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ENDANGERED SPECIES

Feds seek fewer ESA consultations

Michael Doyle, E&E News reporter

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The Fish and Wildlife Service and NOAA Fisheries today proposed a new rule that would reduce some Endangered Species Act consultations with other federal agencies when new information arises.

The proposal would mean that fresh consultations would not be required for approved Bureau of Land Management and Forest Service land management plans even when new information reveals the plan may affect protected species or critical habitat in previously unconsidered ways.

Instead of reopening entire management plans, the agencies would consider the new information when evaluating specific actions, according to the **proposed rule**.

"This action will improve the efficiency of the consultation process while also ensuring that important new information that may affect listed species or critical habitat is considered prior to actions being taken," said Fish and Wildlife Service Director Aurelia Skipwith.

For example, if biologists discover more of a listed species in an area than was known during the original consultation on the land management plan, that new information would only be incorporated in future consultations on specific authorized actions like issuance of a permit.

"As the last act of the most anti-wildlife administration in history, Trump is telling agencies to stick their heads in the sand and ignore science about the threats to endangered species," declared Stephanie Kurose, a senior policy specialist at the Center for Biological Diversity.

Kurose cited a case from 2017 in which she said agencies were "required to reassess how water depletion and oil spills' effects were harming four endangered fish after new scientific information showed that the rapid expansion of drilling and climate change would harm stream flows."

Land management plans are broad planning documents that guide long-term natural resource management. A plan generally does not authorize on-the-ground action such as road building or timber cutting.

Before authorizing a project in an area governed by an approved land management plan, the BLM and Forest Service must ensure that the proposed project is consistent with the applicable plan and complies with other applicable laws, including the ESA.

"After decades of experience cooperating with action agencies across the Federal Government, we have gained expertise with respect to when reinitiation of consultation is most effective in meeting the overall goals of the Act," FWS and NOAA Fisheries said in a statement.

The agencies added that "both the BLM and the FS periodically update their land management plans, at which time they would consider any new information during consultation on effects of the plan."

The Forest Service is required to revise land management plans at least every 15 years.