UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
525 NE Oregon Street
PORTLAND, OREGON 97232-2737

Refer to:
OSB2001-0005-GC

January 7, 2002

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Greg Gescher, Engineering Supervisor
Engineering Department
City of Corvallis
502 S. Madison
Corvallis, Oregon 97339

Re: Review of *Draft Report: Baseline Habitat Evaluation and Evaluation of the Impacts of City Activities* for the City of Corvallis, Oregon

Dear Mr. Gescher:

On November 21, 2001, the National Marine Fisheries Service (NMFS) received the City of Corvallis' (City) document entitled "*Draft Report: Baseline Habitat Evaluation and Evaluation of the Impacts of City Activities*" (Draft Report). The Draft Report summarizes the City's efforts during Phase 1 of the approach the City has used to identify, evaluate and quantify the impacts on chinook salmon and their habitat from City government and private citizen activities. On November 29, 2001, Nancy Munn and Rosemary Furfey of NMFS met with representatives of the City to discuss the Draft Report and further coordination under the NMFS 4(d) limit for municipal, residential, commercial and industrial development and redevelopment (MRCI). NMFS has conducted a review of the draft document, using the final 4(d) rule Federal Register notice, the NMFS' *Citizen's Guide to the 4(d) Rule*, and *The 4(d) Rule Implementation Binder* as guidance in this evaluation.

It is our understanding that the Draft Report completes Phase 1 of the approach that the City is taking to evaluate activities for compliance with the Endangered Species Act. Phase 1 forms the basis of the analytical evaluation of the program that will occur in Phase 2. Phase 2 will also determine the City's response to the impacts described in Phase 1.

We appreciate the tremendous effort to date. The environmental baseline is a thorough compilation of existing and new data and will form a strong basis for the analytical tasks ahead. The list of activities and potential for impact to fish and habitat appears thorough and thoughtful. The information gathered should greatly facilitate the analytical analysis. In addition, the approach and the baseline data collected will be sufficient for us to determine the technical adequacy of the final 4(d) submittal.

NMFS appreciates the commitment of the City to this program and commend your efforts. The development of an effective salmon recovery program within a municipal context is not easy. We look forward to working further with you on Phase 2 of the Pathways Analysis.

In addition to the MRCI 4(d) limit, we recommend the City consider submitting an application under the 4(d) limit for your road maintenance program (limit 10). NMFS has worked with the Association of Oregon Counties (OACES) and its contractors to develop a template for a submission under the road maintenance limit. With this tool and the road program outlined in the Draft Report, the City has a strong beginning in the development of a successful application. We would be happy to work with you on the development of such a submission. The time line for program implementation, submittal package preparation and approval for a road maintenance program is generally much less than for a MRCI program.

Questions regarding this letter should be directed to Dr. Nancy Munn of my staff at 503.231.6269.

Sincerely,

Michael Tehan,
Chief, Oregon State Branch
Habitat Conservation Division

cc: Dr. Bill Jones, Shapiro & Associates, Inc.
Dr. Robert Dillinger, Shapiro & Associates, Inc.