

Interagency Hydropower Licensing Workshop



U.S. Fish and Wildlife Service Role in Hydropower Licensing

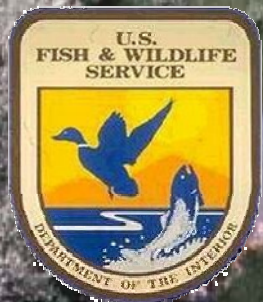


United States Fish and Wildlife Service Mission Statement

“The mission of the U.S. Fish and Wildlife Service is, working with others, to conserve, protect, and enhance fish wildlife, plants and their habitats for the continuing benefit of the American people.”

Hydropower Licensing U.S. Fish and Wildlife Service Statutory Authorities

- Fish and Wildlife Coordination Act
- Endangered Species Act
- National Environmental Policy Act
- Federal Power Act



Hydropower Licensing U.S. Fish and Wildlife Service Statutory Authorities

- **Federal Power Act**
 - **Section 4(e)**
 - **Section 10(a)**
 - **Section 10(j)**
 - **Section 18**
 - **Section 30(c)**



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Statutory Authorities

Federal Power Act - Section 4(e)

- **Mandatory Conditions for Federal Lands**
 - **National Wildlife Refuges**
 - **Waterfowl Production Areas**
 - **National Fish Hatcheries**



Hydropower Licensing U.S. Fish and Wildlife Service Statutory Authorities

Federal Power Act - Section 10(a)

- **FERC must consider fish and wildlife recommendations of resource agencies and Indian Tribes to ensure projects are “best adapted” to the comprehensive development of the waterway**



Hydropower Licensing U.S. Fish and Wildlife Service Statutory Authorities

Federal Power Act - Section 10(j)

- Fish and wildlife recommendations must be included in license unless inconsistent with other Federal law
- Recommendations must provide for protection, mitigation, or enhancement
- Dispute Resolution; Consistency

Finding



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Statutory Authorities

Federal Power Act - Section 18

- **Mandatory Prescription of Fishways**
 - **“The Commission shall require the construction, maintenance, and operation by a licensee at its own expense of such fishways as may be prescribed by the Secretary of the Interior or the Secretary of Commerce.”**



Hydropower Licensing U.S. Fish and Wildlife Service Statutory Authorities

Federal Power Act - Section 30(c)

- **Mandatory fish and wildlife conditions for projects exempted from licensing**
- **Prevent loss of or damage to fish and wildlife**
- **FWS, NMFS, State**



Hydropower Licensing U.S. Fish and Wildlife Service Mitigation Policy

- Mitigate losses of fish and wildlife
- Seek mitigation based on the value and abundance of the habitat affected
- Adopts CEQ's definition of mitigation
- Goal: No net loss of in-kind habitat value



Hydropower Licensing U.S. Fish and Wildlife Service Field Office Responsibilities

- **Primary Contact for Public, Applicants, and Other Agencies**
- **Work Directly with Applicant/Consultant**
- **Inter- and Intra-agency Coordination**



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Field Office

Responsibilities

- **Environmental Review and Impact Assessment**
- **Develop Comments, Recommendations, Terms and Conditions, Prescriptions**
- **Prepare Correspondence to Applicant and FERC**



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Resource Issues

- **Fish Passage**
- **Instream Flows**
- **Entrainment and Impingement**
 - **Turbine Mortality**
- **Water Quality**



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Resource Issues

- Reservoir and Downstream Water Level fluctuations
- Threatened and Endangered Species
- Wildlife Habitat
- Fish and Wildlife Recreation



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The Bottom Line

- **Serve the Public Interest**
- **Conserve, Protect, and Enhance Fish and Wildlife**
- **Solve Problems**
- **Shared Vision for the Future**



Vision for the Future



“The Nation behaves well if it treats its natural resources as assets which it must turn over to the next generation increased, and not impaired in value.”

- Theodore Roosevelt -

