

03/20/2025

The Honorable Bruce Westerman, Chairman  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Jared Huffman, Ranking Member  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Harriet Hageman, Chairwoman  
Water, Wildlife, and Fisheries Subcommittee  
1324 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Val Hoyle, Ranking Member  
Water, Wildlife, and Fisheries Subcommittee  
1324 Longworth House Office Building  
Washington, D.C. 20515

RE: H.R. 1897 – The Endangered Species Act Amendments Act of 2025

Dear Chairman Westerman, Ranking Member Huffman, Chairwoman Hageman, and Ranking Member Hoyle,

The Pacific Northwest is known for its natural landscapes and iconic species like salmon and orcas. Ports and marinas in the region lean in on being good waterfront stewards of the environment. The Port of Silverdale is no exception. Our organization has undertaken numerous environmental improvement projects and programs including adding an elevated boat ramp to get the old ramp off the beach, soft beach protection, removing sunken derelict vessels and removing non-native materials from tide lands. We take our mission of providing economic development, trade, recreation, and jobs for our community seriously along with ensuring environmental stewardship so our navigation infrastructure can coexist with species and their critical habitat. We support the goal of the Endangered Species Act (ESA) to prevent extinction of species and the negative effects extinction has on ecosystems that also support human life.

We understand the Committee is considering H.R. 1897, The Endangered Species Act Amendments Act of 2025, and appreciate the opportunity to provide our support for the legislation as well as our comments and concerns related to ESA Section 7 consultation for maintenance and other project permitting.

Beginning in 2018, the West Coast Region Office of NOAA Fisheries began applying a different definition of environmental baseline than what was commonly understood from previous practice under Endangered Species Act (ESA) Section 7 consultation for maintenance and building permits. Rather than considering the existing structure and its effects as part of the existing baseline condition, the NOAA Fisheries West Coast Region Office definition of environmental baseline no longer included the existing structure for the effects analysis. As a result, in addition to mitigating for the maintenance or building action, applicants were also expected to mitigate for the effects of the existing structure's continued existence on species and habitat for decades into the future. This essentially required all port and marina maintenance projects to undergo lengthy formal consultation for even the most basic maintenance work and the effects calculation dramatically increased the costs of maintenance and other projects.

We had over \$1.5 million dollars in grants to do a 2.5 million dollar project which included moving our moorage out into deeper water to avoid having to ever dredge under the marina that we had to return to Washington State RCO because we were unable to get our permits in time before the grants expired.

We returned the money and are still working on permits but due to the ESA, it is estimated that our mitigation cost on the 2.5 million dollar project will be 900 thousand dollars which at this time we aren't sure we can come up with.

We did maintenance dredging seaward of our boat ramp in 2023 and we had to do mitigation for the sediment that had filled up the area that had been previously dredged twice at a cost of close to 80 thousand dollars.

Nothing is more frustrating than when ports and marinas have maintenance projects that will repair and strengthen infrastructure while making water quality and habitat improvements like removing creosote and other toxic materials, replacing overwater structures with light penetrating decking but then cannot get through the permitting process as a result of the increased mitigation costs and construction delays.

Our organization supports H.R. 1897, The Endangered Species Act Amendments Act of 2025, as it will restore the commonly understood definition of environmental baseline for the purposes of ESA Section 7 consultations for maintenance and building permits. It will ensure consistent application of the environmental baseline nationwide. It will also ensure that organizations like ours pay reasonable mitigation for proposed maintenance and building actions. For ports and marinas to remain competitive, maintain safe operations, and avoid negative environmental impacts from decaying structures, our infrastructure must be maintained. This legislation will assist in providing a consistent, predictable, and cost-effective permitting process. We appreciate the Committee's consideration of this legislation to address our concerns and urge passage of HR 1897 as swiftly as possible.

Respectfully submitted,



---

Ed Scholfield  
Commissioner President  
Port of Silverdale



---

Rick Slate  
Port Commissioner  
Port of Silverdale



---

Caleb Reese  
Port Commissioner  
Port of Silverdale