



*Growing Boating in the Pacific Northwest*

March 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 renowned for its breathtaking natural landscapes and iconic species such as salmon and orcas. Ports and marinas in this region are committed to being responsible stewards of the environment. In fact, the managers and employees of our sixty-plus moorage business members are THE front-line protectors of our shorelines on a daily basis. No group of people spends more hours a year preserving our shorelines. Their enthusiasm to invest time and resources in order to be designated as Clean Marinas exemplifies this dedication.

Our organization has embarked on numerous environmental improvement projects and initiatives, including removing toxic creosote, preventing stormwater pollution, and providing waste pump-out facilities to customers. We are serious about our mission to foster economic development, trade, recreation, and job growth for our community while ensuring environmental stewardship, allowing our navigation infrastructure to coexist harmoniously with species and their critical habitats. We fully support the goals of the Endangered Species Act (ESA) to prevent species extinction and mitigate the negative impacts that extinction has on ecosystems that also sustain human life.

We recognize that the Committee is reviewing H.R. 1897, the Endangered Species Act Amendments Act of 2025, and we appreciate the opportunity to express our support for this legislation and our comments and concerns regarding ESA Section 7 consultations for maintenance and other project permitting.



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Since 2018, the West Coast Region Office of NOAA Fisheries has introduced a new definition of environmental baseline that deviates from the previously understood standard under ESA Section 7 consultations for maintenance and building permits. Instead of including the effects of existing structures as part of the baseline condition, this new definition excludes them from the effects analysis. Consequently, applicants are now expected to mitigate the impacts of maintenance or construction actions and the ongoing effects of existing structures on species and habitats well into the future. This change has resulted in lengthy formal consultations for even the most routine maintenance projects, dramatically increasing the costs associated with these essential activities.

It is incredibly frustrating when ports and marinas initiate maintenance projects designed to repair and enhance infrastructure while simultaneously improving water quality and habitats—such as removing creosote and other hazardous materials or replacing overwater structures with light-penetrating decking—yet are hindered by prohibitive permitting processes due to escalating mitigation costs and construction delays.

Our organization supports H.R. 1897, The Endangered Species Act Amendments Act of 2025, as it aims to restore the widely accepted definition of environmental baseline for ESA Section 7 consultations related to maintenance and building permits. This legislation will promote a consistent application of the ecological baseline across the nation, ensuring that organizations like ours incur reasonable mitigation costs for proposed maintenance and construction activities. Our infrastructure must be maintained for ports and marinas to remain competitive, ensure safe operations, and avert negative environmental impacts caused by deteriorating structures. This legislation will facilitate a consistent, predictable, and cost-effective permitting process. We appreciate the Committee's consideration of this vital legislation and urge the swift passage of H.R. 1897.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Jennings", is written over a faint, light blue circular watermark or background.

Jay Jennings

Vice President, Government Affairs

Northwest Marine Trade Association