

**The
U.S. Fish
and
Who?**

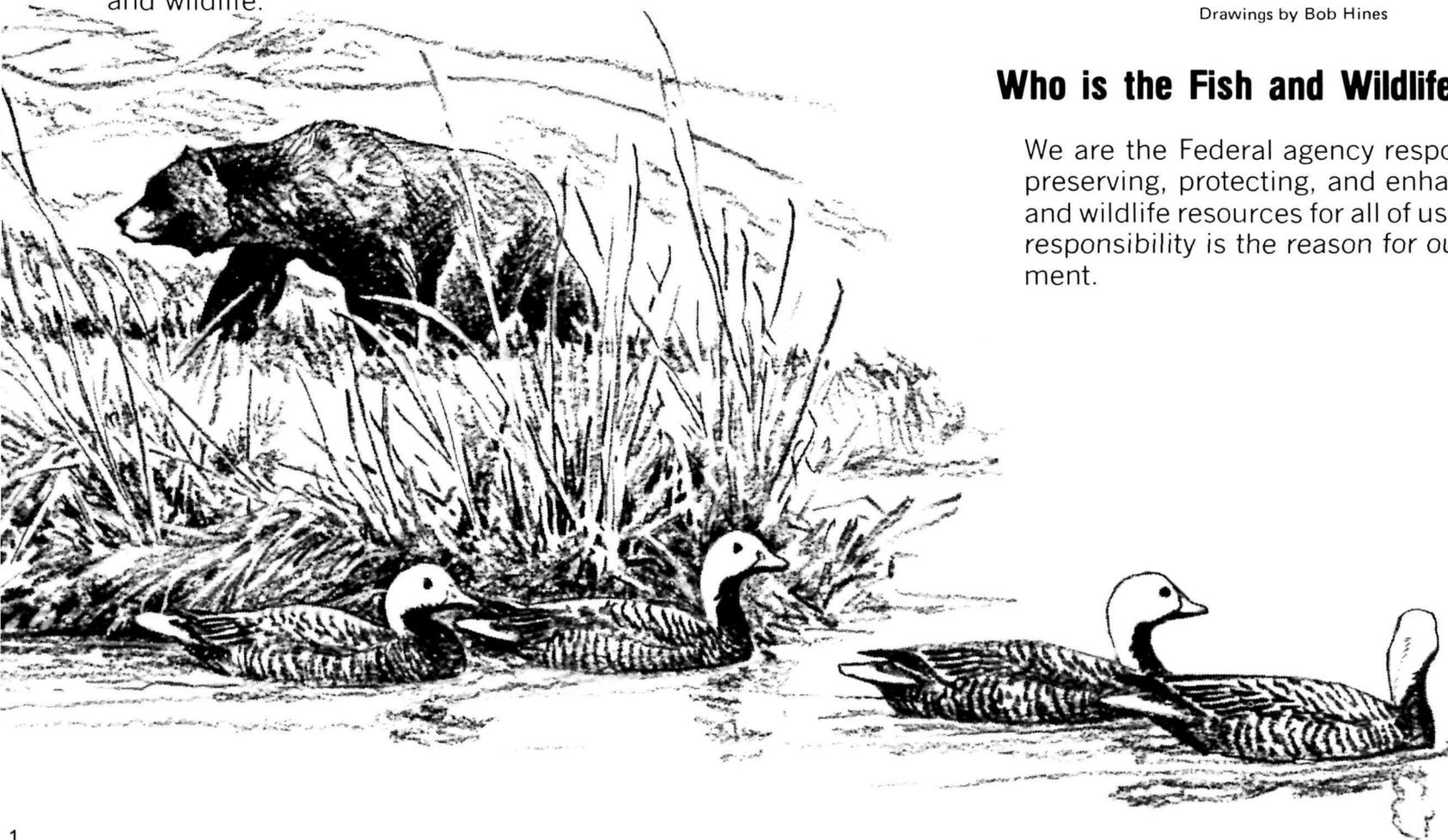
So, you think it's time to do something about your backyard that is eroding into the water. Or maybe you'd like to build a dock for your boat. Maybe you're a businessman hoping to build a marina, or a waterfront restaurant owner who desperately needs more parking space. You've heard that you must have a state permit and at least one federal permit from the U.S. Army Corps of Engineers to do the work legally. You may also have heard that the U.S. Fish and Wildlife Service is one of several agencies that will be reviewing your application with an eye toward how your project will affect fish and wildlife.

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Who is the Fish and Wildlife Service?

We are the Federal agency responsible for preserving, protecting, and enhancing fish and wildlife resources for all of us—and this responsibility is the reason for our involvement.



When you apply for a permit, the Corps of Engineers will print your proposal in the form of a Public Notice. It will then be distributed to the appropriate agencies, including your State fish and wildlife agency, the Environmental Protection Agency, the National Marine Fisheries Service, and the Fish and Wildlife Service. Most of these agencies will investigate your proposal and submit reports to the Corps regarding the biological effects of your proposal. Some, including the Fish and Wildlife Service, may recommend changes to project plans in order to lessen any adverse impacts. The Corps will consider all recommendations made along with their own concerns, and will make the final decision as to whether or not to issue your permit.

And that's what this pamphlet is about. We'd like you to know how the Fish and Wildlife Service will be reviewing your application and what our concerns are.



two key words:

HABITAT PRODUCTIVITY



Understanding a little about the wetland ecosystem should help you understand the reasons behind our guidelines.

If your wetland is part of a tidal estuary, a semi-enclosed area which receives fresh water from inland and salt water from the ocean, it provides “nursery ground” habitat for many important commercial and sport species. The larvae of shrimp spend three to four months in an estuary before migrating to the ocean where they are harvested for our tables. Many oysters and crabs spend their entire lives in estuaries, and anadromous fish, such as salmon and shad, rest there during their migrations from salt to fresh water. Thus, to a great extent, the commercial fishing industry and life in the ocean depend on the health of the estuarine environments like your wetland.



That vegetation is important, too. In addition to physically stabilizing the shoreline, it provides food and nesting habitat for waterfowl, as well as protection during winter. And it plays an important role in basic productivity. The biological productivity of an estuary is higher than that of the richest grain field of comparable size.



The vegetation helps feed the ocean when the nutrients in decaying material (detritus) are carried out to sea in the outgoing tides, thus providing food for the marine and other organisms. Meanwhile, back in the estuary, that dying vegetation provides needed habitat and nutrients for a diverse assortment of nature's less conspicuous organisms, such as algae, which in turn, form the very beginning of the food chain.

Improvement of Water Quality

When water, polluted by agricultural fertilizer and sewage runoff, enters the marsh, these human by-products are trapped by the tidal circulation pattern and absorbed by the vegetation and detritus. The wetland acts as a pollutant filter and plays an important role in keeping the Nation's waters clean. Like any filter, however, there is a limit to how much pollution the fragile estuary can absorb and still function effectively.



FWS Photo by Tom Oliver

FWS Photo by Tom Oliver



Is yours a freshwater wetland? The productivity may not be as high as that of an estuary, but the freshwater wetland also plays a key role in providing habitat for waterfowl, shorebirds, fish and water-oriented mammals. That vegetation and the watery environment also provide food for a variety of species, as well as fish nurseries and spawning areas. These wetlands also improve surface and ground water quality by trapping agricultural fertilizer, sewage runoff, and other pollutants, and filtering out much of the contaminants. Furthermore, wetlands act to store rains and heavy runoff. By releasing water gradually, they help to relieve drought.



Actually, our concerns for the welfare of our wetlands and shallow waters are also your concerns. Great numbers of species are dependent on these unique habitats, and much of the marine life depends on organisms and nutrients originating in estuaries. In view of our increasingly hungry world, we're fighting not only for their survival, but ultimately, our own.

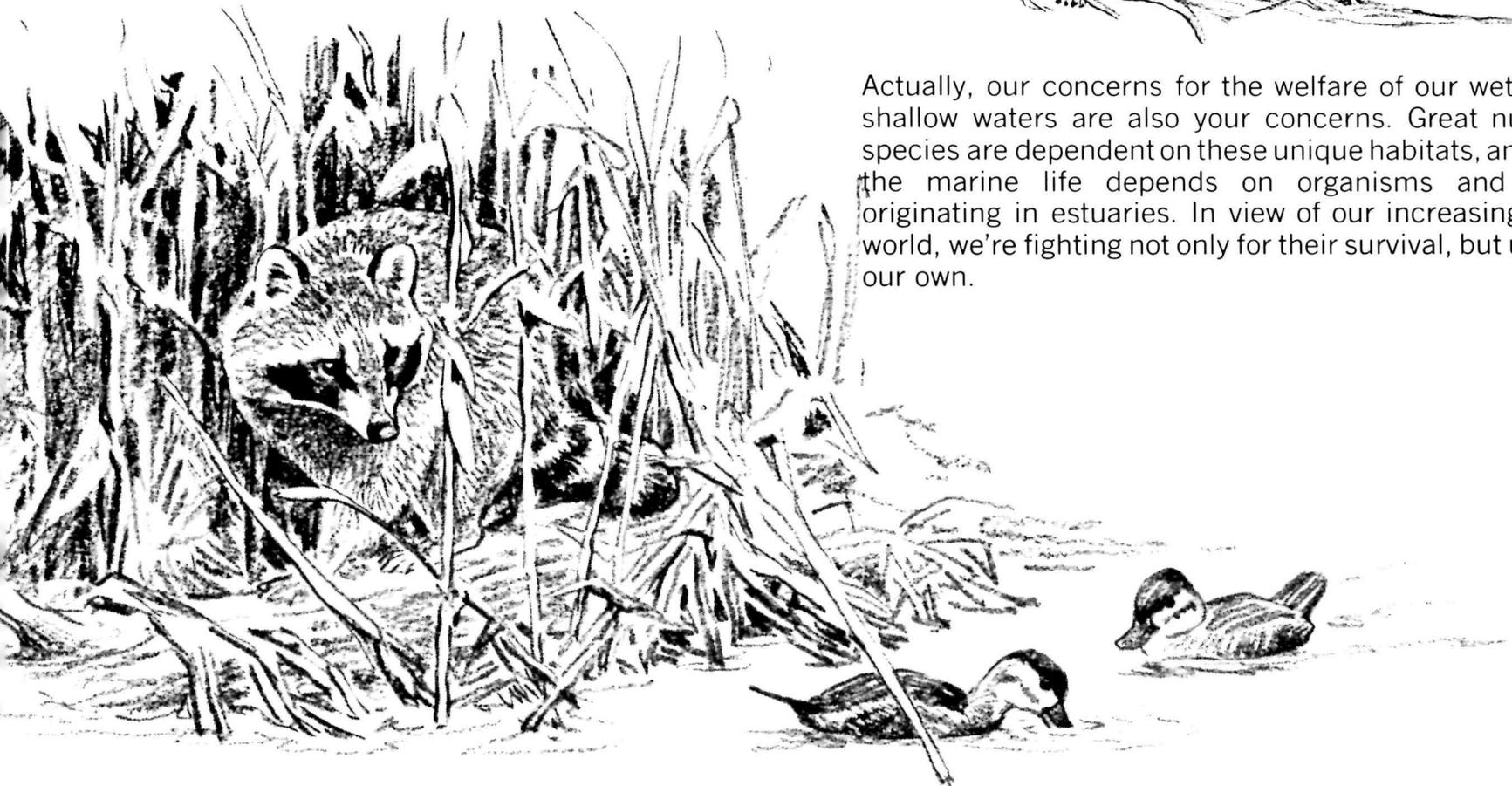




Photo by Richard Cooper Kelsey

If your project is a small one, you may be wondering how much it can really affect fish and wildlife habitat. True, one bulkhead may not significantly affect the productivity and habitat of an entire wetland area, but bulkheads, as with most projects, are placed in the shallow water areas—the critical “nurseries”—and the cumulative impact of many individual projects may be devastating.

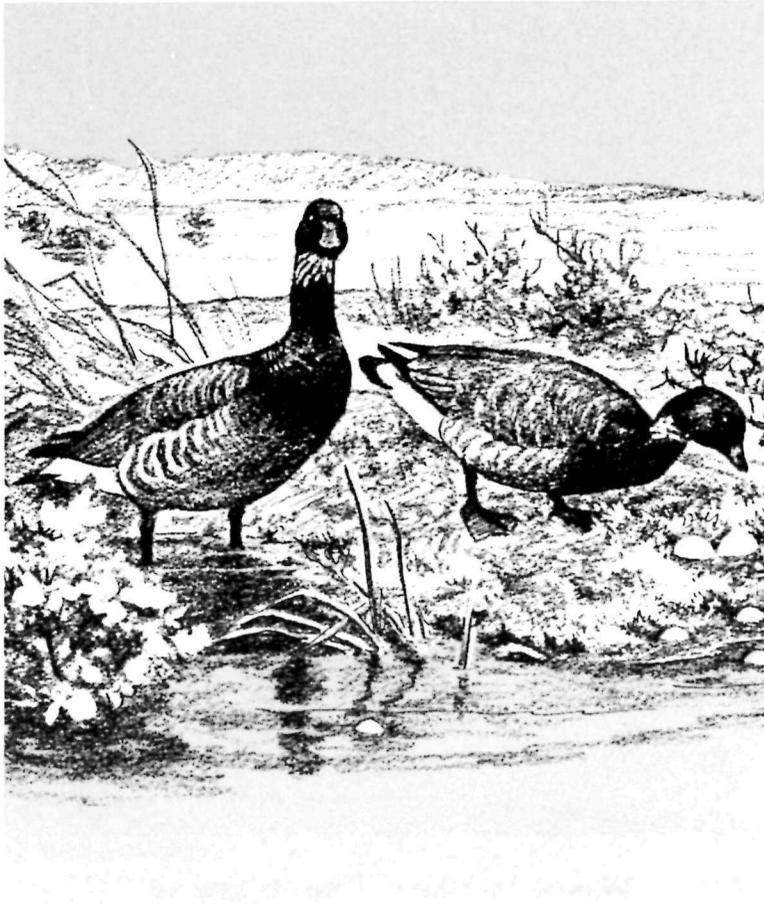


Photo by Richard Cooper Kelsey

And one more thing—you located near water for a reason. Was it the view? The fishing or shellfishing? Recreational opportunities? Or because you enjoy watching waterfowl and shorebirds? Well, keep in mind that unless we all work to protect the unique shorefront area of shallow water, wetlands and adjoining upland, your reason for being there may disappear in a short time.

To help the Fish and Wildlife Service protect wetlands, guidelines were published in the Federal Register, after a generous opportunity for public comment.

Let's look at the most pertinent information in those guidelines. The following are overall criteria we will be considering while reviewing your project plans.

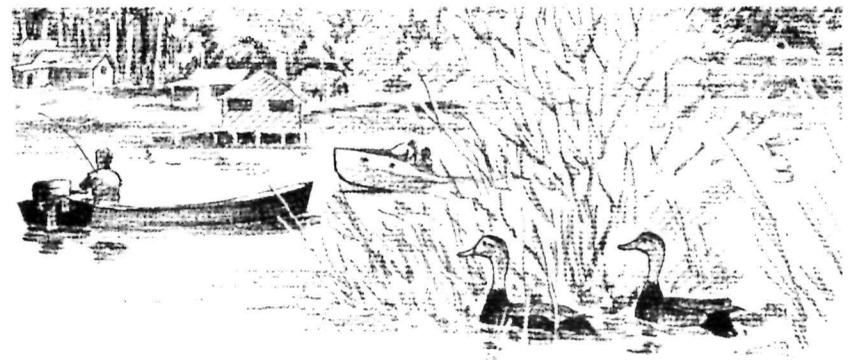


General Guidelines

We will discourage the proposal if it will result in significant damage to the shallow water areas and wetlands, or greatly hinder what Congress has recognized as the “public rights of access, use, and enjoyment” of the area.

While determining your project's environmental impact, we will be taking into consideration the impacts of other projects in the same waterway or group of related waterways. This is the potential cumulative effect, and we must judge whether or not it will be great enough to degrade our environmental resources unreasonably.

We must be sure that your proposal is water-dependent, i.e., requires location in or next to a water body to function. We must also consider whether or not you have considered possible alternative sites which are less damaging to the biological aspects of the area and yet would enable you to reach your objectives.



If the information on the Public Notice indicates your project may result in a severe environmental impact; may have a significant cumulative effect; or may not be water dependent; the Service biologist will make an on-site investigation to determine if any modification of the plans can make your proposal environmentally acceptable and feasible. If no modifications or alternatives are possible, or if you are unwilling to make recommended changes, then the Service may recommend that the Corps not issue your permit.

The Service's guidelines also contain specific policies regarding different types of projects. These we take under consideration in addition to the General Guidelines.



Specific Guidelines

Docks, Moorages, Piers, and Platform Structures.

We strongly encourage multiple-use facilities, i.e., structures that can be used by several property owners, as long as they are environmentally compatible. We also urge you to use pilings rather than solid fill.

Marinas and Port Facilities. We must make sure that the design and construction techniques for your marina are such that there will be little or no disruption of currents and/or tidal circulation; excavation in shallow waters and wetlands; or disturbance of barrier beaches.

Insofar as required by law, we must insist upon installation of facilities to handle sewage, litter, and petroleum products with all marina and port proposals.

Bulkheads and Seawalls. We are well aware of the problem of erosion and unstable shorelines, and in general, we will not discourage structures intended to stop erosion in project areas that lack marsh, mangrove, or other naturally protective and productive areas.

We will recommend using riprap, which is more environmentally compatible, whenever conditions permit.

We must be sure that the structure will not affect the littoral drift, i.e., movement and natural deposition of sand, especially on barrier and sand islands.

Jetties, Groins, and Breakwaters. In general, Service concerns here are that the proposed structure must not interfere with public access or severely disrupt water circulation, except to prevent sand from filling navigation channels.

Drainage Canals and Ditches. We will discourage drainage and ditching of most types of wetlands.

Excavation and Filling. We will recommend modification or denial of your proposal if it entails excavation, dredging, or filling in shallow waters and wetlands.

Navigation Channels and Access Canals. We must be sure that your proposal is not intended primarily to obtain fill material; that a stagnant area of water will not be formed by your project; and that the structure will not create or aggravate shoreline erosion problems.

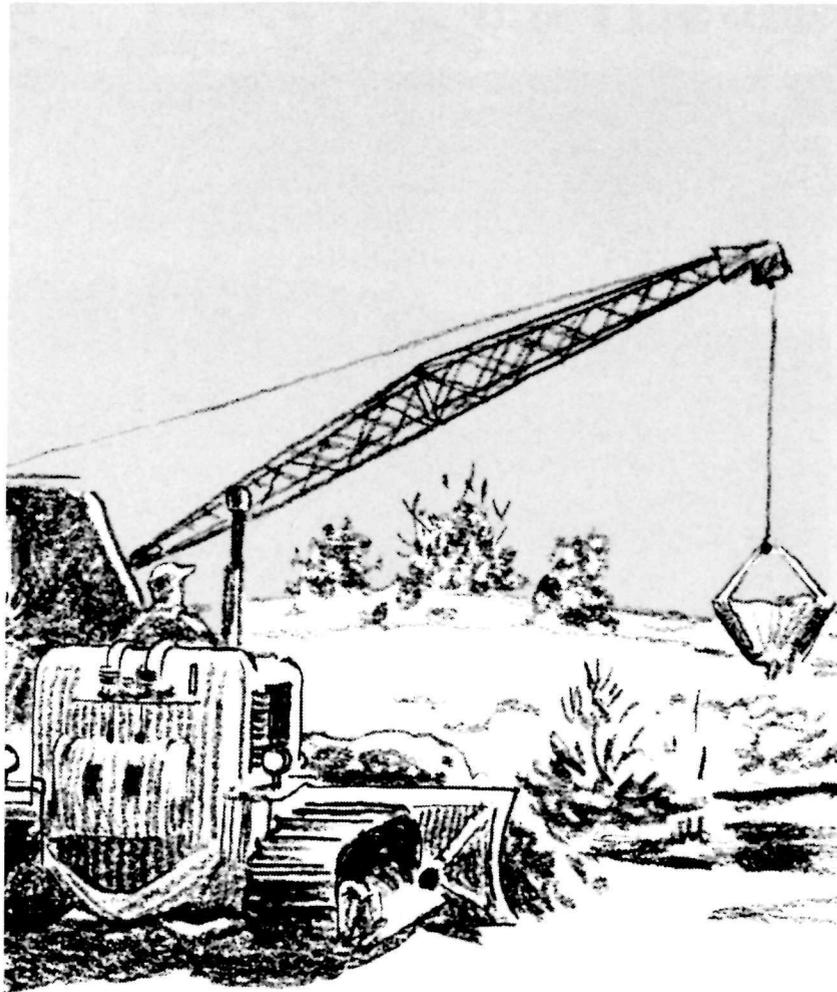
No valuable areas such as shellfish grounds, fish and shellfish nursery areas, or areas of productive aquatic vegetation should be degraded by your proposal.

The alignment of the channel or canal must follow the natural or existing deepwater channels.

Tidal circulation patterns must not be changed. That would hinder nutrient exchange and/or alter production and distribution of aquatic life.



Your proposal must include measures to minimize turbidity and sedimentation during construction and use. We must be sure that the work will be done at a time when



it will result in a minimum of interference with fish and wildlife migration, spawning and nesting, or human uses of your area.

Irrigation Intakes. The Service's primary concern in irrigation intake structures is the biological damage to shallow embayments and backwaters resulting from pumping water. Therefore, installing the intakes in or near the main body of the reservoirs or free-flowing channels instead of these biologically sensitive areas generally will be encouraged. Sites which would not be acceptable, however, are those areas which provide fish spawning, rearing, and feeding habitats, and areas important to waterfowl and other wildlife, including endangered or threatened species of fish and wildlife.

In instances where sites in deep embayments of storage reservoirs are selected, the following criteria should be considered. Each spring when the intakes are installed, they should be placed at least twenty feet below the water level existing at that time. Installation at this depth usually will be sufficient to minimize fish losses during periods of spring and summer drawdowns. Intake sitings in embayments where the above criteria cannot be met will be discouraged.

In shallow embayment areas, innovative devices that prevent the removal of young fish and their food supply will be considered as an alternative to pumping long distances from deeper water.

We will recommend that all water intakes be screened. Intakes should be designed so that the intake approach

velocity cannot exceed 0.5 feet per second immediately in front of the screens. In some cases, a lower intake velocity may be required.

Whenever diesel or gasoline powered pump engines are used, we will recommend that a berm be constructed around the fuel tank.

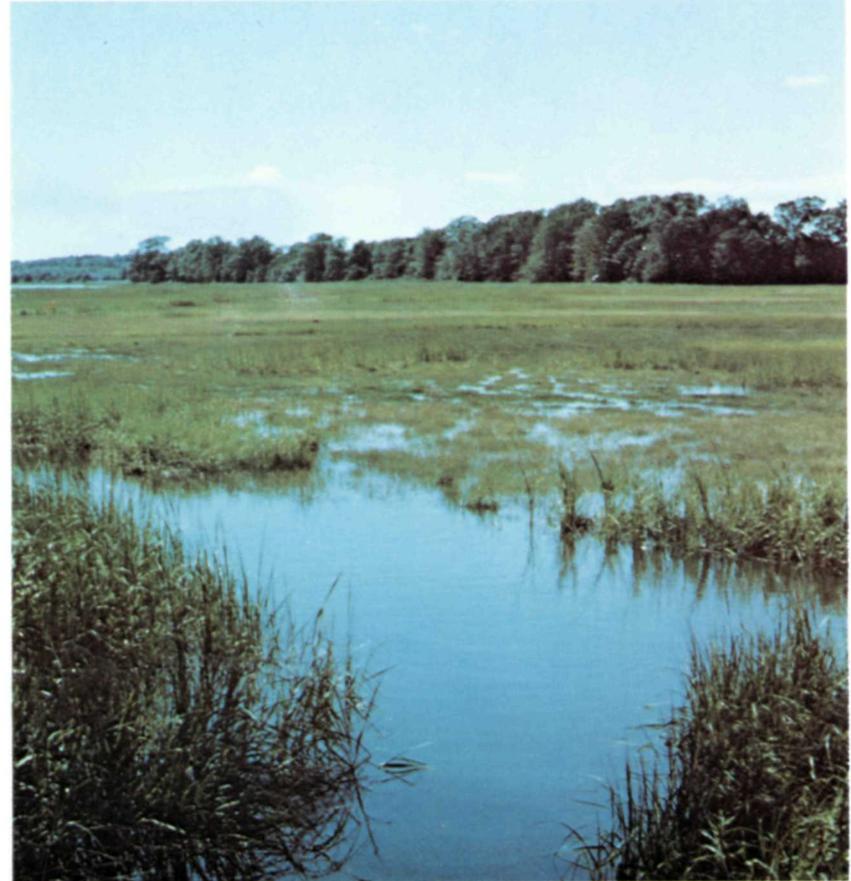
We anticipate few problems with your proposal if it meets these specifications, and there should not be any delay in submitting our report to the Corps of Engineers.

However, conflicts with these guidelines will mean that the Service biologist must give your proposal a much more thorough review. This usually involves an on-site meeting with biologists of the State agency, personnel of the Corps, and possibly you. Biological samples probably will be taken and analyzed. This may mean that additional time will be required to complete the processing of your permit application. Keeping the Fish and Wildlife Service's guidelines in mind when you draw up your plans will save everyone involved considerable time, energy, and money.

Now that you're thinking about the erosion, recreation or business problem, think of what we've said about that little wetland. We hope you'll play a part in helping us conserve our Nation's remaining wetlands.

By the way . . . if you have any questions, why not give us a call?

FWS Photo by Tom Oliver





For a look at the complete set of our guidelines, check your local city or State library for the Federal Register, or contact the nearest Regional Office listed below:



U.S. Fish and Wildlife Service Regional Offices

West Coast

U.S. FISH AND WILDLIFE SERVICE
1500 N.E. Irving
P.O. Box 3737
Portland, Oregon 97208
Phone: 503-234-5263

Southwest

U.S. FISH AND WILDLIFE SERVICE
500 Gold Avenue S.W.
P.O. Box 1306
Albuquerque, New Mexico 87103
Phone: 505-766-2914

North Central

U.S. FISH AND WILDLIFE SERVICE
Federal Building, Fort Snelling
Twin Cities, Minnesota 55111
Phone: 612-725-3510

Alaska

U.S. FISH AND WILDLIFE SERVICE
813 D Street
Anchorage, Alaska 99501
907-265-4896

Southeast

U.S. FISH AND WILDLIFE SERVICE
17 Executive Park Drive, N.E.
Atlanta, Georgia 30329
Phone: 404-526-4781

Northeast

U.S. FISH AND WILDLIFE SERVICE
One Gateway Center, Suite 700
Newton Corner, Massachusetts 02158
Phone: 617-965-5100, ext. 217

Mid-Continent

U.S. FISH AND WILDLIFE SERVICE
10597 West Sixth Avenue
P.O. Box 25486
Lakewood, Colorado 80225
Phone: 303-234-4616

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As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering the wisest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interests of all our people. The Department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

