

# News Release



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## **U.S. Fish and Wildlife Service Proposes Revision of Critical Habitat for Bull Trout** *Draft economic analysis also released, with public meetings and hearings scheduled*

The U.S. Fish and Wildlife Service today proposed to revise its 2005 designation of critical habitat for the bull trout (*Salvelinus confluentus*), a threatened species protected under the Endangered Species Act.

In total, the Service proposes to designate approximately 22,679 miles of streams and 533,426 acres of lakes and reservoirs in Idaho, Oregon, Washington, Montana and Nevada as critical habitat for the wide-ranging fish. The proposal includes 985 miles of marine shoreline in Washington.

If finalized, the proposal would increase the amount of stream miles designated as bull trout critical habitat in the five states by 18,851 miles and the amount of lakes and reservoirs designated as critical habitat by 390,208 acres. This includes approximately 166 miles of critical habitat proposed in the Jarbidge River basin, where no critical habitat was designated in 2005. No change is proposed in the 985 miles of marine shoreline in Washington that were designated in 2005.

“This proposed revision is the result of extensive review of our earlier bull trout critical habitat proposals and 2005 designation, public comments and new information,” said Robyn Thorson, director of the Service’s Pacific Region. “We voluntarily embarked on this re-examination to ensure that the best science was used to identify the features and areas essential to the conservation of the species.”

Bull trout depend on cold, clear water and are excellent indicators of water quality. Protecting and restoring their habitat contributes not only to the recovery of the species but to the water quality of rivers and lakes throughout their range, Thorson said.

Once plentiful, bull trout are now found in less than half their historic range. They were listed in 1999 as threatened throughout their range in the coterminous United States.

A draft economic analysis, also released today, estimates the potential incremental cost of the proposed revised critical habitat at approximately \$5 to \$7 million a year over the next 20 years. Many of the potential costs are associated with additional consultation requirements for federal agencies. However, most agencies already are managing their lands and waters to a significant conservation standard due to existing critical habitat designations for salmon and other species and the presence of bull trout in 96 percent of the proposed critical habitat revision. This proposed designation is not expected to add significant additional conservation requirements.

Other potential incremental costs stem from possible fish passage improvements at dams, estimated at \$2.1 million to \$2.5 million a year spread among more than 70 federal and non-federal dams. Again, many of these improvements already are occurring for salmon. No significant impact to regional energy production is predicted.

Additional potential expenses, approximately \$400,000 to \$1.65 million a year, are associated with changes to forest management, such as removal of culverts and efforts to reduce sediment.

Comments on the proposed critical habitat revision and the draft economic analysis will be accepted until March 15, 2010.

The proposal, developed by a team of federal scientists, is intended to provide sufficient habitat to allow for genetic and life-history diversity, ensure bull trout are well distributed across representative habitats, ensure sufficient connectivity among populations and allow for the ability to address threats facing the species.

“We intend to prioritize conservation actions in those habitats most important to the bull trout’s protection and recovery,” Regional Director Thorson said. “We encourage the public’s participation in helping us do this.”

The proposal identifies 32 critical habitat units and 99 sub-units on 3,500 water body segments across the five states. These areas are clustered into six recovery units where recovery efforts will be focused. By state, the proposed designation covers approximately (rounded to nearest whole number):

- **Idaho:** 9,671 stream miles and 197,915 acres of lakes or reservoirs
- **Oregon:** 3,100 stream miles and 29,139 acres of lakes or reservoirs
- **Washington:** 5,233 stream miles, 82,610 acres of lakes or reservoirs and 985 miles of marine shoreline
- **Montana:** 3,094 stream miles and 223,762 acres of lakes or reservoirs
- **Nevada:** 85 stream miles

In some areas, the critical habitat proposal spans shared border designations along the Columbia or Snake rivers. These are:

- **Oregon/Idaho (Snake River):** 170 stream miles
- **Washington/Idaho (Snake River):** 37 stream miles
- **Washington/Oregon (Columbia River):** 304 stream miles

Critical habitat for bull trout applies only to waterways. However, the proposal recognizes that associated flood plains, shorelines, riparian zones and upland habitat are important to critical habitat areas and that activities in these areas may affect bull trout critical habitat. Approximately 58 percent of the proposed critical habitat water bodies occur on federal land, 36 percent are on private land and 2 percent each are on state and tribal lands. One percent or less occurs on land that is a mix of federal/private ownership or federal/state ownership.

Under the Endangered Species Act, critical habitat identifies geographic areas that contain features essential for the conservation of a listed species. Critical habitat designations provide extra regulatory protection that may require special management considerations and the habitats are then prioritized for recovery actions.

The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve or other conservation area. It does not allow government or public access to non-federal lands. A critical habitat designation does not impose restrictions on non-federal lands unless federal funds, permits or

activities are involved. However, designating critical habitat on federal or non-federal lands informs landowners and the public of the specific areas that are important to the recovery of the species.

State-by-state descriptions of the critical habitat units, maps, photographs, general biological information and other materials relating to today's announcement may be found at <http://www.fws.gov/pacific/bulltrout>. In addition, a Justification Document, also on the website, has been prepared to explain the Service's rationale for why each critical habitat unit is essential for the conservation of the bull trout.

A series of public informational meetings is scheduled to enable people to learn more about the critical habitat proposal and to submit written comments. The following meetings are planned:

- **February 2, 2010, 5:30 p.m. to 7:30 p.m.:** Bend, Oregon: Hollingshead Barn, 1235 NE Jones Road
- **February 3, 2010, 6 p.m. to 8 p.m.:** Chiloquin, Oregon: Chiloquin Community Center, 140 S.1st Street
- **February 4, 2010, 5:30 p.m. to 7:30 p.m.:** LaGrande, Oregon: Blue Mountain Conference Center, 404 12th Street
- **February 11, 2010, 4 p.m. to 7 p.m.:** Post Falls, Idaho: Red Lion Templins Inn, 414 East 1st Avenue
- **February 16, 2010, 3 p.m. to 8 p.m.:** Missoula, Montana: Montana Fish, Wildlife and Parks Headquarters, 3201 Spurgin Road
- **February 17, 2010, 5 p.m. to 7 p.m.:** Elko, Nevada: Elko Convention Center, Gold Room, 700 Moren Way
- **February 23, 2010, 6 p.m. to 8 p.m.:** Wenatchee, Washington: Wenatchee-Okanogon National Forest Headquarters, 215 Melody Lane
- **February 25, 2010, 4 p.m. to 6 p.m.:** Boise, Idaho: Boise Centre on the Grove, 850 W. Front Street.

**On February 25, 2010, from 7 p.m. to 9 p.m., the Service will also hold a public hearing in Boise, Idaho, at the Boise Centre on the Grove, following the public meeting.** Oral testimony will be accepted during the public hearing. Anyone wishing to make oral comments for the record at the public hearing is encouraged to provide a written copy of their statement at the public hearing.

Requests for additional public hearings must be received by March 1, 2010. Send requests to: Idaho State Supervisor, Idaho Fish and Wildlife Office, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709.

Bull trout are a cold-water fish of relatively pristine stream and lake habitats in western North America. They are grouped with the char, within the salmonid family of fish. They have the most specific habitat requirements of

salmonids, including the "Four C's": cold, clean, complex and connected habitat. Bull trout require the coldest water temperature; they require the cleanest stream substrates for spawning and rearing; they need complex habitats, including streams with riffles and deep pools, undercut banks and lots of large logs; as well as a connection between river, lake and ocean habitats to headwater streams for annual spawning and feeding migrations.

Historically, bull trout were found in about 60 percent of the Columbia River Basin. They now occur in less than half of their historic range. Populations remain in portions of Oregon, Washington, Idaho, Montana and Nevada. In the Klamath River Basin, bull trout occur in 21 percent of their historic range.

The bull trout is primarily threatened by habitat degradation and fragmentation, blockage of migratory corridors, poor water quality, the effects of climate change and past fisheries management practices, including the introduction of non-native species such as brown, lake and brook trout.

In September 2005, the Service published a final rule designating critical habitat for bull trout. That rule was challenged in the U.S. District Court for the District of Oregon and in March 2009, the Service requested a voluntary remand of the rule from the court to address irregularities in the rule-making process and outcome, as identified in a 2008 Investigative Report by the Department of the Interior Inspector General. That report found a former Department of the Interior political appointee had interfered with the final 2005 designation by directing that large areas be excluded from what had been proposed. In July 2009, the Court granted the Service's request and directed the agency to complete a proposed revision by December 31, 2009, with a final designation due by September 30, 2010. The 2005 designation will remain in effect until a revised designation is final.

Written comments on the proposed critical habitat revision and on the draft economic analysis can be submitted by one of the following methods:

- *Federal eRulemaking Portal*: <http://www.regulations.gov>.

In the box that reads "Enter Keyword or ID," enter the docket number for this proposed rule, which is FWS-R1-ES-2009-0085. Check the box that reads "Open for Comment/Submission," and then click the Search button. You should then see an icon that reads "Submit a Comment." Please ensure that you have found the correct rulemaking before submitting your comment.

- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: RIN 1018-AW88; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.
- Hand deliver written comments at a public informational meeting.

We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide.

*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. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals and commitment to public service. For more information on our work and the people who make it happen, visit **www.fws.gov***

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