United States Department of Agriculture Forest Service	United States Department of Commerce National Oceanic and Atmospheric Administration Fisheries	United States Department of the Interior Bureau of Land Management	United States Department of the Interior Fish and Wildlife Service

MEMORANDUM

DATE: December 10, 2004

TO: Forest Supervisors (Regions 1, 4, and 6), USFS
District Managers (Oregon, Washington, and Idaho), BLM
Ecological Services Project Leaders (Oregon, Washington, and Idaho), FWS
State Habitat Directors (Northwest Region), NOAA Fisheries

FROM: Jack Troyer, Regional Forester, Region 4, USFS
Linda Goodman, Regional Forester, Region 6, USFS
Abigail Kimbell, Regional Forester, Region 1, USFS
K Lynn Bennett, Idaho State Director, BLM
Elaine Brong, Oregon/Washington State Director, BLM
D. Robert Lohn, Regional Administrator, Northwest Region,.NOAA Fisheries
Dave Allen, Regional Director, Pacific Region, FWS

SUBJECT: New or Expanded Programmatic Actions and Endangered Species Act Section 7 Compliance

In a December 18, 2003, Memorandum (from the Interagency Regional Executives to the Interagency Coordinators Subgroup), we commissioned an interagency team to: "Provide an assessment of programmatic consultations that could be created or expanded for Federal lands" in Oregon, Washington, and Idaho. The team has completed their assessment and provided us with a July 9, 2004, report.

We were pleased to find that the assessment team identified that NOAA's National Marine Fisheries Service (NOAA Fisheries) and the Fish and Wildlife Service (FWS) completed a combined three-state total of approximately 173 "programmatic" consultations over a five-year period. This total includes formal and informal consultations on batches of individual actions, land management plans, and many program-level actions. The scale and content of the actions addressed under these consultations varied considerably with respect to the species and critical habitat addressed, and the number and types of activities considered. The team evaluated a wide breadth of information as well as several complexity factors from which they developed conclusions and recommendations. This information provides an important perspective that can be used to identify opportunities for new or expanded programmatic actions that can be efficiently analyzed for compliance with section 7 of the Endangered Species Act (ESA).

To aid in their assessment, the team developed an Excel database that includes all of the consultations and activity types considered. The database and the team's powerpoint presentation (presented to us on July 9, 2004) are posted on the interagency ESA consultation streamlining website located at http://www.or.blm.gov/esa/index.htm. The database and powerpoint presentation are intended to serve as useful field references for expanding or developing new programmatic activities. We encourage our Level 1 and Level 2 teams to explore the following two strategies:

1. Expand on Existing Programmatic Actions

Field units should review the database and become familiar with programmatic actions that have completed consultation, are being implemented on nearby units, and that may have application to their unit. If there are applicable programs being implemented, field units should direct their Level 1 and Level 2 teams to consider how that program could be applied to their unit.

2. Develop New Programmatic Actions

Based on feedback from field staff and a high likelihood of interagency success, the assessment team recommended the development of new program-level fish habitat restoration actions to aid in the recovery of at-risk fish stocks. The assessment team also recommended the agencies draw from the recently completed programmatic consultation on culverts and other broad-scale section 7 documents to use as guides for completing programmatic consultations on new or expanded fish habitat restoration actions.

To monitor our progress on the development of new or expanded programmatic fish habitat restoration actions, we are establishing an interagency work group for Oregon and Washington. Depending upon the results of this effort, work groups in other parts of the Columbia River Basin may be established later. The Oregon/Washington work group will contact Level 1 and 2 teams to periodically review our progress on the development of new program-level fish habitat restoration actions, and will report the results to the Interior Columbia Basin Regional Executives. The interagency work group for Oregon and Washington is comprised of the following individuals:

Dallas Emch, USFS
Jim Boynton, USFS
Michael Tehan, NOAA Fisheries
Steve Landino, NOAA Fisheries
Kemper McMaster, FWS
Ken Berg, FWS
Denis Williamson, BLM
Paula Burgess, BLM

In summary, the Regional Executives support the development of program-level actions that are designed in a manner that provides for ESA section 7 consultations to be conducted efficiently. Such actions will improve our ability to meet our shared resource management goals. This is

your license to go forward to look for opportunities for expanding or developing new program-level fish habitat restoration or other types of actions, when appropriate. If you have any questions regarding this matter, please contact your agency assessment team member: Russ Strach (NOAA Fisheries) at 503-231-6266; Alan Christensen (USFS) at 503-808-2922; Dan Brown (FWS) at 503-231-6281; or Paula Burgess (BLM) at 503-808-6525.

Sincerely,

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D. ROBERT LOHN
Regional Administrator, Northwest Region
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for ELAINE M. BRONG
State Director, OR/WA
USDI Bureau of Land Management

for K LYNN BENNETT
State Director, ID
USDI Bureau of Land Management

For: DAVID B. ALLEN
Regional Director, Region 1
USDI Fish and Wildlife Service

cc:
Interagency Coordination Subgroup (ICS)
Regional Technical Team (RTT)
ICB Deputy Team
Paul Roush, BLM California