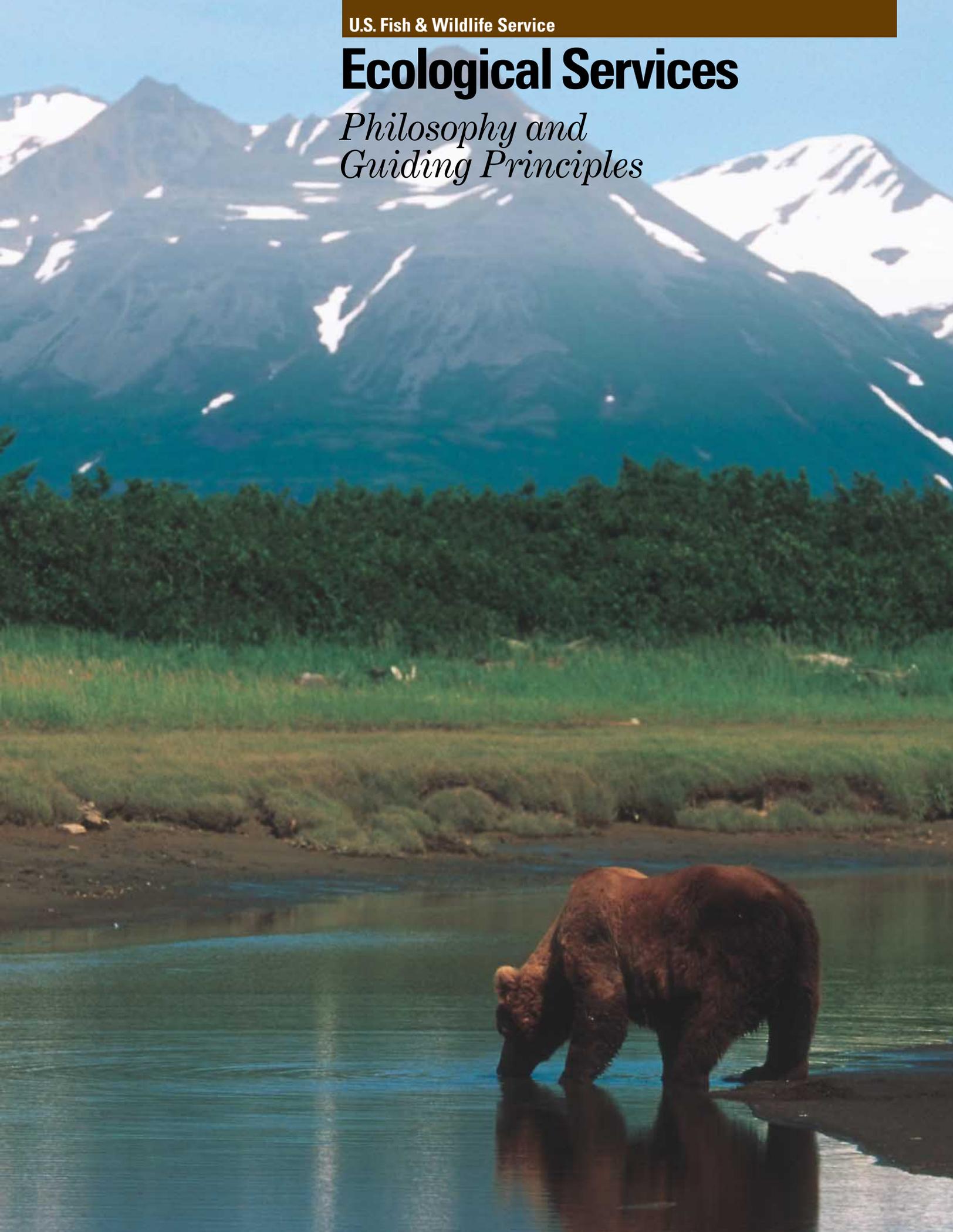


U.S. Fish & Wildlife Service

Ecological Services

*Philosophy and
Guiding Principles*



Ecological Services

Philosophy and Guiding Principles

In carrying out the mission of the Fish and Wildlife Service, certain basic principles guide all Ecological Services actions and personnel.

■ *Our people and their technical expertise are our greatest resource.*

■ *Our science must be above reproach.*

■ *Our management must make a difference.*

■ *Our communications must be clear for all.*

Fact: The Fish and Wildlife Service is an integral part of a greater conservation community with distinct Federal responsibilities. Conservation is a collective job. Ecological Services works with a large community of partners to effectively accomplish the Service's Mission.

Guiding Principle:

Ecological Services activities use a collaborative approach in making ecologically sound and scientifically credible fish and wildlife resource decisions.

■ We work with others to find innovative solutions “outside the box” for the increasingly complex environmental issues associated with habitat and species protection on the one hand, and with human needs and desires on the other. Innovative approaches to problem solving are what the public expects, and they deserve no less.

Guiding Principle:

Ecological Services staff are flexible and opportunistic when working with their partners toward conservation goals. We lead, we support, and we act as a catalyst.

■ We understand that protection and recovery of natural resources cannot be

done alone, but requires the teamwork of Federal, Tribal, State, local, international, and private stakeholders.

Fact: The Fish and Wildlife Service is a field oriented organization with a fish and wildlife ecology foundation.

Guiding Principle:

Ecological Services staff use the best available science as the foundation in decision making.



Peregrine falcon/USFWS photo

- We focus Ecological Services activities on accomplishing the goals in the Service's Strategic Plan.

- We focus activities on the opportunities presented at the onset of project planning to provide guidance and to avoid problems later in the process.

Fact: The Fish and Wildlife Service is committed to carrying out its statutory obligations and mandates.

Guiding Principle:

Ecological Services staff apply the Federal authorities that ensure sound resource decisions while recognizing the importance of a partnership approach addressing the needs of stakeholders, since the vast majority of fish and wildlife habitat is in private ownership.

- We are a ready and capable partner.

- We commit to being problem solvers and partners first and to using regulatory tools judiciously.

- We ensure that in preparing long term plans we provide certainty for the affected public while protecting the future well being of fish and wildlife resources.

Fact: The Fish and Wildlife Service is successful in achieving its mission when scientific, managerial, social, political, and economic realities integrate with the operational philosophy.

Guiding Principle:

Ecological Services staff integrate scientific, managerial, social, political, and economic realities in all activities.

- We target our products and actions to influence the decision making process of stakeholders to ensure protection, preservation, and enhancement of fish and wildlife resources.

Guiding Principle:

Ecological Services staff are open to different viewpoints and approaches.

- We listen to, respect, and learn from diverse points of view.

Fact: The Fish and Wildlife Service is successful in its mission when the public is informed of the value of fish and wildlife conservation.

Guiding Principle:

Ecological Services staff ensure that public outreach is an integral part of all activities.

- We do an excellent job of providing scientific expertise and advice on a variety of issues. We provide the public and stakeholders with useful information that is critical to the accomplishment of resource management, restoration, and protection.

Fact: The Fish and Wildlife Service is recognized as a national leader in fish and wildlife management, restoration, and protection.

Guiding Principle:

Ecological Services staff uphold the professional credibility of the Service as one of its most important assets.

- Our statements and recommendations are based on sound science and within the bounds of the law to ensure that the trust given to the Service by our partners and the public is maintained.

- We use the best science available. We professionally explain the limits of that science and recognize the legal authorities and constraints within which it is applied.

Guiding Principle:

As public employees, Ecological Services personnel maintain the highest level of professional and ethical standards.

- We conduct ourselves in a professional and ethical manner, ensuring that our actions reflect well on the Service, our co-workers, and ourselves.

- We solve problems at the lowest organizational level consistent with Service policy and guidance.

Guiding Principle:

Ecological Services staff maintain the highest possible level of scientific, technical, administrative, and professional competence and credibility through skills development and training.

- We foster multiple program experience and provide training for

all Service employees to strengthen our current and future work force capabilities.

- Management ensures that expertise appropriate to each of our programs is available or developed and that hiring fully trained, highly qualified professionals and using outside experts is part of that strategy.

- Each employee takes responsibility for and personally ensures that their technical and professional skills remain current and improve over time.

Fact: The Fish and Wildlife Service has many professional capabilities that are fundamental to achieving its mission.

Guiding Principle:

Ecological Services staff cooperate with internal and external entities to promote an ecosystem approach to conservation by aggressively implementing programs in endangered species, environmental contaminants, and habitat conservation.

- We ensure the integration of Ecological Services activities into the implementation of the Service's ecosystem approach to management.

- We make the most efficient use of Service capabilities, focus on ecosystem needs, and use our expertise as one Service team.

The Road We're On: Change and Involvement

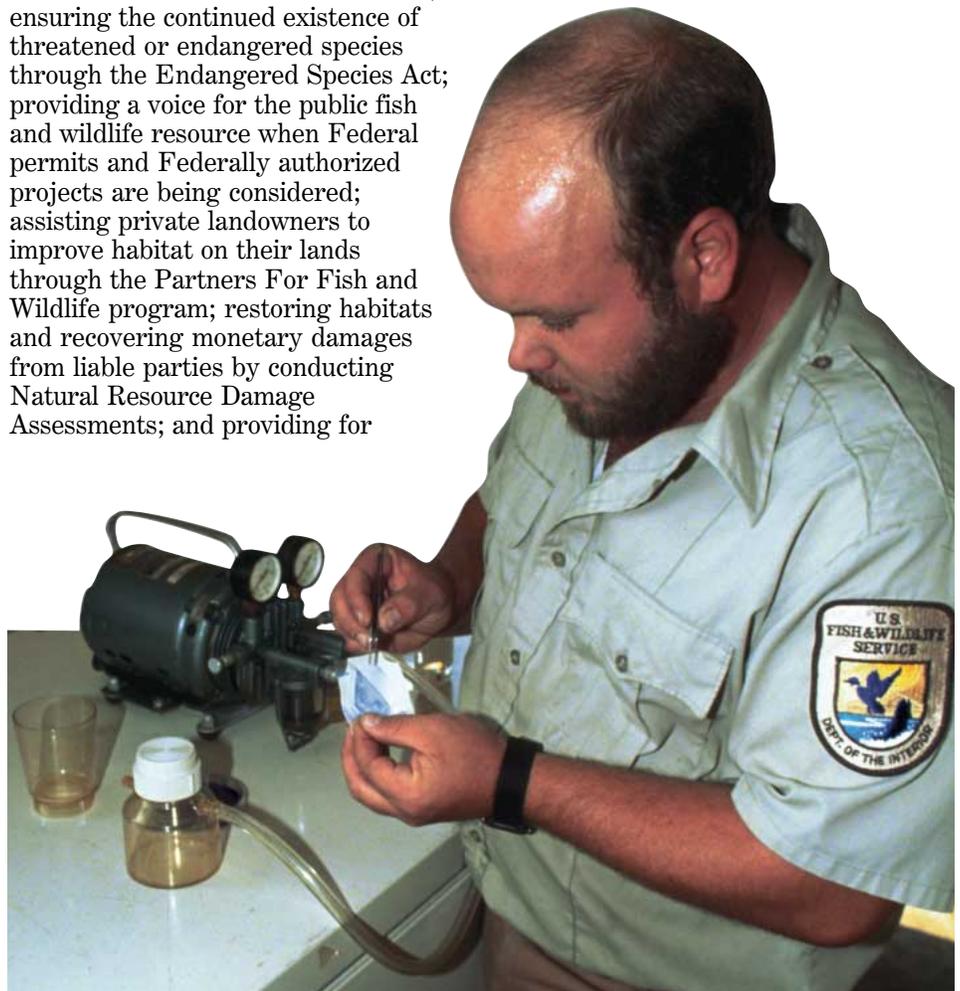
Over fifty years ago the Service was set on a course to influence government and private activities that affect public fish and wildlife resources. Over the succeeding decades, our role has grown in proportion to our understanding of the impact of human activity on the natural world and our reliance on the other living organisms with which we share the planet. Using sound science and managerial techniques, Ecological Services personnel apply a variety of Conservation Tools, primarily on private land and lands managed by others. These tools are used to benefit species and habitats, to assist with the planning of human activities, to provide effective information to decision makers, and to conduct activities in partnerships that help assure future generations of their fish and wildlife heritage.

Ecological Services houses many professional capabilities and the natural resource management expertise needed to conduct species and habitat conservation and restoration. These "Conservation Tools" implement authorities that provide the Service with a mechanism to evaluate, preserve, restore, enhance, or create important trust species habitats such as wetland, riparian, aquatic, upland, and coastal areas.

The collection of Conservation Tools is wide-ranging. A few examples include providing for fish passage under Section 18 of the Federal Power Act; ensuring the continued existence of threatened or endangered species through the Endangered Species Act; providing a voice for the public fish and wildlife resource when Federal permits and Federally authorized projects are being considered; assisting private landowners to improve habitat on their lands through the Partners For Fish and Wildlife program; restoring habitats and recovering monetary damages from liable parties by conducting Natural Resource Damage Assessments; and providing for

grants and partnership opportunities to assist others in the conservation of the public fish and wildlife resources.

The Conservation Tools applied by Ecological Services are enriched through outreach activities and information management and interpretation. This collection of Conservation Tools is managed by a cadre of highly skilled and dedicated professionals who focus on solving problems and accomplishing fish and wildlife conservation goals primarily on lands and habitats in private ownership or managed by other public entities.



The Ecological Services program combines with other Service programs to present an awesome array of Conservation Tools. If these tools are applied sensibly, persistently, and early, the Service will lead the conservation partnership in working to assure viable fish and wildlife resources for future generations on both public and private lands.

The Road Ahead: Experience and Expertise for the Future

In natural resource management, the Endangered Species program identifies species becoming at risk of extinction in the foreseeable future. Emergency actions are then taken to protect these species. There is an alternative—the early application of tools in other Ecological Services programs, National Wildlife Refuges, or within the Service’s Fisheries and migratory bird functions. Collectively, these Service programs are among the best Conservation Tools available to keep species and their habitats from needing the rescue protection of the Endangered Species Act.

As the Service moves into the 21st Century, diverse and specialized expertise will be needed to perform complex problem solving and resource protection in a cooperative mode. Today, we have expertise in fisheries, wildlife, botany, environmental toxicology, and cartography, to name a few. The Service is committed to providing the expertise necessary to meet tomorrow’s challenges.

Adaptive management is essential to success. Skill in mediation, negotiation, collaboration, and communication is as important as in-depth knowledge of ecology or the biology of a fish or wildlife species. Working on teams with a variety of special interest groups is essential, so recruiting and training need to stress good interpersonal skills. All employees need to share an awareness of the importance of public support for Service activities and strive to gain it, but we must recognize that we cannot be all things to all people. We must strategically manage an increasing workload, focus on the best opportunities and problems to pursue, and concentrate on multi-species management and on habitat protection and restoration where possible. When recruiting our future workforce we

need to ensure that it reflects American society.

These needs will be met in a variety of ways; however, the Service workforce will need to have a majority of the technical skills in the permanent workforce. We will need to use contracts and cooperative agreements to provide skills, and rely more on our partners in Federal and state agencies who have the capability to provide assistance through their staffs and contractors. The Service should be a participant in the process, but cannot accomplish goals in isolation from partners that share similar or related objectives.



Our Destination:

For Ecological Services to successfully support the Service mission of “*working with others to conserve, protect and enhance fish and wildlife and their habitats for the continuing benefit of the American people*” it is imperative that our expertise be of the highest possible quality, and be delivered in an effective and efficient manner, and that the ground be fertile for its reception. Failure in any one of these areas diminishes the ability to achieve the Service mission.

With management support for each of the “Conservation Tools” and Ecological Services personnel practicing the basic principles, a positive impact on fish and wildlife and their habitat will be as great as can be achieved for current and future generations of Americans.

Appendices:

Appendix A: Steps Along the Way for Ecological Services

Appendix B: Overview of Ecological Services Conservation Authorities and Mandates.

Wetlands restoration in upstate New York / USFWS photo

Appendix A: Steps Along the Way for Ecological Services

1782

Bald Eagle established as the National symbol.

1849

U.S. Department of the Interior established.

1862

U.S. Department of Agriculture established.

1871

U.S. Fish Commission established with an initial appropriation of \$5,000.

1885

Division of Economic Ornithology and Mammalogy, renamed in 1905 the Bureau of Biological Survey, established in the Department of Agriculture.

1899

Rivers and Harbors Act established authority for the Corps of Engineers to issue permits for construction, excavation and deposition of materials in navigable waters.

1902

Reclamation Act established irrigation as a National policy and led to establishment of the Bureau of Reclamation.

1903

U.S. Fish Commission transferred to the new Department of Commerce and Labor and renamed the Bureau of Fisheries.

First National Wildlife Refuge established at Pelican Island, Indian River County, Florida by executive order of President Theodore Roosevelt.

1920

Federal Water Power Act established Federal Power Commission, later renamed the Federal Energy Regulatory Commission, which can require non-Federal dam owners to construct, maintain, and operate fishways.

1934

Fish and Wildlife Coordination Act enacted.

1935

The Soil Conservation Service, later renamed the Natural Resources Conservation Service, was established in the Department of Agriculture.

1939

Bureau of Biological Survey transferred from the Department of Agriculture to the Department of the Interior; the Bureau of Fisheries transferred from the Department of Commerce to the Department of the Interior.

1940

The U.S. Fish and Wildlife Service (Service) formed through the merger of the Bureau of Biological Survey and the Bureau of Fisheries.

1942

Service headquarters and several other civilian agencies moved from Washington, D.C. to Chicago, Illinois, to make room for the war effort. Service headquarters returned to Washington in late 1947.

1944

Acting Service Director, Al Day, ordered the establishment of River Basin Study Committees in the Regions to interact with the Bureau of Reclamation and the Corps of Engineers with the general objective to protect existing Service facilities (e.g., hatcheries and refuges).

Flood Control Act enacted to authorize a large number of water development projects for construction and required the Corps of Engineers, Department of the Interior, and the States to consider recreation, water supply, and irrigation in projects.

1945

The Service established the Office of River Basin Studies with Rudolph Dieffenbach as the first Chief. By the

end of 1945, Regional offices had functional River Basin Studies offices. The Office of River Basin Studies evolved over the next 50 years to become the Division of Habitat Conservation within the programmatic umbrella organization named Ecological Services.

First River Basin Studies manual issued to provide program guidance and state National policy. Subsequent guidance and policy manuals were produced in 1946, 1953, 1962, 1969, and 1980.

1946

Fish and Wildlife Coordination Act of 1934 was amended. Implementation of Service recommendations on water projects at the discretion of the construction agencies.

1948

First River Basin Studies field office established in Vicksburg, Mississippi.

Federal Water Pollution Control Act enacted establishing Pollution Control Boards.

1949

Aldo Leopold's book, *A Sand County Almanac*, published.

1952

First National Wetlands Inventory, the genesis of Circular 39 was begun (completed in 1954).

1954

Watershed Protection and Flood Prevention Act authorized the Soil Conservation Service to build watershed projects and established the Farmers Home Administration.

1955

National Survey of Hunting and Fishing Activity was begun, originally a River Basin Studies idea; realty activities also were often handled by River Basin Studies, particularly involving Service acquisition of wetlands in the Midwest.

1956

Fish and Wildlife Act of 1956 enacted: Service was reorganized into the Bureau of Sport Fisheries & Wildlife and Bureau of Commercial Fisheries.

1958

Fish and Wildlife Coordination Act was amended, strengthening the Service position with construction agencies and setting the stage for more complete reforms in future years.

1960

Major increase in River Basin Studies funding, partly from the initiation of new lump sum fund transfers from construction agencies to the Service at the Washington office level for work on water development projects and partly from larger Resource Management Appropriations.

1962

Rachel Carson's book, *Silent Spring*, published.

1964

The Service's contaminant operation activities began in the Division of Fishery Services. In 1966, this activity was expanded with the establishment of regional pesticide use specialist positions in the Division of Wildlife Services.

The Branch of River Basin Studies was elevated to Division status in the Service.

1965

Federal Water Project Recreation Act (PL 89-72) enacted; amended Fish and Wildlife Coordination Act to clarify allocation of costs for mitigation and provided authority for enhancement.

1966

First Endangered Species Act (ESA) enacted to "conserve and protect, where practical, native species of fish and wildlife that are threatened with extinction." It provided for listing species, buying habitat, conducting research, and propagation but provided no prohibitions on "taking."

1967

Mr. Harry Goodwin filled the initial Endangered Species staff specialist position in the Washington office.

Zabel/Russell v. Tabb court decision upheld the Secretary of the Army's

denial of a permit for a dredge and fill project based on the impacts to fish and wildlife resources and the Fish and Wildlife Coordination Act. The U.S. Supreme Court affirmed the case in 1971.

Division of River Basin Studies responsibility for highway project review and real estate work transferred to other branches of the Service.

The Department of the Interior and the Corps of Engineers negotiated the first Memorandum of Understanding to provide a means to review disputed Rivers and Harbors Act, section 10 wetland permit actions at the Washington level.

1968

The National Estuary Protection Act authorized the Division of River Basin Studies to conduct a large scale evaluation of the nation's estuaries.

1969

National Environmental Policy Act enacted; it served as a catalyst for change in standards for evaluating Federal actions and also established oversight by the Council on Environmental Quality.

1970

First Earth Day celebrated.

Water pollution control activities were transferred from the Department of the Interior to the newly established Environmental Protection Agency.

President Nixon's Reorganization Plan IV transferred the Bureau of Commercial Fisheries from the Department of the Interior to the Department of Commerce and renamed it the National Marine Fisheries Service.

1971

Office of Endangered Species and International Affairs established in Washington, D.C.

1972

Ban on the use of DDT in the United States.

Federal Water Pollution Control Act amended, established Section 402 Discharge Permits.

Coastal Zone Management Act enacted requiring all Federal activities to comply with State approved management programs.

1973

The Division of River Basin Studies was renamed the Division of Ecological Services to better reflect expanded responsibilities.

The Division of Ecological Services launched major effort to develop a series of guidance handbooks for Ecological Services field biologists.

First National Conference of Ecological Services Field Supervisors held in Albuquerque, New Mexico.

ESA enacted with expanded responsibilities for the Service including the first time Federal funds for State-administered endangered species programs were provided.

1974

Service established the Office of Biological Services to increase expertise and knowledge in the areas of energy development, coastal ecosystems, wetlands, and other areas and to develop conservation tools such as the Habitat Evaluation Procedures and Instream Flow Incremental Methodology which are designed to better assess habitat loss and stream flow issues, respectively, and to conduct resource management research.

National Wetlands Inventory Project initiated by the Office of Biological Services and became operational in 1979.

Service established the Environmental Contaminant Evaluation Program by consolidating contaminant operations, monitoring, and research activities

1975

NRDC v. Callaway established that Section 404 of the Clean Water Act applies to wetlands of the United States.

1976

Endangered Species offices were established in Service Regional Offices.

1977

Executive Order 11990 Protection of Wetlands signed by President Carter

to require Federal Agencies to minimize destruction, loss, or degradation of wetlands.

1978

ESA amendment established Endangered Species Interagency Committee to review and determine whether exemptions should be granted.

1979

Branch of Contaminant Operations was established within the Division of Ecological Services.

ESA amended; expanded the Act to protect plants.

1980

Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the “Superfund” law, established a “polluter pays” hazardous waste cleanup program.

1981

Mitigation Policy published in the Federal Register to guide all Service activities.

1982

Service establishes the Division of Resource Contaminant Assessment to increase operational support and coordination with staff located in the Regional Offices and later in Ecological Services field offices.

Memorandum of Agreement established between the Department of the Interior and the Department of the Army to implement Section 404(q) of the Clean Water Act.

ESA amendments authorize the designation of experimental populations for recovery of listed species, establish section 10 permit process for incidental take of listed species on private lands pursuant to Habitat Conservation Plans, and reaffirm that the status of species under the ESA is to be determined solely on the basis of biological factors.

1983

First Wetlands Status and Trends report published by the National Wetlands Inventory.

1985

Electric Consumers Protection Act enacted amending the Federal Power

Act to give the Service full and equal standing in license matters affecting fish and wildlife resources.

1986

The Division of Resource Contaminant Assessment was renamed the Division of Environmental Contaminants.

Authority to conduct ESA Section 7 consultations delegated to field stations.

Emergency Wetlands Resources Act strengthened wetland conservation programs.

Ecological Services, Endangered Species, Federal Aid, and Environmental Contaminants merged under the umbrella programmatic activity named Fish and Wildlife Enhancement. The Office of Biological Services was abolished.

1987

At Washington office, the Division of Ecological Services and the Division of Endangered Species reorganized to merge as the Division of Endangered Species and Habitat Conservation.

1988

President Bush established a national policy of “No Net Loss of Wetlands.”

The Service established the Bay-Estuary Program beginning with the Chesapeake Bay in the Northeast and expanding to all coasts emphasizing proactive measures to protect and restore coastal resources.

ESA reauthorized. Significant revisions included public review for recovery plans; increased emphasis on plants; five year monitoring period for delisted species; and tracking of candidate species.

1990

At Washington office, the Division of Endangered Species and Habitat Conservation was reorganized and split into the Division of Endangered Species and Division of Habitat Conservation. These two Divisions and the Division of Environmental Contaminants make up what is now the umbrella programmatic activity renamed Ecological Services.

Oil Pollution Act of 1990 enacted, requiring area-wide oil spill contingency planning.

The Coastal Wetlands, Planning, Protection, and Restoration Act (PL 101-646, Title III) authorizes Federal agencies to work with coastal States to acquire, restore, manage, or enhance coastal wetlands.

The Coastal Barrier Improvement Act of 1990 amended the Coastal Barrier Resources Act of 1982 and limits Federal subsidies in undeveloped coastal areas to minimize loss of human life, avoid wasteful expenditure of taxpayer dollars, and damage to fish, wildlife, and other natural resources.

1991

First update of Wetland Status and Trends Report in conterminous United States.

1994

The Departments of the Interior and Commerce announce a 10 point plan for administrative reforms for improved implementation of the ESA. This plan, based on a series of policies developed in the early 1990’s, stresses the importance of scientifically sound decision making; establishes a multispecies and ecosystem level approach to conservation of the nation’s biodiversity; encourages enhanced partnerships with the States, tribes, and local governments in ESA implementation; and recognizes the importance of fair treatment and a more responsive approach in dealings with non-Federal landowners.

The Service and National Marine Fisheries Service (NMFS) announce interagency policy on recovery planning and implementation under the ESA, intended to minimize social and economic impacts consistent with timely recovery of listed species.

The Service and NMFS announce interagency policy to clarify and ensure the role of peer review in ESA activities to ensure that decisions are based on the best scientific and commercial data available.

1995

The evolved Division of River Basin Studies observed its 50th year anniversary with most of its former responsibilities now housed in the Division of Habitat Conservation.

Sweet Home v. Babbitt decision by U.S. Supreme Court upholds the view that interpretation of “harm” to listed species as defined under the ESA may include destruction or significant modification to a species’ habitat.

Reports issued by the National Research Council and the Ecological Society of America conclude that sound science has been used in the implementation of the ESA since it was enacted in 1973.

Secretary Babbitt approves the first in a series of “Safe Harbor” agreements under the ESA, which are designed as an incentive for non-Federal landowners to manage their lands for the benefit of listed species. Under Safe Harbor agreements, landowners receive assurances that the use of their property will not be subject to additional ESA restrictions due to conservation activities that benefit and attract listed species. At the end of a Safe Harbor agreement, participating landowners would be allowed to return their property to its original baseline condition.

1996

The Federal Agriculture Improvement and Reform Act of 1996 (also known as the “Farm Bill”) amends the 1985 and 1990 Acts. The conservation title of the Act includes many powerful conservation programs including the Wetlands Reserve Program, Conservation Reserve Program, Wetland Conservation Compliance Programs (Swampbuster), Wildlife Habitat Incentive Program, Environmental Quality Incentive Program, Conservation Farm Option, Flood Risk Reduction Program, Conservation of Private Grazing Land Program, Stewardship Incentive Program, Forest Stewardship, and other conservation authorities.

The Service and NMFS publish a policy to clarify their interpretation of the phrase “distinct population segment of any species of vertebrate fish or wildlife” for the purposes of listing, delisting, and reclassifying species under the ESA.

The Service and NMFS adopt a policy to address the conservation needs of ESA listed or proposed species while providing for the continuation and enhancement of recreational fisheries.

The Service and NMFS complete joint Endangered Species Petition Management Guidance to promote efficiency and nationwide consistency in evaluating ESA listing petitions and documenting administrative findings.

1997

The Service and NMFS propose a joint policy to provide regulatory assurance to private landowners who enter into Candidate Conservation Agreements to remove threats to species that are candidates for ESA listing before listing becomes necessary.

Secretarial Order #3206, “American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act,” is issued by the Departments of the Interior and Commerce. The Order clarifies the means of carrying out agency responsibilities under the ESA in a manner harmonious with Federal trust responsibilities to tribes, tribal sovereignty, and statutory missions of the Departments.

1998

“No Surprises” policy final rule codified and published in the Federal Register. Provides assurances to holders of ESA incidental take permits issued under an approved Habitat Conservation Plan that no additional land use restrictions or financial compensation will be imposed at a later date beyond those required at the time of permit issuance for species covered by the permits.

The Service celebrates the 25th anniversary of the ESA.

Appendix B: Overview of Ecological Services Conservation Authorities and Mandates

Inventory/Planning

Coastal Wetlands Planning, Protection, and Restoration Act of 1990 (16 U.S.C. 3951 et seq.): Requires the Service's National Wetlands Inventory to update and digitize wetlands maps in Coastal Texas and to conduct an assessment of the status, condition, and trends of wetlands in that State.

Coastal Barrier Improvement Act of 1990 (104 Stat. 2931): Requires the Service to produce revised maps of the Coastal Barriers Resource system, and submit a study to Congress on the need to include the West Coast in the System along with draft West Coast maps.

Emergency Wetlands Resources Act, of 1986 as amended (100 Stat. 3582): Requires the Secretary of the Interior to establish and periodically review a National wetlands priority conservation plan for Federal and State wetlands acquisition. It requires the Secretary to complete National Wetlands Inventory maps for the contiguous United States by September 30, 1998, and for Alaska, Hawaii and other noncontiguous portions of the United States by September 30, 2000; produce by September 30, 1994 a digital database for the United States based on final maps; as well as archive and disseminate all products as they become available. It further requires reports to Congress on the status and trends of the Nations' wetlands on a 10-year cycle.

Clean Water Act of 1977 (33 U.S.C. 1288) Requires the Secretary of the Interior to complete the National Wetlands Inventory of the United States and that the information be provided to the States.

RAMSAR Convention (I.L.M. 11:963-976; September 1972): Obligates member countries to promote the wise use of wetlands and designate wetlands for inclusion in a "List of Wetlands of International Importance."

Restoration and Enhancement

Coastal Wetlands Planning, Protection, and Restoration Act of 1990 (16 U.S.C. 3951 et seq.): Authorizes acquisition, restoration, management, or enhancement of coastal wetlands in the United States or its Territories. States or Territories apply for matching grant funds (National Coastal Wetlands Conservation Grants) through Federal Aid.

Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), as amended (42 U.S.C. 4611-4682): Provides that responsible parties, including Federal landowners, investigate and clean up releases of hazardous substances. Trustees for natural resources may assess and recover damages for injury to natural resources from releases of hazardous substances and use damages for restoration, replacement or acquisition of equivalent natural resources.

Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544): One of the Act's purposes is to conserve the ecosystems upon which listed species depend. Several general provisions in the Act can be employed to achieve wetland restoration and enhancement, including grants to States (Sec. 6), consultations (Sec. 7), and habitat conservation planning (Sec. 10).

Sikes Act, as amended (16 U.S.C. 670a-670o): Authorizes the Secretary of the Interior to cooperate with the Department of Defense, Energy, National Aeronautics and Space Administration, Bureau of Land Management, and State agencies in planning, developing, maintaining and rehabilitating Federal lands for the benefit of fish and wildlife and their habitat.

Technical Assistance

Clean Water Act (33 U.S.C. 1344): The Service has extensive involvement with the Environmental Protection Agency (EPA) under provisions of the Clean Water Act. The most important areas relate to Sections 303 and 304, which deal with water quality standards and criteria, and Section 404, which deals with discharge of dredged or fill material. The Service also deals with EPA actions under Sections 402 and 405.

Coastal Barriers Resources Act of 1982 (16 U.S.C. 3501 et seq.): Designates undeveloped coastal barrier islands, many of which contain wetlands, as ineligible for direct or indirect Federal financial assistance that might support development. The Service is responsible for implementing the Act's funding prohibitions. The *Coastal Barriers Improvement Act of 1990* gave the Service additional responsibilities for implementing funding prohibitions.

Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), as amended (26 U.S.C. 4611-4682): See description under "Restoration/Enhancement."

Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544): Requires Federal agencies, under Section 7, to consult with the Service to ensure that agency actions are not likely to jeopardize the continued existence of threatened or endangered species. Also allows, under Section 10, the take of listed species incidental to otherwise lawful activities upon approval of a habitat conservation plan provided such take is not likely to jeopardize continued existence of the species.

Federal Power Act (16 U.S.C. 791-828c): Requires that the Federal Energy Regulatory Commission consult with the Service on hydropower license conditions to protect, mitigate damages to, and

enhance fish and wildlife. License exemptions must include fish and wildlife terms and conditions provided by the Service.

Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667e): Requires consultation with the Service whenever the waters of any stream or other body of water are proposed or authorized, permitted, or licensed to be impounded, diverted . . . or otherwise controlled or modified by a Federal agency or any agency under a Federal permit or license. Authorizes the Service to propose reports to Congress on impacts of contaminants to fish and wildlife resources.

Food Security Act of 1985, as amended (16 U.S.C. 3801 et seq.): The Secretary of Agriculture consults with the Service on the identification of wetlands and determinations of exemptions to the conservation provisions of this Act. Also requires Service consultation on conservation plans for lands proposed for inclusion in the Wetlands Reserve Program, and establishes a program to protect and restore wetlands on Farm Service Agency (formerly Farmers Home Administration) inventory properties.

National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321-4347): Requires the Service to review and comment on Federal agency environmental plans/documents when the Service has jurisdiction by law or special expertise with respect to any environmental impacts involved. The associated Council of Environmental Quality regulations (40 CFR Parts 1500-1508) require National Environmental Policy Act documents to address fish and wildlife mitigation.

Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.): Requires consultation with the Service for development of a fish and wildlife response plan to minimize risk to, and rehabilitate fish and wildlife resources and their habitat harmed by an oil discharge.

Water Resources Development Act of 1986 (33 U.S.C. 2201 et seq.): Directs the Corps of Engineers to consult with the Service to study the feasibility of using the Corps capabilities for fish and wildlife conservation, such as habitat creation and improvement, for indigenous species.

Land Management/Acquisition

Agricultural Credit Act of 1987 (7 U.S.C. 2002): Authorizes the Secretary of Agriculture to transfer lands or interest therein, to Federal or State agencies for conservation purposes. The Service screens inventory lands and makes recommendations to transfer such lands into the National Wildlife Refuge System.

Emergency Wetlands Resources Act, as amended (16 U.S.C. 3901): Authorizes the purchase of wetlands using Land and Water Conservation Fund monies.

Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544): Authorizes the acquisition of land, waters, or interests therein for the conservation of listed fish, wildlife and plants, with Land and Water Conservation Fund Act funds. States also are allocated Section 6 funds by the Service which can be used for additional recovery efforts.

Federal Water Project Recreation Act, as amended (16 U.S.C. 460(L)(12)-460(L)(21): Authorizes the use of Federal water project funds for land acquisition to establish refuges for migratory waterfowl when recommended by the Secretary of the Interior.

Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742a-742j, not including 742 d-1): Authorizes the Secretary of Interior to take steps required for the development, management, advancement, conservation and protection of fish and wildlife resources through acquisition of refuge lands and other means. It also authorizes provision of scientific information and technical information to other agencies.

Food Security Act of 1985, as amended (16 U.S.C. 3801 et seq.): Establishes a program to establish perpetual conservation easements on Farm Service Agency inventory properties to protect and restore wetlands identified by the Service. The Service may also manage such easements as components of the refuge system.

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March 1999

