



US Department
of Transportation
**Federal Highway
Administration**

Memorandum

Subject: Final Rule for Implementing Section 7
of the Endangered Species Act

Date: NOV 3 1986

From: Director, Office of Environmental Policy
Washington, D.C. 20590

**Reply to
Attn. of:** HEV-20

To: Regional Federal Highway Administrators
Regions 1-10
Direct Federal Program Administrator (HDF-1)

As mentioned in my July 16 memorandum attached, the Office of Environmental Policy contacted the Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS). Our August 7 letter (attachment 2) designates State highway or transportation agencies as the non-Federal representatives authorized to conduct informal consultations and/or to prepare biological assessments unless the FWS or NMFS has reservations.

Attachment 3 is a copy of the response from the FWS. We have requested the NMFS to provide us a similar letter. The NMFS has indicated informally that the procedures specified in the August 7 letter are satisfactory. You will be furnished a copy of the NMFS reply upon receipt. Please make copies available to the field for their use in implementing Section 402.08 of the final rule.

If you have any questions, please contact Mr. Charles DesJardins at FTS (202) 366-2068.

Ali F. Sevin

3 Attachments