



## Temporary Recreational Structures Version: May 30, 2001

**Location:** This informal programmatic consultation applies to proposed actions in Washington State where the National Marine Fisheries Service and U.S. Fish and Wildlife Service have concurred that the project not likely to adversely affect listed fish species and designated critical habitat and will not jeopardize proposed fish species or destroy or adversely modify proposed critical habitat.

**Implementation Conditions:** To be covered by this informal programmatic consultation, all actions addressed herein shall comply with the Implementation Conditions outlined in ***Programmatic Consultation – Phase I: General Implementation Conditions***. In addition, each action shall comply with specific conditions outlined below.

**Timing:** The action shall only occur once within one “work season” (the approved work windows described in ***Programmatic Consultation – Phase I: Approved Work Windows***) for a single and complete project. For example, only a maximum of 18 piles shall be replaced on a single pier within the approved work window. The following year, up to 18 piles may be replaced on the same pier within the approved work window for that year.

**Adjacent:** For the purposes of this document, “adjacent” is defined as within 300 linear feet. This is used when restricting projects from impacting special aquatic sites (such as an eelgrass bed or wetland) and/or salmonid or forage fish spawning areas.

**Temporary Recreational Structures:** Placement of temporary buoys, markers, small floating docks, and similar devices or structures that are for recreational use during specific events such as water skiing competitions and boat races, provided that:

**The activities described in this section require individual informal or formal consultation with the National Marine Fisheries Service (NMFS) if such work may affect listed or proposed fish species under NMFS jurisdiction.**

1. In Fresh Waters *excluding* the Columbia River mainstem:

- Work is done within the approved work window.
- No work is done over or adjacent to vegetated shallows (except where such vegetation is limited to State-designated noxious weeds) or spawning habitat for listed or proposed fish species.
- No large woody debris is removed.
- Such devices and structures do not exceed 4 per acre.
- Any small floating docks are no larger than 400 square feet in size and multiples (no more than 4) are spaced at least the distance of the longest dock length.
- No new piling is driven.

- No treated wood is used.
- Such devices and structures remain in the water no longer than 60 days.
- Such devices and structures are removed within 15 days after use has been discontinued.
- Flotation shall be completely contained to prevent breakup.
- Such devices and structures are anchored securely and the anchor and anchor lines do not drag. [from NWP 11]

2. In the Columbia River mainstem including Snake River and Baker Bay:

- Work is done within the approved work window.
- No work is done over or adjacent to vegetated shallows (except where such vegetation is limited to State-designated noxious weeds) or spawning habitat for listed, proposed or forage fish species.
- No large woody debris is removed.
- Such devices and structures do not exceed 4 per acre.
- Any small floating docks are no larger than 400 square feet in size and multiples (no more than 4) are spaced at least the distance of the longest dock length.
- No new piling is driven.
- No treated wood is used.
- Such devices and structures remain in the water no longer than 60 day.
- Such devices and structures are removed within 15 days after use has been discontinued.
- Flotation shall be completely contained to prevent breakup.
- Such devices and structures are anchored securely and anchors are installed so that anchor lines do not drag.

3. In Marine/Estuarine Waters excluding Baker Bay:

- Work is done within the approved work window.
- No work takes place over or adjacent to vegetated shallows or spawning habitat for forage species.
- No large woody debris is removed.
- Such devices and structures do not exceed 4 per acre.
- Any small floating docks are no larger than 400 square feet in size and multiples (no more than 4) are spaced at least the distance of the longest dock length.
- No new piling is driven.
- Such devices and structures remain in the water no longer than 60 days.
- Such devices and structures are removed within 15 days after use has been discontinued.
- Flotation shall be completely contained to prevent breakup.
- Such devices and structures are anchored securely and the anchors installed so that the anchor lines do not drag