



DEPARTMENT OF THE INTERIOR  
U.S. FISH AND WILDLIFE SERVICE

# FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

MAINE DEPARTMENT OF INLAND FISHERIES AND WILDLIFE  
ATTN: JAMES CONNOLLY  
41 STATE HOUSE STATION  
AUGUSTA, ME 04330-0041  
U.S.A.

2. AUTHORITY-STATUTES  
16 USC 1533(d)

REGULATIONS  
50 CFR 17.32

50 CFR 13

3. NUMBER  
**TE48539B-0**

4. RENEWABLE  
 YES  
 NO

5. MAY COPY  
 YES  
 NO

6. EFFECTIVE  
11/04/2014

7. EXPIRES  
11/03/2029

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

CHANDLER E WOODCOCK, MR  
COMMISSIONER MDIFW

9. TYPE OF PERMIT

NATIVE THREATENED SP. HABITAT CONSERVATION PLAN - T  
WILDLIFE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

MAINE - STATEWIDE

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, TRIBAL, OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

D. The permittee is responsible for implementing the terms and conditions of the 2014 Final Incidental Take Plan for Maine's Trapping Program (ITP) and this incidental take permit (permit).

E. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by all of the terms of the permit and all sections of title 50 Code of Federal Regulations, parts 13 and 17, pertinent to issuance of incidental take permits. Section 11 of the Endangered Species Act of 1973, as amended (ESA), provides for civil and criminal penalties for failure to comply with permit conditions.

F. The permittee, and other covered entities (as defined in condition G), are authorized to take Canada lynx (*Lynx canadensis*), which are listed as threatened under the ESA, during furbearer trapping activities and trapping activities associated with the State of Maine's predator management (PM) and animal damage control (ADC) programs as described in the ITP, and as conditioned herein.

G. Other covered entities, as pertains to take authorization and implementation of ITP and permit terms and conditions, include licensed or other authorized trappers in the State of Maine. This includes all licensed trappers (non-resident, resident, alien, junior (resident and non-resident), and apprentice resident and non-resident trappers, complimentary over 70 trappers, lifetime trapping licenses including Native Americans that trap off tribal lands, ADC agents and PM trappers). Covered entities also include other people authorized to trap without trapping licenses such as Maine Department of Inland Fisheries and Wildlife (MDIFW) full-time employees (e.g., district game wardens, and wildlife biologists) and landowners trapping on their own land.

H. The authorization granted by this permit is subject to full implementation and compliance with the ITP, including all appendices. This permit, the ITP, and any associated agreements are binding upon the permittee, any authorized officer, employee, contractor, agent, or other covered entity conducting covered activities.

I. Unless the permit is amended, suspended, revoked or terminated, the permit duration shall be 15 years. The signed and issued permit will be considered effective upon receipt by the United States Fish and Wildlife Service (USFWS) of annual funding assurances for the first year of ITP implementation from the permittee (per ITP section 6.1).

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

ANNUAL REPORT DUE: May 1st of each year

ISSUED BY **Paul R. Phifer, Ph.D.**  
**Assistant Regional Director**  
**Ecological Services**

TITLE  
ASSISTANT REGIONAL DIRECTOR - ES

DATE  
11/04/2014

J. The permittee is responsible for providing evidence that the State of Maine's Legislature has appropriated sufficient funding to implement this plan by July 15th each year.

K. This permit authorizes take of Canada lynx anywhere in the State of Maine (ITP section 1.4) over the 15-year permit period. The amount of incidental take authorized by this permit is as follows: up to 183 Canada lynx may be incidentally captured and released with no or only minor injuries; up to nine lynx may be incidentally captured and released after treatment for more severe injuries; and up to three lynx may be captured and either be killed or be non-releasable due to the severity of capture related injuries. Cumulatively, no more than 195 lynx shall be incidentally captured.

L. Within 14 business days following permit issuance, the permittee shall send a letter to all covered entities (as defined in condition G) explaining ITP obligations and the conditions for authorized incidental take coverage. A draft copy of the letter shall be approved by the USFWS prior to distribution.

M. The permittee is responsible for fully implementing all avoidance, minimization, and mitigation measures presented in the 2014 Final ITP in accordance with the specified timelines.

N. Pertaining to the mitigation, the permittee is required to obtain USFWS review of the forestry management plan developed by the Maine Bureau of Public Lands prior to implementation. The MDIFW will demonstrate effectiveness in providing the mitigation requirement (i.e., a net increase of 3 lynx as indicated through the creation, restoration, or enhancement of 6,200 acres of HQHH) through the monitoring committed to in the ITP.

O. The permittee is responsible for submitting an annual report to USFWS by May 1 each year that at a minimum includes the following:

1. Summary and tabulation of all incidental capture events to assess compliance with the incidental take authorization,
2. Any changes to trapping related regulations that are required by the ITP or that may otherwise affect the ITP or this permit,
3. Data on lynx capture reporting rates and an evaluation of compliance with reporting requirements,
4. Data on compliance with visible bait regulation compliance based on investigations of incidental lynx capture events,
5. Summary of the updated incidental capture database and an evaluation of compliance with the ITP objectives,
6. Copy of updated standard operating procedures and injury scoring system,
7. Updated list of cooperating veterinarians,
8. Summary of any lynx treated for capture related injuries,
9. Summary of Maine Department of Inland Fisheries and Wildlife (MDIFW) staff trainings on injury assessments and lynx handling protocols,
10. Summary of veterinarian oversight at lynx capture events,
11. Summary of any activities involving orphaned kittens including the number, response, and outcome (e.g., collared, held in captivity),
12. Summary of meetings with the Maine Trapping Association and other significant interactions with licensed or otherwise authorized trappers regarding the ITP,
13. Link to MDIFW's updated annual regulation booklet and MDIFW's website presenting information on lynx biology, avoiding lynx incidental captures, and current trapping regulations,
14. Confirmation that the annual trapper mailing occurred and provide a copy of the section of the Trapper Information Booklet mailed to all licensed or otherwise authorized trappers,
15. Summary of updates and distribution of the "How to avoid the incidental take of lynx" brochure to all licensed or otherwise authorized trappers,
16. Copy of trapper education course material that addresses lynx avoidance and minimization measures in the initial annual report and any updates in future annual reports,
17. Copy of the trapper video demonstrating techniques for reducing incidental lynx captures and injuries in the second annual report and any updates in future annual reports,
18. Summary of MDIFW trainings and communications with trapper education instructors,
19. Updated information on areas used by lynx and when regulatory changes to avoid or minimize lynx captures are put in effect,
20. Summary of compliance with killer-type trap regulations, including such items as how many illegal sets, how many instances of non-reporting, what type of non-compliance, different categories (warnings, summons, etc.) and frequencies of those events.
21. Summary of trapper effort data from voluntary trapper surveys and generated from license numbers and furbearer harvest data,
22. Summary of any changed circumstances that are triggered or implemented, and
23. Summary of all activities related to implementation of the mitigation.

P. The permittee is responsible for providing immediate notification (i.e., within 24 hours) to the USFWS Maine Ecological Services Field Office and the nearest USFWS Office of Law Enforcement for the following circumstances:

1. Any incidental capture events,
2. Any incidental capture events that result in injured lynx requiring veterinarian care if the attending veterinarian determines that euthanasia is the most humane option for the animal, and
3. Any incidental capture events that result in fatalities.

Q. The permittee is responsible for notifying the USFWS within five working days if any changed circumstances identified in the ITP are triggered.

R. For the purposes of monitoring, compliance, reporting, and administration of the terms of this permit, except where otherwise specified in the ITP or permit conditions, the contact office for the USFWS shall be: Maine Ecological Services Office, 17 Godfrey Drive, Suite 2, Orono, ME 04473, 207-866-3344. The permittee shall refer to permit number TE48539B-0 in all correspondence and reports concerning permit activities.