may fish these boundary waters subject to the Oregon Department of Fish and Wildlife (ODFW) adopting reciprocal regulations and reporting harvest and incidental take consistent with the conditions in this application. Joint fisheries in this reach of the Snake River will be reported by IDFG to ensure that harvest objectives are not exceeded.

*Snake River, Idaho/Washington boundary waters reach* – The chinook salmon fishery in this reach of the Snake River may occur from mid-April until June 30, or until either the annual incidental take quota is reached or the harvest objective is attained. The fishery may harvest unlisted hatchery-produced chinook salmon destined for the Clearwater River, Rapid River Hatchery, Hells Canyon Dam/Oxbow, McCall Fish Hatchery, Pahsimeroi Fish Hatchery, and Sawtooth Fish Hatchery. The fishery may also incidentally harvest listed adipose-clipped hatchery-origin spring/summer chinook salmon returning to the Pahsimeroi Hatchery, Sawtooth Hatchery, or the Imnaha or Grande Ronde Rivers, depending upon timing of the fishery and the number of fish returning to these facilities each year. Open waters may include the mainstem of the Snake River from the Southway Bridge between Lewiston, Idaho, and Clarkston, Washington, upstream approximately 23 miles to the Heller Bar boat ramp. This reach of the Snake River forms the boundary between the states of Idaho and Washington. Anglers from either state may fish these boundary waters, subject to adoption of reciprocal fishing regulations by both states. Idaho anglers would fish in this area under terms of the proposed permit. Currently, incidental take for Washington anglers is covered under a Section 7 consultation for the mainstem Columbia River fisheries. The IDFG and the Washington Department of Fish and Wildlife (WDFW) will coordinate incidental take accounting and reporting for this fishery,

should WDFW adopt reciprocal fishing regulations. The WDFW may fish under this permit, contingent upon NMFS and IDFG concurrence, or may fish pursuant to a Section 7 consultation or a separate Section 10 permit. The IDFG will report joint fisheries in this reach of the Snake River, consistent with permit authorization.

*Clearwater River* – Chinook salmon fishing in the Clearwater River basin typically occurs from mid-April until either the annual harvest quota is reached or August 7, whichever comes first, and is targeted at unlisted surplus fish returning to the Dworshak National Fish Hatchery, Kooskia National Fish Hatchery, and several remote satellite facilities operated in conjunction with Clearwater Fish Hatchery. The open fishing area includes the North Fork Clearwater River from its mouth upstream to Dworshak Dam at river mile 1.8, the Clearwater River from its mouth at Lewiston, Idaho, including the Middle Fork Clearwater River upstream to about river mile 100, South Fork Clearwater River, Clear Creek, and the Lochsa River. The open fishing area on the South Fork Clearwater River extends upstream to its origin at the confluence of Red and American Rivers and the open area on the Lochsa River extends upstream to its origin at the confluence of Crooked Fork and Colt Killed Creek. Since spring/summer chinook salmon from the Clearwater River are not listed under the ESA, no incidental take of ESA-listed spring/summer chinook salmon is expected. Current IDFG regulations only allow for the harvest of adipose fin-clipped hatchery fish. Future fisheries may allow for the harvest of unlisted fish with adipose fins. Harvest typically occurs between April 15 and August 7. The August 7 closure date helps minimize the take of ESA-listed fall chinook salmon.

*South Fork Salmon River* – The South Fork Salmon River fishery typically occurs from early June until either the annual incidental take quota is reached, the State's harvest objective is attained, or August 7, whichever comes first. The fishery harvests unlisted, hatchery-produced summer chinook salmon returning to the South Fork Salmon River fish trap. The fishery's current maximum boundary is between the mouth of the East Fork of the South Fork and the South Fork trap because this is currently the fishing area for which incidental take standards are defined. However, if take standards are developed for other tributaries in the drainage, the downstream boundary may be moved further downstream to account for incidental take of other populations in the drainage. Incidental take terms and conditions of this fishery are subject to annual review and approval by NMFS under the standards established by NMFS in its 2000 Biological Opinion on Impacts of Treaty Indian and Non-Indian Fisheries in the Snake River Basin in Year 2000 on Salmon and Steelhead Listed Under the Endangered Species Act.

### **Steelhead Fishing Regulations:**

Waters open to harvest of steelhead in Idaho include the Clearwater River from its mouth upstream to Clear Creek; the South Fork Clearwater River upstream to Red River and the North Fork Clearwater River upstream to Dworshak Dam; the Snake River upstream to Hells Canyon Dam; the Salmon River upstream to Redfish Lake Creek; and the Little Salmon River upstream to Smokey Boulder Bridge. The Idaho steelhead sport-fishing season opens on September 1 for the Snake and Salmon Rivers, and on October 15 for the Clearwater River. The steelhead sport-fishery closes on April 30 for the Snake and Clearwater Rivers and on March 31 for the Salmon River. Only non-listed, hatchery-produced steelhead, as marked by a clipped adipose fin, will be harvested during open steelhead seasons. Steelhead with intact adipose fins will immediately be

released unharmed. An incidental lethal take of listed, naturally produced steelhead may occur due to hooking and release injuries. No listed spring/summer chinook salmon are expected to be present during spring or fall steelhead fishing, but listed fall chinook salmon may be present during the fall steelhead fishery. If a fall chinook salmon is misidentified as a steelhead, only hatchery produced (adipose fin-clipped) fall chinook salmon would potentially be kept. An additional incidental take of adult, threatened, Snake River fall chinook salmon may occur due to hooking mortalities.

#### **A. Number and Species of Animals**

The proposed permit is for activities to be conducted over approximately a five-year period. Take numbers listed below are the maximum numbers authorized annually from 2004 through 2009, unless otherwise indicated.

##### *General Fishing Regulations*

1. Mainstem Rivers and Tributary Streams:
  - a. The incidental harvest of up to 10 adult threatened, Snake River spring/summer chinook salmon and the incidental catch and release of up to 60 adult, threatened, Snake River spring/summer chinook salmon, of which 6 may die, is authorized;
  - b. The incidental catch and release of up to 500 juvenile, threatened, Snake River spring/summer chinook salmon, of which 50 may die, is authorized;
  - c. The incidental catch and release of up to 10 adult, threatened, Snake River fall chinook salmon, of which 1 may die, is authorized.
2. The incidental catch-and-release of juvenile, threatened, Snake River Basin steelhead is authorized by a separate Fisheries Management and Evaluation Plan and, therefore, not authorized in this permit.
3. The incidental catch and release of up to 10 adult, threatened, Snake River Basin steelhead, of which 1 may die, is authorized.
4. Redfish, Alturas, and Pettit Lakes:
  - a. Up to 34 residual adult and/or juvenile, endangered, naturally-produced (unmarked), Snake River sockeye salmon may be harvested incidental to a kokanee fishery at Redfish, Alturas, and/or Pettit Lakes;
  - b. Up to 30 juvenile, endangered, hatchery-produced (marked), Snake River sockeye salmon may be harvested incidental to a resident trout fishery at Redfish, Alturas, and/or Pettit Lakes.

##### *Anadromous Salmon Fishing Regulations*

The maximum number of listed **adult** fish that may be encountered, and that may subsequently die during implementation of the Anadromous Salmon Fishing Regulations, is limited within an abundance-based sliding scale as follows:

5. When fewer than 4,000 adult naturally produced spring/summer chinook salmon are predicted to migrate over Lower Granite Dam, and the predicted number of unlisted hatchery-origin spring chinook returning to the Rapid River Hatchery is more than that required to meet broodstock goals, the Department may conduct a recreational fishery targeting this stock in the Little Salmon River. When the run size is less than 4,000, no more than 80 adult, listed, naturally produced Snake River spring/summer chinook salmon will be allowed to be caught and released in the Little Salmon River, of which up to 8 might die, incidental to the harvest of unlisted artificially-propagated (adipose fin-clipped), spring/summer chinook salmon.
6. When more than 4,000 naturally produced spring/summer chinook salmon are predicted to migrate over Lower Granite Dam, and the predicted number of unlisted hatchery-origin spring/summer chinook is more than that required to meet broodstock goals, the Department may conduct a recreational fishery on the Snake River, Salmon River, and/or the Little Salmon River. To facilitate flexibility in crafting the specific locations and dates to harvest unlisted surplus hatchery production, the IDFG will consult with NMFS-Northwest Region to review the predicted return of unlisted, hatchery-produced, adult salmon as well as the predicted return of ESA-listed hatchery and naturally-produced adult salmon, the proposed fishing regulations, and incidental take quotas.
7. Overall incidental mortality of threatened Snake River spring/summer chinook salmon in fisheries authorized by this permit shall not exceed the numbers provided by a sliding scale based on the number of adult spring/ summer chinook projected to pass Lower Granite Dam as follows: (1) no incidental take will be allowed, except for limited terminal areas, when fewer than 4,000 natural-origin spring/summer chinook cross Lower Granite Dam, (2) the total incidental mortality of listed Snake River spring summer chinook salmon in recreational fisheries shall be no more than 0.25 % of the total run when between 4,000 and 6,400 natural-origin spring/summer chinook pass lower Granite Dam, (3) the incidental mortality shall not exceed 0.5% of total run when between 6,400 and 14,250 natural-origin spring/summer chinook pass lower Granite Dam; (4) the incidental mortality shall not exceed 0.75% of the total run when between 14,250 and 21,400 natural-origin spring/summer chinook pass lower Granite Dam; (5) the incidental take shall not exceed 1.0% of the total run when between 21,400 and 28,500 natural-origin spring/summer chinook pass lower Granite Dam; (6) the incidental take shall not exceed 1.5% of the total run when between 28,500 and 35,600 natural-origin spring/summer chinook pass lower Granite Dam; and (7) the incidental mortality shall not exceed 2.0% when the total run is in excess of 35,600 natural-origin spring/summer chinook past lower Granite Dam. At all run sizes, an additional 8 naturally produced Snake River spring/summer chinook salmon may be killed incidental to the terminal fishery in the Little Salmon River.

These criteria are summarized in the following table:



Sliding scale for IDFG recreational fishing impacts on listed Snake River spring/summer chinook in the Snake River basin (excluding the South Fork Salmon River terminal fishery).

Lower Granite Dam Predicted Return of Naturally Produced Listed Spring Chinook	Proposed Maximum Percent of Naturally produced Run Mortality for IDFG Recreational Fishery	Range of Potential Incidental Mortalities (number of fish)	Estimated Total Take (catch and release)
< 4,000 †	0%	0	-
4,001 to 6,400	0.25%	10 – 16	100 – 160
6,401 to 14,250	0.5%	32 – 71	320 – 710
14,251 to 21,400	0.75%	107 – 161	1,070 – 1,610
21,401 to 28,500	1.0%	214 – 285	2,140 – 2,850
28,501 to 35,600	1.5%	428 – 534	4,280 – 5,340
> 35,601	2.0%	> 712	>7,120

† At these low run sizes, fisheries are restricted to terminal areas.

8. The IDFG and the ODFW may jointly initiate a fishery on the Snake River, where it forms the boundary between the states of Oregon and Idaho. If such a fishery is conducted, it shall be allowed conditional upon ODFW adopting reciprocal regulations. The total incidental take shall be within the terms and conditions of this permit. If Oregon requests, and the IDFG agrees to provide, incidental take coverage pursuant to this permit, the ODFW fishery shall operate in accordance with the terms and conditions of this permit. Joint fisheries in this reach of the Snake River shall be reported by IDFG and by the ODFW to ensure that harvest objectives and joint (or separate) incidental take limits are not exceeded. The reporting of this take by the IDFG may be included in the required annual report, if clearly identified as such.
  
9. The IDFG and the WDFW may jointly initiate a fishery on the Snake River, where it forms the boundary between the states of Washington and Idaho. If such a fishery is conducted, it will be allowed conditional on WDFW adopting reciprocal regulations. The total incidental take shall be within the terms and conditions of this permit. If Washington requests, and the IDFG agrees to provide, incidental take coverage pursuant to this permit, the WDFW fishery shall operate in accordance with the terms and conditions of this permit. Joint fisheries in this reach of the Snake River shall be reported by IDFG and by the WDFW to ensure that harvest objectives and joint (or separate) incidental take limits are not exceeded. The reporting of this take by the IDFG may be included in the required annual report, if clearly identified as such.
  
10. On the South Fork Salmon River, the annual incidental take caps are determined according to NMFS' 2000 biological opinion on Impacts of Treaty Indian and

Non-Indian Fisheries in the Snake River basin in Year 2000, on Salmon and Steelhead Listed Under the Endangered Species Act. NMFS shall review the predicted return of unlisted, hatchery-produced, adult salmon as well as the predicted return of ESA-listed hatchery and naturally produced adult salmon, the proposed fishing regulations, and incidental take quotas. The IDFG fishery shall be in compliance with total incidental take limits for that year. In any year when a fishery occurs in the Lower Salmon River that affects fish returning to the South Fork Salmon River, the incidental mortality of ESA listed adults bound for the Poverty Flat index area and South Fork Salmon River weir that occurs in the Lower Salmon River Fishery shall be subtracted from the forecast return to these areas for purposes of calculating allowable take in fisheries.

11. No more than 100 threatened, adult, Snake River Basin steelhead may be caught and released, of which 5 might die, in fisheries implemented under Idaho's Anadromous Salmon Fishing Regulations.
12. The IDFG shall submit their spring/summer chinook salmon fishery proposal to NMFS by March 15 of each year a fishery is proposed. NMFS will review the annual spring/summer chinook salmon proposed fisheries identified by IDFG to determine if they are consistent with the permit and sliding scale. If found to be consistent, NMFS will provide a letter to IDFG by April 15 approving the fishery in that year.

#### *Steelhead Fishing Regulations*

The maximum number of listed fish that may be encountered and that may subsequently die during implementation of the Steelhead Fishing Regulations is determined as follows:

13.
  - a. Neither targeting nor retention of adult fall chinook salmon shall be allowed in Idaho's steelhead fishery regulations.
  - b. No more than 1.5% of the adult, naturally produced listed Snake River fall chinook salmon counted passing over Lower Granite Dam shall be caught and released, of which 10% might die.
14.
  - a. Live release of any steelhead with intact adipose fin shall be required in Idaho's fishery regulations.
  - b. No more than 3.2% mortality (resulting from catch and release of up to 64 percent) of naturally produced Snake River Basin steelhead returning to Idaho, incidental to harvest of hatchery-produced steelhead, shall occur.

## **B. Special Conditions**

1. Spring/summer chinook salmon fishing shall not continue after August 7 of any year, to minimize the likelihood that a take of threatened Snake River fall chinook salmon might occur.
2. Spring/summer chinook salmon fishing in the Snake River (Southway Bridge between Lewiston, Idaho, and Clarkston, Washington, to Heller Bar boat ramp approximately 0.7 miles downstream of the Grande Ronde River) shall not continue past the end of June of any year in which fisheries occur in this area, to protect later running naturally produced spring/summer chinook salmon.
3. The Snake River, Salmon River, Rapid River/Little Salmon River, Clearwater River, and South Fork Salmon River spring/summer chinook salmon fisheries are subject to annual approval by the NMFS. NMFS approval will be in the form of a letter from the Hatcheries and Inland Fisheries Branch, NMFS-Northwest Region, after NMFS receives a description from IDFG of the projected return numbers and harvest management intentions, and finds that year's proposed management consistent with this permit. In a year when the respective fishery is approved, the fishery must be terminated when the annual quota is achieved, the authorized annual mortality level of ESA-listed adult fish is reached, or annual specified termination date, whichever occurs first.
4. The IDFG must manage recreational fisheries to limit the incidental harvest of ESA-listed spring/summer chinook salmon, fall chinook salmon, steelhead, and sockeye salmon to the levels described in the permit application. The IDFG must make use of its in-season monitoring information to watch for opportunities to shape the fishery in the Snake River, Salmon River, Clearwater River, South Fork Salmon River, and Little Salmon River to reduce proportional impacts on ESA-listed natural-origin chinook salmon.
5. The IDFG must maintain law enforcement and public information programs to enhance the protection of ESA-listed fish and to ensure compliance with ESA-listed fish protective regulations. The IDFG must:
  - a. Continue to provide public education and information materials that emphasize the importance of protecting ESA-listed anadromous fish species.
  - b. Participate with co-managers and land management agencies to provide warning signs that will direct citizens to avoid disturbing salmon that are spawning and to avoid wading or boating activities that may damage redds. The signs should also explain the legal and biological consequences of harassing or harming ESA-listed fish.

- c. Provide law enforcement patrols focused on times and areas where ESA-listed anadromous fish may be vulnerable to illegal harvest or harassment.
  - d. Restrict fishing activities and/or increase enforcement emphasis at any time or place that is identified during fisheries monitoring as exhibiting a potential hazard to ESA-listed fish.
6. The IDFG must take measures to prevent incidental take of ESA-listed fish by informing fishers on subjects such as differentiating ESA-listed from non-listed fish, avoiding redds, and methods for releasing non-target fish alive. Actions shall also be taken to identify and protect, through warning signs or other means, ESA-listed fish critical spawning areas. A summary of public education efforts must be provided in annual reports.
7. The IDFG must take measures to reduce deliberate illegal takes of ESA-listed fish. The IDFG's field biologists and conservation officers, through the IDFG, shall report illegal takes of ESA-listed adult and juvenile salmon to NMFS-Northwest Region.
8. The IDFG must monitor recreational fisheries for the incidental catch of ESA-listed steelhead and sockeye and chinook salmon. The IDFG must continue to conduct creel surveys. Included in the surveys shall be the numbers of hatchery-marked and unmarked fish caught by anglers. Appropriate techniques shall be employed to determine whether unmarked fish were of hatchery or natural origin. Sampling all recreational fisheries that may result in incidental takes of ESA-listed fish for catch composition, including the collection of biological information, must also continue at levels comparable to those in recent years and must be increased where necessary to insure a thorough post-season analysis of fishery impacts on ESA-listed species. IDFG personnel shall conduct creel surveys or other forms of angler contact to monitor the possible incidence of illegal harvest activity. Results of monitoring efforts and creel surveys must be reported to NMFS on an annual basis (see Permit Reporting and Reauthorization Requirement C.7.).
9. The IDFG must conduct the following monitoring activities associated with the kokanee fishery in Redfish Lake, as stated in the IDFG's conservation plan:
  - a. interview anglers at lake access points weekly;
  - b. collect fishery information from local businessmen and campground hosts;
  - c. conduct spot checks (with enforcement personnel) on the water and at lake access points;
  - d. collect adipose fins from up to 100 creeled kokanee throughout the fishing season for mitochondrial DNA analysis; and
  - e. post signs and release bulletins to the local media to alert anglers to the presence of adipose fin-clipped hatchery sockeye salmon in Redfish Lake.

10. The IDFG must provide NMFS with a report on the feasibility of conducting a hooking mortality study on Salmon River chinook fisheries by January 1, 2006.
11. The IDFG must provide NMFS with an analysis of their proposed spring/summer chinook salmon fishery by March 15 of each year.

**C. Permit Reporting and Reauthorization Requirements**

Contact: Technical Specialist  
Hatcheries and Inland Fisheries Branch  
Salmon Recovery Division  
10095 W. Emerald Street  
Boise, ID 83704

Phone: (208) 378-5614  
Fax: (208) 378-5699

For the duration of this permit, work in each succeeding year is contingent upon submission and approval of a report on the preceding year's recreational fishing activities. Annual reports are due by April 15 following each year that this permit is effective.

The reports must include:

1. a detailed description of activities conducted under this permit including an estimate of the total number of fish harvested (both ESA-listed and non-listed), an estimate of the number of ESA-listed fish captured and released, an estimate of the number of ESA-listed fish incidental mortalities, the manner of takes, and the dates/locations of takes;
2. measures taken to minimize disturbances to ESA-listed fish and the effectiveness of these measures, a description of the effects of recreational fisheries on ESA-listed fish, the disposition of ESA-listed fish in the event of mortality, and a brief narrative of the circumstances surrounding ESA-listed fish injuries or mortalities;
3. any problems that may have arisen during the conduct of fisheries management activities and a statement as to whether or not the activities had any unforeseen effects;
4. a summary of law enforcement and public education efforts (see Special Conditions B.5. and B.6.);
5. a summary of the measures taken to reduce deliberate illegal takes of ESA-listed fish;
6. a description of how all take estimates were derived;

7. a summary of the results of the required monitoring activities and creel surveys (see Special Conditions B.8. and B.9.); and
8. steps that have been and will be taken to reduce the impact of recreational fisheries on ESA-listed species.

**D. Operational Reports and Notification Requirements**

Contact: Technical Specialist  
Hatcheries and Inland Fisheries Branch  
Salmon Recovery Division  
10095 W. Emerald Street  
Boise, ID 83704

Phone: (208) 378-5614

Fax: (208) 378-5699

1. The Permit Holder shall provide the Salmon Recovery Division, NMFS, in the Northwest Region with notice of any proposed fishery for non-listed anadromous salmon by March 15, in any year that such a fishery may be proposed, including the Snake River, Salmon River, Rapid River/Little Salmon River, Clearwater River, and South Fork Salmon River fisheries. Such fisheries are subject to NMFS review and approval by the Regional Administrator. Proposals for fisheries shall include:
  - a. the projected number of non-listed, hatchery-produced adult salmon that are estimated to be available for harvest;
  - b. the estimated incidental take of ESA-listed anadromous fish species, if any;
  - c. proposed regulations including time, location, bag limits, and tackle restrictions; and
  - d. proposed monitoring and law enforcement plans.
2. The Permit Holder shall provide plans for future undefined recreational fishing activities and/or changes in fishery locations and obtain approval from NMFS prior to implementation.
3. The Permit Holder shall provide the Salmon Recovery Division, NMFS- Northwest Region, with a timely notice, in writing, of any proposed changes to IDFG's General Fishing Regulations, Anadromous Salmon Fishing Regulations, and/or Steelhead Fishing Regulations.
4. The Permit Holder shall report whenever the authorized level of take is exceeded, or if circumstances indicate that such an event is imminent. Notification should be made as soon as possible, but no later than two days after the authorized level

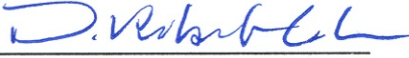
of take is exceeded. The Permit Holder must then submit a detailed written report. Pending review of these circumstances, NMFS may suspend sport-fishing activities or amend this permit to allow sport-fishing activities to continue.

5. The Permit Holder shall report the take of any ESA-listed species not included in this permit, when it is killed, injured, or collected during the course of sport-fishing activities. Notification should be made as soon as possible, but no later than two days after the unauthorized take. The Permit Holder must then submit a detailed written report. Pending review of these circumstances, NMFS may suspend sport-fishing activities or amend this permit to allow sport-fishing activities to continue.

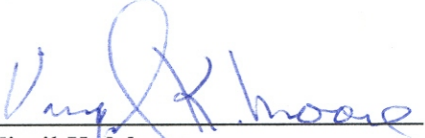
#### **E. General Conditions**

1. The provisions of this permit may be amended by the Salmon Recovery Division, NMFS-Northwest Region, upon reasonable notice to the Permit Holder.
2. The Permit Holder, in effecting the take authorized by this Permit, is considered to have accepted the terms and conditions of this permit and to be prepared to comply with the provisions of this permit, the applicable regulations, and the ESA.
3. The Permit Holder is responsible for the actions of any individual operating under the authority of this permit. Such actions include capturing, handling, releasing, transporting, maintaining, and caring for any ESA-listed species authorized to be taken by this permit.
4. The Permit Holder, personnel, or designated agent acting on the Permit Holder's behalf must possess a copy of this permit when conducting the activities for which a take of ESA-listed species or other exception to ESA prohibitions is authorized herein.
5. 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 NMFS.
6. The Permit Holder must obtain any other Federal, state, and local permits/authorizations necessary for the conduct of the activities provided for in this permit. In addition, before taking ESA-listed species in the territorial waters of a foreign country, the Permit Holder must secure consent from, and comply with the appropriate laws of, that country.
7. Any personnel of the Permit Holder requiring Federal or state licenses to practice their profession must be duly licensed under the appropriate law.

8. The Permit Holder must allow any NMFS employee(s) or any other person(s) duly designated by NMFS, 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 a take of ESA-listed species or other action otherwise prohibited by the ESA is authorized by this permit, relate to ESA-listed species covered by this permit, or otherwise pertain to NMFS's responsibilities under the ESA.
9. Under the terms of the regulations, a violation of any of the terms and conditions of this permit will subject the Permit Holder, and/or any individual who is operating under the authority of this permit, to penalties as provided for in the ESA.
10. 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.
11. Any falsification of annual reports or records pertaining to this permit is a violation of this permit.
12. This permit may be revoked by NMFS 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, or if NMFS otherwise determines that the findings made under section 10(d) of the ESA no longer hold.

  
\_\_\_\_\_  
D. Robert Lohn  
Regional Administrator  
NMFS-Northwest Region

3/30/05  
Date

  
\_\_\_\_\_  
Virgil K. Moore  
Chief, Bureau of Fisheries  
Idaho Department of Fish and Game

4/4/05  
Date



**Reported Take**

Please use this or a similar table to specify types and numerical estimates of annual take for listed species during individual research or enhancement activities. Please use a separate table for each discrete project or location. Be sure to group take profiles so that when added up it equals the total number for which take is requested. For example, if you request to capture 50 steelhead, and you wish to attach tags to 5 of them, enter 45 steelhead for capture, handle, and release, and 5 for capture, handle, attach tag, and release.

Applicant: \_\_\_\_\_

Location/Project: \_\_\_\_\_

Number of individuals	Species and/or Population/DPS and/or ESU	Life Stage <sup>1</sup>	Sex <sup>2</sup>	Origin <sup>3</sup>	Take Activity Category <sup>4</sup>	Location <sup>5</sup>	Date(s) <sup>6</sup>	Details

1. Such as: post-hatchling, fry, smolt, juvenile, immature, adult, etc. (also note if live or dead)
2. If known
3. If applicable, note if the species to be taken are naturally-produced (wild) or artificially-propagated (hatchery).
4. Such as observe/harass; collect for transport (including rescue/salvage); capture, handle, and release; capture, handle, tag, mark, tissue sample, and/or other invasive procedure, and release; intentional lethal take (direct mortality); unintentional lethal take (indirect mortality); removal (e.g., for broodstock collection); Other take (specify).
5. If more specific than project as a whole.
6. If more specific than project as a whole.