

Considerations for Adaptive Management Success

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Section 7 of the Endangered Species Act

- Section 7 consultation is required when a Federal agency funds, authorizes, or carries out an action that may affect federally-listed species and/or designated critical habitat
- The term “adaptive management” does not appear in the Act or the section 7 implementing regulations (50 CFR 402)
- Section 10(a)(1)(B) of the ESA (i.e. HCPs) does anticipate adaptive management
- Utilized those principles for actions with ongoing effects, both beneficial and adverse
- Details are necessary for adaptive management activities to be addressed



Section 7 of the Endangered Species Act

50 CFR 402(i)



- (2) Reasonable and prudent measures, along with the terms and conditions that implement them, cannot alter the basic design, location, scope, duration, or timing of the action and may involve only minor changes.
- (3) In order to monitor the impacts of incidental take, the Federal agency or any applicant must report the progress of the action and its impact on the species to the Service as specified in the incidental take statement. The reporting requirements will be established in accordance with 50 CFR 13.45 and 18.27 for FWS and 50 CFR 216.105 and 222.301(h) for NMFS.
- (4) If during the course of the action the amount or extent of incidental taking, as specified under paragraph (i)(1)(i) of this Section, is exceeded, the Federal agency must reinitiate consultation immediately.

Section 7 of the Endangered Species Act

“§402.16 Reinitiation of consultation.

(a) Reinitiation of consultation is required and shall be requested by the Federal agency or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law...”



Examples and Resources for Adaptive Management

■ Fishery Agency Strategy Team (FAST):

- *The proposed project will use an adaptive management approach with objective-driven monitoring. Indicators of functional outcomes from proposed project construction and operation will be measured to evaluate progress toward expected outcomes of each objective and to inform corrective measures if thresholds for action are met.*
- *Monitoring will address physical habitat, hydrological regime and water quality, vegetation, aquatic food web (primary and secondary producers), fish community, and wetlands and vegetation.*



Examples and Resources for Adaptive Management

- Bay Restoration Regulatory Integration Team (BRRIT)



- DOI Policy:

<https://www.doi.gov/sites/doi.gov/files/migrated/ppa/upload/Chapter1.pdf>

- *acknowledges uncertainty about how natural resource systems function and how they respond to management actions*
- *is designed to improve understanding of how a resource system works, so as to achieve management objectives*
- *makes use of management interventions and followup monitoring to promote understanding and improve subsequent decision making*