

Highlights of [GAO-04-93](#), a report to congressional requesters

Why GAO Did This Study

To protect species that are at risk for extinction, the Endangered Species Act requires that federal agencies consult with the Fish and Wildlife Service or the National Marine Fisheries Service (the Services) to ensure that activities they authorize, fund, or conduct will not jeopardize endangered species or adversely modify their critical habitat. While federal agencies recognize that consultations benefit species, some are concerned about the time and resources consumed. In this report, GAO (1) assesses the federal data on consultations, (2) identifies steps by federal agencies to improve the process, and (3) discusses lingering concerns of federal and nonfederal parties about the process. GAO limited this study to consultations with the Forest Service, the U.S. Army Corps of Engineers, and the Bureaus of Land Management and Reclamation in Idaho, Montana, Oregon, and Washington.

What GAO Recommends

Because many concerns about the consultation process center on its timeliness, GAO recommends that the Services improve the data about the time and effort to complete the process. GAO further recommends that the Services and other federal agencies work together to clarify the process and evaluate improvement efforts. In commenting on a draft of this report, the agencies generally concurred with our findings and recommendations.

www.gao.gov/cgi-bin/getrpt?GAO-04-93.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Barry Hill at (202) 512-3841 or hillbt@gao.gov.

ENDANGERED SPECIES

More Federal Management Attention Is Needed to Improve the Consultation Process

What GAO Found

The data available on consultations and their timeliness varied between the Services, but neither agency's databases captured all the elements needed to reliably determine the length of the process. Data from the National Marine Fisheries Service and the Fish and Wildlife Service's Portland field office (the Service's other five offices did not have comparably reliable data) show that about 40 and 30 percent of their nearly 1,220 and 330 consultations, respectively, exceeded established time frames (for consultations completed during fiscal years 2001 through 2003). However, these data do not include the significant time and effort sometimes spent discussing a project before consultation officially began. As a result, the Services cannot discern the level of effort devoted to Endangered Species Act consultations.

Federal agencies have taken several steps to make the consultation process smoother and more efficient. Specifically, agencies took steps to facilitate collaboration, reduce workload, and improve the consistency and transparency of the process. While many officials praised these efforts, it is unclear whether the efforts are achieving their intended performance improvements, for they have not been comprehensively evaluated.

Despite the improvement efforts, federal officials and nonfederal parties still have concerns about the consultation process. Workload has been a persistent concern for the Services and other agencies despite staff increases in recent years. Another major concern is that the Services and agencies sometimes disagree about the extent to which consultation is necessary. Some agency officials believe that the Services require more than is necessary under the Endangered Species Act, while officials at the Services contend that they are simply fulfilling their responsibilities. Nonfederal parties also have concerns. Parties seeking to conduct activities that are authorized by a federal agency are concerned about the time and resources expended to comply with the process. Environmental advocates are concerned that the process may not effectively protect species.

Agencies Must Balance the Use of Natural Resources with the Protection of Species



Sources: GAO, Nova Development Corporation, U.S. Army Corps of Engineers.