

Permitting process for 11 types of minor projects streamlined

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SEATTLE—Three federal agencies have streamlined the permitting process for some minor projects. With specific conditions designed to protect listed fish, the National Marine Fisheries Service, U.S. Fish & Wildlife Service and the Army Corps of Engineers have agreed that 11 pre-assessed activities are Not Likely To Adversely Affect threatened and endangered fish species.

In an effort to provide better protection for listed species and better service for applicants, the Corps is actively developing other streamlined measures including a priority focus on habitat restoration for listed fish species.

When permit applicants to the Army Corps of Engineers document that their minimally impacting projects meet the conditions for these pre-assessed activities, the Corps can process the application without a sometimes time-consuming case-by-case endangered species consultation with the Services. Such activities would meet the requirements of the Endangered Species Act.

Any party wanting to conduct work in navigable waters, like Puget Sound, Lake Washington or the Columbia River, is required to get a permit from the Corps of Engineers under Section 10 of the Rivers and Harbors Act.

Additionally, anyone wanting to place fill in any waters of the U.S., including wetlands, needs a permit from the Corps under Section 404 of the Clean Water Act. The Endangered Species Act requires the Corps to coordinate or consult with the National Marine Fisheries Service and/or the U.S. Fish & Wildlife Service, even for minor projects that may affect threatened or endangered species or their habitat.

Prior to 1999 the Corps' Seattle District processed more than 1,300 permit applications per year, with a goal of reaching most permit decisions in 60 days or less. In 1999, more than half a dozen fish species in Washington state were classified as threatened or endangered by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. With the additional requirements necessary to protect the newly listed fish species, the permitting process for even minor projects slowed considerably.

As a result, the Corps' backlog of pending applications increased, while the number of permit decisions made in a year dropped substantially. The Corps expects the 11 pre-assessed activities to speed the ESA review process for all applicants and encourage more fish-friendly construction practices.

The pre-assessed activities are:

- ? Aids to navigation
- ? Mooring buoys
- ? Temporary recreation structures (approved for bull trout only)
- ? Replacement of up to 18 existing pilings
- ? Installation or replacement of one boatlift
- ? Scientific measurement devices
- ? Oil spill containment
- ? Fish and Wildlife harvesting
- ? Tideland markers
- ? Nearshore fill for state Hydraulic Project Approval mitigation requirements
- ? Minor bank stabilization repair activities

The list of activities as well as the conditions required for a project to be considered Not Likely To Adversely Affect listed fish species can be found beginning Dec. 8 through the website:

<http://www.nws.usace.army.mil/reg/reg.ntm>

Potential applicants are advised to call the Corps early with any permitting questions.

The Regulatory Branch of the Corps can be reached at (206) 764-3495. For projects in Eastern Washington, call (509) 238-4570, for Projects in Central Washington Call (509) 682-7010.

For projects in Clark, Cowlitz or Skamania Counties, call (360) 750-9046.

The federal permitting process does not substitute for any required state and local permits.

This news release is available on-line at: <http://www.nws.usace.army.mil/pao/releases.htm>