



FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES

16 USC 1539(a)

REGULATIONS (Attached)

N.A.

3. NUMBER PRT 2-9818

4. RENEWABLE

YES
 NO

5. MAY COPY

YES
 NO

6. EFFECTIVE

MAR - 4 1983

7. EXPIRES

03/31/2013

County of San Mateo,*
City of Brisbane,
City of Daly City,
City of South San Francisco, California

*See Reverse

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

See Reverse

9. TYPE OF PERMIT

ENDANGERED SPECIES

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

San Bruno Mountain, San Mateo County, California

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.

VALID FOR USE BY PERMITTEES NAMED ABOVE.

D. Authorized to incidentally take mission blue butterflies (Icaricia icarioides missionensis), San Bruno elfin butterflies (Calliphrys mossii bayensis) and San Francisco garter snakes (Thamnophis sirtalis tetrataenia) PROVIDED:

1. No San Bruno elfin butterflies or San Francisco garter snakes are taken in the following Administrative Parcels without an amendment to this permit: Carter-Martin Extension (alternate B)(1-02), Parcel X(1-04), State Park (1-09), Transmission Line (1-11), Quarry (2-01), Owl and Buckeye Canyons (2-02), County Park (2-05), Transmission Line (2-07) Antenna Sites (3-01), County Park (3-02), Transmission Line (3-04), State Park (4-04), and Guadalupe Canyon Parkway (4-05).

2. All aspects of the "Agreement with Respect to the San Bruno Mountain Area Habitat Conservation Plan" must be complied with and completely implemented.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ON REVERSE ALSO APPLY

12. REPORTING REQUIREMENTS

A complete report of activities conducted under authority of this permit for Conserved Habitat (including Reclaimed Habitat) must be submitted to the Director, USFWS, Federal Wildlife Permit Office, P.O.Box 3654, Arlington, VA 22203, by January 31, following each year during which this permit is in effect.

ISSUED BY

Robert A. Nautzoe

TITLE

Director, U.S. Fish and Wildlife Service

DATE

MAR - 4 1983

ORIGINAL

Block 1. a. Board of Supervisors
County of San Mateo
County Government Center
Redwood City, CA 94063

b. City Manager
City of Brisbane
44 Visitacion Avenue
Brisbane, CA 94005

c. City Manager
City of Daly City
90th and Sullivan Streets
Daly City, CA 94105

d. City Manager
City of South San Francisco
400 Grand Avenue
South San Francisco, CA 94080

Block 8. a. Paul Koenig, Director of Environmental Management
b. Richard B. Kerwin, City Manager
c. David Rowe, City Manager
d. Walter Birkelo, City Manager

Block 11. D. 3. This permit is being issued based on the Service's explicit understanding, and on the condition, that Section VIII(B)(3)(b)(i) of the Agreement with Respect to the San Bruno Mountain Area Habitat Conservation Plan is interpreted so that this permit can be revoked or terminated if (in addition to the other requirements of that paragraph), the Service determines that the cumulative loss of Conserved Habitat in a given Administrative Parcel from all violations is greater than 5% of the total Conserved Habitat shown for that Administrative Parcel in Chapter VII of the San Bruno Mountain Area Habitat Conservation Plan.

E. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the "Special Conditions for Marine Mammals and Native Endangered and Threatened Species" copy attached, to the extent that such Special Conditions are not inconsistent with the provisions of the Agreement with Respect to the San Bruno Mountain Area Habitat Conservation Plan and this permit.



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240

Implemented June 1982

Special Conditions for Marine Mammals and Native Endangered and Threatened Species Permits

1. Permittee must comply with the attached General Permit Conditions specified by the Federal Wildlife Permit Office.
2. Any dead or injured specimens of the authorized wildlife found may be salvaged or cared for.
3. Unless otherwise authorized on the face of the permit, the wildlife must be immediately released at or near the capture site after permitted activity.
4. Unexpected death or escape of the authorized wildlife shall be reported to the Federal Wildlife Permit Office (703/235-1903) before the end of the next business day.
5. BIRD banding, marking, radio tagging, etc. must be conducted in accordance with a Federal Bird Marking and Salvage permit.

THE FOLLOWING CONDITIONS APPLY UNTIL AUTHORIZED DISPOSAL OF THE WILDLIFE,
REGARDLESS OF THE EXPIRATION DATE OF THE PERMIT:

6. The authorized wildlife may NOT be sold, donated or transferred unless the receiver has first been issued authorization by the Director.
7. Any dead authorized wildlife shall be preserved and held for scientific purposes whenever practical.
8. Any live SEA TURTLES held must be maintained in accordance with the "Care and Maintenance Standards for Sea Turtles Held in Captivity" specified by the Federal Wildlife Permit Office.
9. MARINE MAMMALS must be cared for and maintained in accordance with the Animal and Plant Health Inspection Service's regulations on "Marine Mammals; Humane Handling, Care, Treatment, and Transportation".



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Implemented May 1982

GENERAL PERMIT CONDITIONS

1. All sections of Title 50 Code of Federal Regulations Part 13 provided on the reverse of this page are conditions of the permit.
2. All applicable foreign, state, local or other federal laws, including those requiring permits, must be observed.
3. Living specimens must be handled and shipped so as to minimize risk of injury, damage to health or cruel treatment.
4. Container in which authorized wildlife is shipped must be plainly marked with name and address of shipper and consignee and an accurate description of the contents including common and scientific name and number of each within, OR with a symbol authorized by a Symbol Marking permit.
5. Permittee must carry a copy of permit while conducting authorized activities.
6. Permit number must be legibly printed on all documents and advertisements involving activities conducted under permit.

For permits authorizing import, export or reexport:

7. This permit and a completed copy of the Wildlife Declaration (Form 3-177) must be presented to a USFWS officer at the port upon import, export or reexport of wildlife shipments.
8. Import, export or reexport of pre-Act wildlife under the U.S. Endangered Species Act must be accompanied by documentation required by 50 CFR 17.4.
9. Import of species listed in Appendix I, II or III of CITES must be accompanied by proper foreign documentation from the country of export.
10. Import, export or reexport of plants must be made through a U.S. Department of Agriculture (USDA) port (list attached if applicable). Permittee shall allow an authorized USDA agent to enter his premises at any reasonable hour to inspect any specimens held, or to inspect any records.
11. Import, export or reexport of wildlife must be made through one of the following designated ports or as authorized by an Exception to Designated Port permit: New York, NY; Miami, FL; New Orleans, LA; Dallas/Ft. Worth, TX; Los Angeles and San Francisco, CA; Honolulu, HI; Seattle, WA; and Chicago, IL.

Exception to Designated Port permittees:

- a. Permittee is liable for all costs incurred by USFWS in examining shipments including per diem, salary and travel cost. Payment shall be by certified check or money order, payable to U.S. Fish and Wildlife Service prior to delivery of shipment to the consignee.
- b. The nearest USFWS Law Enforcement Office (list attached) must be notified at least 72 hours prior to import, export or reexport.

§ 13.23 Amendment of applications or permits.

Where circumstances have changed so that an applicant or permittee desires to have any term or condition of his application or permit modified, he must submit in writing full justification and supporting information in conformance with the provisions of this part and the part under which the permit has been issued or requested. Such applications for modification are subject to the same issuance criteria as are original applications, as provided in § 13.21.

§ 13.24 Renewal of permit.

Where the permit is renewable and a permittee intends to continue the activity described in the permit during any portion of the year ensuing its expiration, he shall, unless otherwise notified in writing by the Director, file a request for permit renewal, together with a certified statement that the information in his original application is still currently correct, or a statement of all changes in the original application, accompanied by any required fee at least 30 days prior to the expiration of his permit. Any person holding a valid renewable permit, who has complied with the foregoing provision of this section, may continue such activities as were authorized by his expired permit until his renewal application is acted upon.

§ 13.25 Permits not transferable; agents.

(a) Permits issued under this part are not transferable or assignable. Some permits authorize certain activities in connection with a business or commercial enterprise and in the event of any lease, sale, or transfer of such business entity, the successor must obtain a permit prior to continuing the permitted activity. However, certain limited rights of succession are provided in § 13.26.

(b) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is employed by or under contract to the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.

§ 13.27 Change of mailing address.

During the term of his permit, a permittee may change his mailing address without procuring a new permit. However, in every case notification of the new mailing address must be forwarded to the issuing official within 30 days after such change. This section does not authorize the change of location of the permitted activity for which an amendment must be obtained in accordance with § 13.23.

§ 13.28 Change in name.

A permittee continuing to conduct a permitted activity is not required to obtain a new permit by reason of a mere change in trade name under which a business is conducted or a change of name by reason of marriage or legal decree: *Provided*, That such permittee must furnish his permit to

Excerpts from CODE OF FEDERAL REGULATIONS (50 CFR 13)

the issuing official for endorsement within 30 days from the date the permittee begins conducting the permitted activity under the new name.

§ 13.29 Official endorsement of changes required.

Any change in a permit must be made by endorsement of the Director or issuing officer. Any modification or change in an issued permit, other than those specifically provided for in this subpart, may be granted or denied in the discretion of the Director.

§ 13.30 Certain continuancy of activity.

A permittee who furnishes his permit to the issuing official for endorsement or correction in compliance with the provisions of this subpart may continue his operations pending its return.

§ 13.31 Discontinuance of activity.

When any permittee discontinues his activity, he shall, within 30 days thereof, mail his permit and a request for cancellation to the issuing officer, and said permit shall be deemed void upon receipt. No refund of any part of an amount paid as a permit fee shall be made where the operations of the permittee are, for any reason, discontinued during the tenure of an issued permit.

§ 13.41 Recall and amendment of permit during its term.

Except for marine mammal permits (See Part 18), all permits are issued subject to the condition that the Service reserves the right to recall and amend the provisions of a permit for just cause at any time during its term. Such amendments take effect on the date of notification, unless otherwise specified.

§ 13.42 Permits are specific.

The authorizations on the face of a permit which set forth specific times, dates, places, methods of taking, numbers and kinds of wildlife or plants, location of activity, authorize certain circumscribed transactions, or otherwise permit a specifically limited matter, are to be strictly construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.

§ 13.43 Alteration of permits.

Permits shall not be altered, erased, or mutilated, and any permit which has been altered, erased, or mutilated shall immediately become invalid. Unless specifically permitted on the face thereof, no permit shall be copied, nor shall any copy of a permit issued pursuant to this Subchapter B be displayed, offered for inspection, or otherwise used for any official purpose for which the permit was issued.

§ 13.44 Display of permit.

Any permit issued under this part shall be displayed for inspection upon request to the Director or his agent, or to any other person relying upon its existence.

§ 13.45 Filing of reports.

Permittees may be required to file reports of the activities conducted under the permit. Any such reports shall be filed not later than March 31 for the preceding calendar year ending December 31, or any portion thereof, during which a permit was in force, unless the regulations of this Subchapter B or the provisions of the permit set forth other reporting requirements.

§ 13.46 Maintenance of records.

From the date of issuance of the permit, the permittee shall maintain complete and accurate records of any taking, possession, transportation, sale, purchase, barter, exportation, or importation of plants obtained from the wild (excluding seeds) or wildlife pursuant to such permit. Such records shall be kept current and shall include names and addresses of persons with whom any plant obtained from the wild (excluding seeds) or wildlife has been purchased, sold, bartered, or otherwise transferred, and the date of such transaction, and such other information as may be required or appropriate. Such records, unless otherwise specified, shall be entered in books, legibly written in the English language. Such records shall be retained for 5 years from the date of issuance of the permit.

§ 13.47 Inspection requirement.

Any person holding a permit under this Subchapter B shall allow the Director's agent to enter his premises at any reasonable hour to inspect any wildlife or plant held or to inspect, audit, or copy any permits, books, or records required to be kept by regulations of this Subchapter B.

§ 13.51 Penalties for violation of a permit; notice; demonstration of compliance.

(a) Any violation of the applicable provisions of this subchapter, or of the statute under which the permit was issued, or a condition of the permit, may subject the permittee to the following penalties:

(1) The penalty provided in the statute under which the permit was issued;

(2) Temporary suspension of the permit for a specified period; and

(3) Revocation of the permit. When revoked, permits must be surrendered to the Director on demand.

(b) Except in cases of willfulness or those in which the public health safety or interest requires, and prior to any suspension or revocation of a permit, the permittee shall be given:

(1) Notice by the Service in writing of the facts or conduct which may warrant the suspension or revocation; and

(2) Opportunity to demonstrate or achieve compliance with all permit requirements.