

ESSENTIAL FISH HABITAT

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Corps Policy and Guidance on EFH

- Magnuson-Stevens Fisheries Conservation and Management Act Amendment of 1996 requires Federal action agencies to consult w/National Marine Fisheries on Essential Fish Habitat (EFH).
- Implementing Regulations 50 CFR Part 600, effective February 2002.



Corps Policy and Guidance on EFH Cont'd.

1. As the action agency, we:
 - a. Determine Action Area
 - b. Determine presence of EFH/species through best scientific data available.
 - c. Complete EFH assessment which includes discussion regarding: Habitat Areas of Particular Concern (HAPC's) and effects determination
 - d. Initiate consultation



Corps Policy and Guidance on EFH Cont'd.

2. As the service agency, NMFS:
 - a. Reviews/comments on our EFH assessment
 - b. Provides concurrence with, or objects to, our effects determination.
 - c. Provides conservation recommendations
3. We accept or reject conservation recommendations and provide NMFS a response.



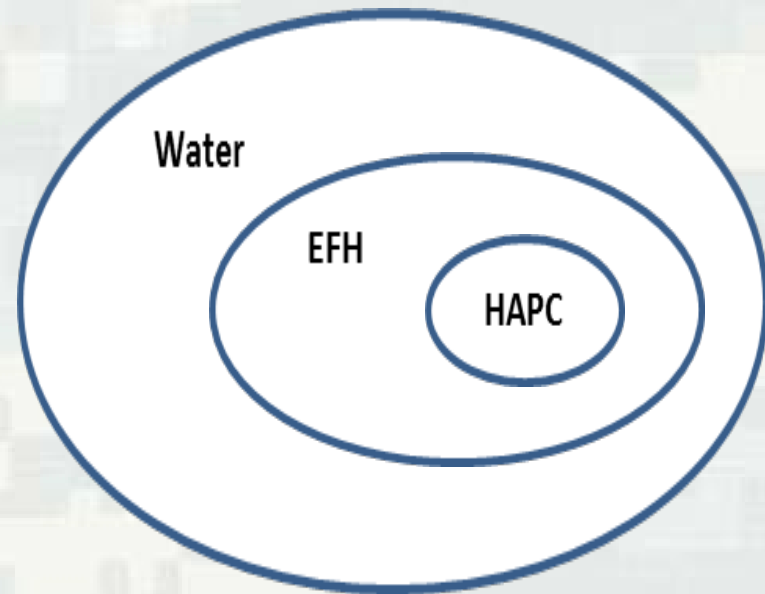
EFH Guidance and Policy

- What is EFH and HAPC's ?
- What species does EFH apply to in the Central Valley ?
- Why Policy and Guidance is followed for EFH ?
- When do we need to consult on EFH and what happens afterwards ?



What is EFH

- “EFH” is defined as “those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity”. (16 U.S.C. 1802(10)).
- EFH occur within most of waters of the Central Valley
- Within EFH, HAPC’s can exist that include specific meso and micro habitat features.



What is EFH Cont'd.

- The Pacific Fishery Management Council or “Council” designated five HAPC’s 1.) complex channels and floodplain habitats; 2.) thermal refugia; 3.) spawning habitat; 4.) estuaries; 5.) marine and estuarine Submerged Aquatic Vegetation (SAV).



What is EFH Cont'd.

- EFH extent of freshwater is identified as all water bodies currently or historically occupied by council-managed salmon. Except for the consideration of some impassible dams.



Chinook Salmon

- FR vol. 73, No. 200 pg. 60987-60988
Amendment 14 to the Councils Fishery Management plan (FMP) identifies that the council has responsibility for all Chinook harvest management including non-harvest.



Chinook Salmon Cont'd.

- All four runs of Chinook salmon are covered under EFH that include; Winter, Spring, Fall and Late Fall runs.



Regulatory' s Internal Guidance on EFH

- If a non-concurrence determination is becoming problematic and time consuming then the regulatory project manager has the option to seek the internal advice of the regulatory fish biologist who specializes with EFH/NMFS to further assist in the process.
- Regulatory Sacramento district is in the final stages of drafting it's own internal EFH guidance for problematic areas.



When Do We Need to Consult on EFH

- As previously mentioned, consultation may need to take place if the action agency determines the presence of EFH and/or potential for Chinook salmon to be present.
www.habitat.noaa.gov/protection/efh/habitatmapper.html



Questions ?

(Central Valley Fish Ladder)

