

Endangered Species Act Section 7 Consultations in the Greater Atlantic Region



Endangered Species Act Consultations to Protect Listed Species

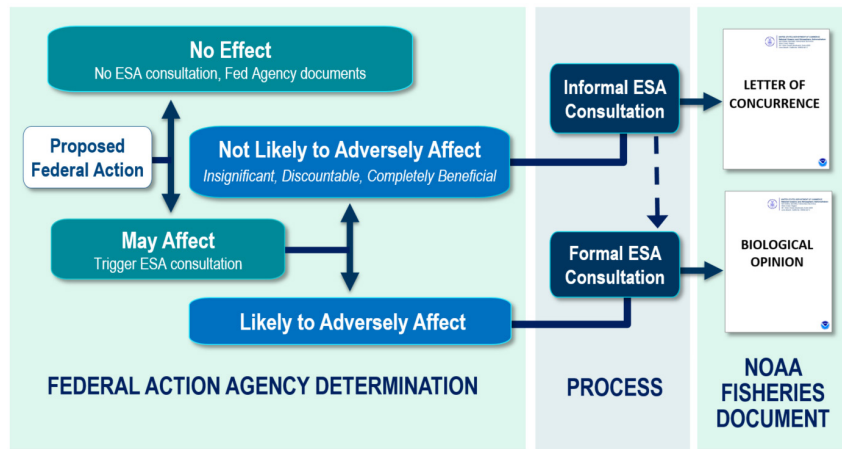
NOAA Fisheries helps Federal agencies comply with the requirements of the Endangered Species Act (ESA), whose purpose is to conserve endangered and threatened species and the ecosystems upon which they depend. Under ESA section 7(a)(2), Federal agencies must consult with NOAA Fisheries when any project or action they take may affect an [ESA-listed marine species](#) or its [designated critical habitat](#).

When a Federal agency determines its actions may affect ESA-listed marine species or critical habitat, the agency requests consultation with NOAA Fisheries. Federal activities we consult on can range from actions at the local and regional level, and typically include water, transportation, hydroelectric, wind, habitat restoration, and construction projects; as well as federally managed fisheries, aquaculture, and scientific research.



NOAA Fisheries typically consults with these agencies

The ESA Section 7 Consultation Process



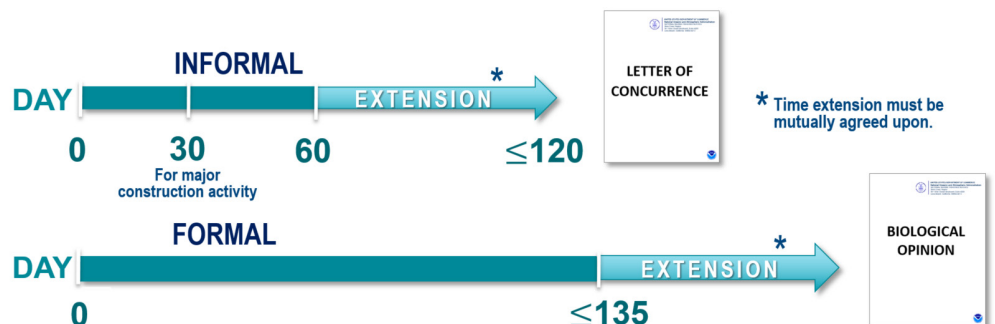
The consultation process, and resulting NOAA Fisheries document, varies depending on the proposed action.

The consultation process differs depending on the type of action being proposed. Many of the consultations are “informal,” which are conducted on actions that *are not likely to adversely affect* an ESA-listed species or designated critical habitat. In these cases, NOAA Fisheries provides a letter of concurrence and no further consultation is required. Other consultations are “formal,” which are conducted on actions that *are likely to adversely affect* ESA-listed species or designated critical habitat. A formal consultation is documented in a biological opinion in which NOAA Fisheries makes a determination regarding whether the federal action is likely to jeopardize the continued existence of an ESA-listed species or is likely to destroy or adversely modify designated critical habitat.

The clock starts when NOAA Fisheries determines the initiation package is complete and adequate.



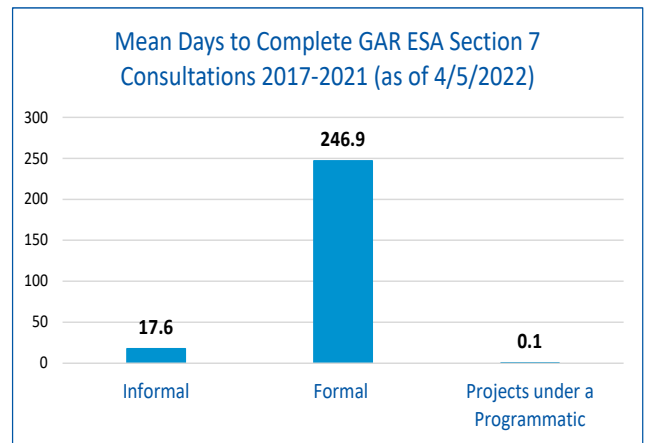
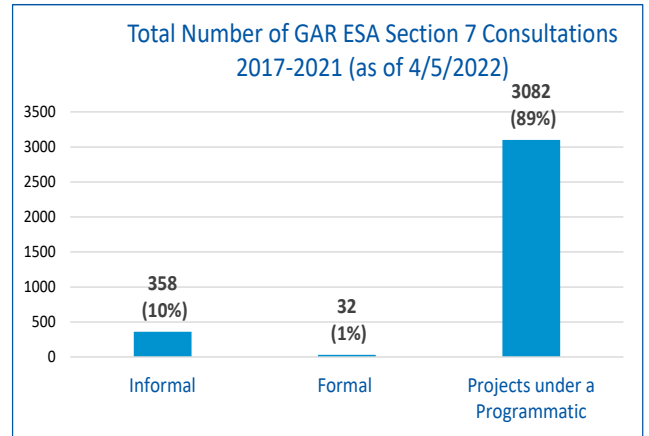
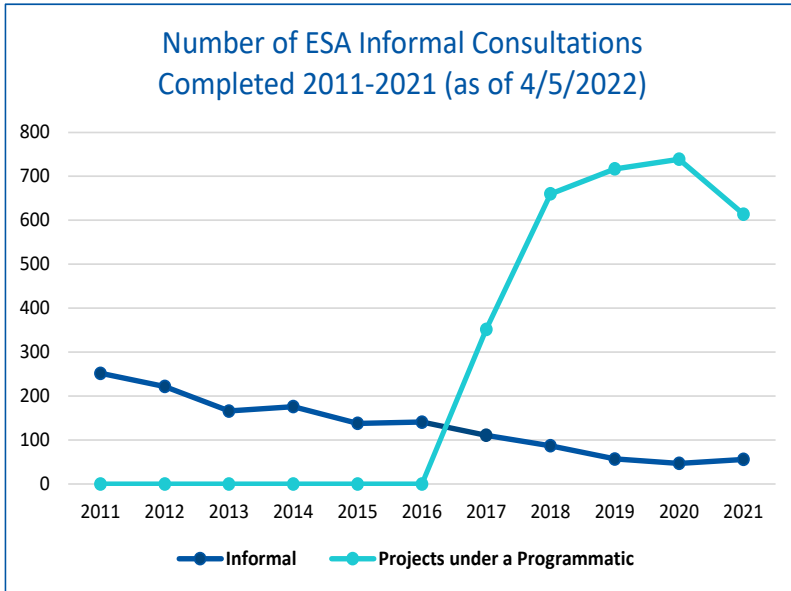
The time NOAA Fisheries has to complete a consultation is dictated under the ESA and differs for informal and formal consultations.



ESA Section 7 Consultation Efficiency on the Greater Atlantic Coast

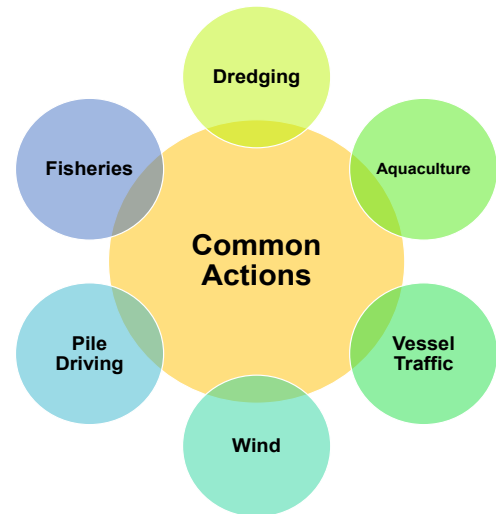
The NOAA Fisheries Greater Atlantic Region (GAR) is aware of how important it is to complete consultations efficiently to help action agencies proceed with their activities, enhance conservation, and meet regulatory deadlines. We have developed tools and methods to help maximize our resources, including the use of templates, efficient approaches to consultations, batching multiple consultations together, and engaging early with the action agencies.

We have also increasingly relied on conducting programmatic consultations, which address an agency's multiple actions on a program or region together, to streamline our consultation processes while protecting ESA-listed species. Conducting programmatic consultations has successfully reduced the number of informal consultations we do. In the last five years, 89% of our informal consultation workload has been covered through programmatic consultations.



Increasingly, the GAR has been conducting more programmatic consultations, which help reduce the number of informal consultations we do, reducing workload.

Individual consultations that do not fit under programmatics are increasingly complex and take more time to complete.



For a full list of ESA-listed species and more information about actions that occur in the Greater Atlantic Region, please visit our website:

<https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultations-greater-atlantic-region>