

# The Pacific Northwest Restoration Programmatic Road Show<sup>1</sup>

## HIP III / ARBO II / PROJECTS

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The first week of September was not only the start of a new school year, but it was also the new and improved restoration programmatic road show. Over the five-day period, approximately 200 restoration project funders, designers, implementers, and reviewers attended the workshops in five towns across two states. Participants represented tribes, watershed councils, soil and water conservation districts, and a wide variety of local, regional, state and federal agencies. Why did they show up? To find out how they could put the new programmatic biological opinions to good use, getting restoration on the ground faster, cheaper, and with greater success.

If you are new to the world of programmatic, here's why they are important. The implementation of restoration projects, even though they are designed for long-term benefits to fish and wildlife, generally have some short-term impacts on the very species we are trying to help. This is often a result of the big equipment we use to move dirt, wood, and other materials, moving fish or other species out of a construction area, or the noise that we make while getting the work done. Without the restoration programmatic, every project with Threatened or Endangered species, or their critical habitat, in the area would require an individual consultation with National Marine Fisheries Service (NMFS) and/or the US Fish and Wildlife Service (FWS), which can be a lengthy process. Since these two agencies want to encourage restoration of fish and wildlife, we have created a streamlined approach through programmatic consultations to provide project proponents guidance to minimize impacts to federally listed species and their habitats, and take coverage under the Endangered Species Act (ESA) for actions where adverse effects to those species is unavoidable. In general, as long as the specific conditions outlined in these programmatic are implemented appropriately, projects meet the consultation requirements of the ESA; additionally, project proponents know they are implementing state-of-the-science restoration practices.

Currently, there are five updated restoration programmatic biological opinions (programmatic) available for use in the Pacific Northwest. They include:

- HIP III – the Habitat Improvement Program.
  - Applies to projects funded through the Bonneville Power Administration (BPA). There are two biological opinions – one with NMFS and the other with FWS. This is the third round of consultation between NMFS and BPA, but the first between BPA and FWS.
  - Geographic coverage includes the Columbia Basin (excluding Nevada) plus the coastal area of Oregon.
- ARBO II – the Aquatic Restoration Biological Opinion.
  - Applies to projects funded and/or designed by the US Forest Service, Bureau of Land Management, and the Coquille Tribe through the Bureau of Indian Affairs. There are two biological opinions – one with NMFS and the other with FWS. This is the second round of programmatic consultation for both agencies.

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<sup>2</sup> The U.S. Fish & Wildlife Service donates approximately 50 percent of Janine's time to the National Marine Fisheries Service to further cross-agency coordination and consistency of restoration approaches.

- Geographic coverage includes Oregon and Washington and the extent of national forest that is primarily in Oregon and Washington but also includes parts of California, Idaho, and Nevada.
- PROJECTS – the Programmatic Restoration Opinion for Joint Ecosystem Conservation by The Services.
  - Applies to projects either funded by or supported through substantial technical assistance by the FWS and the NOAA Restoration Center. There is currently only a NMFS biological opinion. The FWS biological opinion is forthcoming. This is a new programmatic for both agencies.
  - Geographic coverage includes Washington, Idaho, and Oregon (excluding the upper Klamath Basin).

The workshops were led by a cadre of folks from both the FWS and NMFS, including a few of the programmatic authors, Chris Allen and Paul Bridges, two NMFS fish passage engineers, Aaron Beavers and Jeff Brown, FWS project implementers from Oregon and Washington, CalLee Davenport and Rich Carlson, and one of the Restoration Review Team Leads, Janine Castro. In the workshops we discussed (1) development of the biological opinions, (2) action areas and activity categories, (3) general and species-specific conservation measures, (4) project design criteria, (5) Restoration Review Teams, (6) review and approval processes, (7) fish passage review and approval, (8) the use of variances, and (9) the implementation process. You can download the workshop presentation, as well as the programmatic biological opinions and supporting documents, at:

<http://www.fws.gov/oregonfwo/ToolsForLandowners/OtherResources.asp>.

The purpose of the programmatic is to get quality restoration on the ground in an efficient manner. The activity categories cover a vast array of restoration techniques and they reflect the current state of restoration science and practice. Understanding that no two ecosystems are alike, these new programmatics have built in flexibility and no expiration date. As new techniques are developed and tested, and as our understanding of natural systems improves, we can also improve the programmatic...as long as we are reducing our short-term negative impacts to fish and wildlife species and promoting long-term recovery.

The programmatics are organized such that the General Conservation Measures come first. These measures are essentially the “price of entry” – the things that must be done by anyone undertaking a restoration project. Typical measures include erosion control, spill prevention, site layout and flagging, and the like. Most of us know these measures as Best Management Practices. Depending on the likelihood of federally listed species in the area, Species-Specific Conservation Measures must also be followed. Common measures include work timing windows to minimize disturbance or specific herbicides that cannot be used within occupied habitat. Additional Project Design Criteria may be applicable depending on the type of project. For instance, if you are replacing a culvert with a new structure to improve fish passage, there is specific guidance on how to size the replacement structure. Sticking with the flexibility described above, we have also included the ability to make minor exceptions (i.e., a variance) to conservation measures and design criteria, when those deviations would be better for species and/or their habitat. One of the most common minor variance requests is for an in-water work extension so that work can occur instream during a time when there is the lowest likelihood of fish presence. Needless to say, a thorough reading of the appropriate programmatic is in order before undertaking any project.

Beyond the measures and criteria provided in the programmatics, some projects need an extra bit of review to ensure that we are minimizing impacts and maximizing restoration potential. For the most complex projects, dam removal and channel reconstruction, each programmatic has its own Restoration Review Team. This group provides guidance and review throughout the project development process to make sure that the project can be covered by the programmatic, or if it needs to be handled through an individual consultation. For many projects, a full Restoration Review Team review is not needed, but we still need to make sure that technical criteria are being met. That’s where the NMFS fish passage engineers come in. They ensure that the proposed designs meet the most current NMFS fish passage criteria. While this may all sound like a bunch of extra work, the intention is to have the

best projects possible while maintaining the integrity of our programmatic. This additional level of review has allowed us to include many more restoration actions than in previous programmatic, which saves everyone time.

The workshop continually emphasized the need for communication throughout the project development and implementation process. Specifically, there should be no surprises. Regulators and project reviewers should not surprise project proponents with last minute changes, and project proponents should keep the reviewers in the loop from the beginning so we have a good understanding of the entire project. We are in this together – the fish and wildlife are depending on our ability to work together and collaborate to ensure the best possible outcome to our recovery efforts.