

STREAMLING ESA and HOW to AVOID NMFS

Diane Driscoll

Title, Affiliation, Address: Fisheries Biologist, NMFS Habitat Conservation Division
304 South Water Street, Suite 201 Ellensburg, WA 98934

Phone: 509-962-8911 x227

Email: Diane.Driscoll@noaa.gov

ABSTRACT: The Endangered Species Act requires all federal agencies that "authorize, fund, or carry out" actions that may impact listed species to consult on those actions with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service. Because of the ESA listings in the late 1990s, and the increasing number of habitat improvement projects being implemented under various programs, the number and intensity of ESA section 7 consultations were rapidly increasing the workload for NMFS staff. While the proposed habitat improvement projects are, in the long term, beneficial to many listed species, some actions produce short-term adverse effects. Many of the proposed activities are minor in nature and their effects are similar, therefore, a programmatic biological opinion streamlines the permitting process, and allows actions that will help restore or enhance fish passage or habitat to be implemented in a timely manner. The NMFS Washington State Habitat Conservation Division now has seven programmatic biological opinions available for use for aquatic habitat restoration projects. This presentation will describe four of the seven programmatic biological opinions: (1) Bonneville Power Administration Habitat Improvement Project Programmatic (HIP II); (2) U.S. Army Corps of Engineers Fish Passage and Habitat Enhancement Restoration Programmatic; (3) Habitat Restoration Program, ESA Section 4(d) Limit 8, by the State of Washington (Salmon Recovery Funding Board) and; (4) Habitat Restoration and Preservation Projects in the Upper Columbia, Yakima, and Klickitat Basins. This presentation will provide an overview of what areas and species are included in each opinion and what types of projects each of the four opinions cover. If you have a project that is specifically designed to restore or enhance fish passage or habitat, one of these programmatic opinions will significantly reduce the time and expense required to comply with ESA section 7 consultation with NMFS.