 **Caltrans logo**

**Biological Assessment Checklist**

**Caltrans and USFWS Section 7 ESA Consultations**

**June 2014**

**(minor updates October 2020)**

October 2020: Minor edits were made to this checklist to meet Americans with Disabilities Act (ADA) standards. Please see the Caltrans [Biological Assessment template](https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser/forms-templates#faqs) for the most up to date information.

This checklist is intended to clarify and streamline coordination for Endangered Species Act (ESA) Section 7 consultations between the U. S. Fish and Wildlife Service (USFWS) and the California Department of Transportation (Caltrans). The purpose of this checklist is to identify important information and analysis needed to complete Section 7 and EFH consultations in a timely and efficient manner.

The information needs included in this checklist are based on the six items that are described in 50 CFR §402.14 to initiate formal ESA Section 7 consultation, but are also applicable to informal consultations. The checklist is for general project use as a guidance tool. Some items may not be applicable to specific projects and/or additional items may be identified during the course of a consultation.

# Background Steps Checklist

Title of Proposed Action: Click to enter text.

Type of Proposed Action: Click to enter text.

* (e.g. funding, carrying out, or authorizing bridge replacement, seismic retrofit, culvert replacement, placement of rock slope protection, road realignment, or other types of projects)

Request species list from USFWS:

* [IPaC](https://ecos.fws.gov/ipac/): Click to enter date.

Request USFWS to engage in technical assistance/early informal consultation discussions through pre-consultation meetings, site visits, and/or reviewing draft biological assessments (BA).

Prepare cover letter with project name, project location (city, county), brief project summary (2-3 sentences), request for consultation (formal or informal), and effects determinations (a table works well for this).

Request ESA consultation, as applicable, upon completion of final BA.

* Request Date: Click to enter date.
* Needed by Date: Click to enter date.
* Response Date: Click to enter date

Utilize relevant planning reports and guidelines:

* [Endangered Species Consultation Handbook: Procedures for Conducting Consultation and Conference Activities Under Section 7 of the Endangered Species Act.](http://www.fws.gov/endangered/esa-library/pdf/esa_section7_handbook.pdf) March 1998.
* [An Assessment Framework for Conducting Jeopardy Analyses under Section 7 of the Endangered Species Act](file://C:\Users\s117003\Desktop\SER_Working%20Folder\An%20Assessment%20Framework%20for%20Conducting%20Jeopardy%20Analyses%20under%20Section%207%20of%20the%20Endangered%20Species%20Act.%20%20A%20Background%20Paper.%20%20Modified%20June%206,%202004.%20%20This%20publication%20can%20be%20found%20at%20the%20following%20link:%20https:\training.fws.gov\courses\csp\csp3116\resources\Study_Guides\07_framework_overview.pdf). Modified June 6, 2004.

# BA Outline and Checklist

Executive Summary: findings, including may affect and no effect determinations for all species and designated critical habitat listed on USFWS/IPaC species list.

## Introduction

Purpose and need of the proposed action.

General location of the proposed action.

Brief summary of the proposed action.

Brief description of biological or habitat studies conducted for the action.

## Consultation History

Summarize discussions, meetings, and written correspondence with regulatory agencies or other partners that are relevant to the proposed action and the ESA consultation.

Documents provided to USFWS that are related to the proposed action.

Other pertinent history.

## Description of the Proposed Action

### Project Summary

A summarized description of the agency action proposed to be authorized, funded, or carried out in which there is discretionary Federal involvement, or control.

### Authorities

A description of the Federal, State, and local authorities’ policies, and ordinances under which the project is being proposed, implemented, maintained, regulated, or otherwise affected.

### Project Location

Project location, county, route, post-mile (PM), river mile (RM), latitude/longitude coordinates, or other applicable geographic location data.

Map of project location/vicinity, including topographic representation and/or photographs if available.

Site photographs.

Other geographic information that will help describe the physical location of the project such as adjacent land uses, approximate total project length (for linear projects), and approximate elevation range for the project.

Description of environmentally sensitive areas (ESAs) within the project area, including occupied habitat or primary constituent elements/physical or biological features (PCEs/PBFs) of critical habitat.

### Construction Activities

### Deconstruct the Action

Deconstruct the action; break the action down into components of the project and identify any environmental stressors (physical, chemical, biotic, etc.) that would directly or indirectly affect species and critical habitat, caused by the action.

Specify the project alternative on which consultation is requested.

Describe pre-construction work (vegetation removal, etc.).

Describe construction activities (earthwork, staging, work pads, demolition, haul roads, access, borrow/disposal/stock pile sites, utility relocation, methodology, changes to operational lighting, construction night lighting, construction noise e.g. pile drivers, etc.)

Describe post-construction maintenance activities.

Detailed description of activities to occur within areas designated as critical habitat.

Types of equipment and materials that will be used for construction.

Location for disposal of material and vegetation, and containment methods.

Timing of construction work (year project construction is anticipated to commence and be completed, time of year, day/night).

#### Culverts/Bridges, within or near Rivers/Streams

Size and locations of existing culverts and other crossings.

Maps depicting extent of work within listed species habitat or designated critical habitat.

Plans with cross-sections of culverts, bridges, and grade control structures.

Volume and area of temporary and permanent fill material (such as rock slope protection) to be placed below the ordinary high water mark (OHWM).

* Total volume of fill for the project; including both above and below OHWM, or mean low or high tide in tidal/marsh areas.

### Post-construction Maintenance and Mitigation Monitoring

Description of the completed project’s operation.

Describe how the facility will be maintained, as well as maintenance of restored areas: (e.g. type of equipment to be used during maintenance activity and frequency of activity (annual, quarterly, monthly work etc.)).

### Construction Sequencing and Schedule

Start and end dates, duration, and sequencing of construction.

Number of days of construction.

Number of construction seasons to complete the project.

Construction work windows specific to listed species.

Describe whether construction will take place during the day, night, or both.

### Proposed Avoidance, Minimization, Mitigation, BMPs, and Conservation Measures

Species and habitat avoidance, minimization, mitigation, and conservation measures are thoroughly described in this section of the BA, even if summarized in other sections.

Description of proposed avoidance, minimization, mitigation, and conservation actions:

* Species and/or habitat work windows
* Onsite mitigation
* Offsite mitigation
* Mitigation maps, restoration plans, information on long-term management, and how lands will be conserved (conservation easement / deed restriction)
* Best Management Practices (BMPs) (e.g. Construction, maintenance, or stormwater BMPs, see Statewide Storm Water Management Plan, etc.)
* Conservation Bank credits purchase locations and ratios
* Monitoring and reporting requirements

Description of specific species, life stages, and habitat values that will be addressed with proposed conservation measures.

Timing and duration of proposed conservation measures.

Operation and maintenance of proposed avoidance, minimization, mitigation, and conservation actions.

Success criteria for proposed measures.

### Interrelated and Interdependent Actions

Description of interrelated and interdependent actions that may affect federally listed species and their designated critical habitat:

* Interrelated actions are those that are part of a larger action and depend upon the larger action for their justification.
* Interdependent actions have no independent utility apart from the action under consideration.
* For detailed definition of interrelated and interdependent actions please refer to the [Endangered Species Consultation Handbook: Procedures for Conducting Consultation and Conference Activities Under Section 7 of the Endangered Species Act](http://www.fws.gov/endangered/esa-library/pdf/esa_section7_handbook.pdf).

### Action Area

A description of the specific area that may be affected by the action including all areas to be affected directly or indirectly by the action (i.e. geographical extent of physical, chemical or biotic effects).

Map of action area (if different than the project area). This is not necessarily the same as the immediate area involved in the action or the project footprint. The ESA regulatory description of a project’s action area is described in 50 CFR §402.02.

## Environmental Baseline

Site conditions within the action area.

General topography, habitat/vegetation types and acreages, aquatics, disturbances, related to species’ needs.

Include habitat and vegetation map at appropriate scale. Describe methods for mapping vegetation types and characterizing habitat.

Past and on-going actions (natural and man-induced) that have or are currently affecting the species.

### Status of the Species within the Action Area

Identify the federally listed species and proposed species with the potential occur in the action area.

Describe the species covered in the BA, habitat requirements, and its occurrence in the action area.

* Description of how the BA used the best available scientific and commercial information regarding the status and trends of the species that are present in the action area.
* Include recent publications/journal articles/agency data and technical reports that were used and cited.
* Include local information relative to the project vicinity, views of recognized experts, and results from recent studies on life history, population dynamics, trends and distribution.
* Reference field notes, unpublished data, research in progress, etc.
* Include population information within the action area.

Describe details on the presence, timing, abundance, and site-specific biological requirements of different life stages that may be present in the action area.

Describe survey methods…

Describe the species covered in the BA, habitat requirements, and its occurrence in the action area.

* Description of how the BA used the best available scientific and commercial information regarding the status and trends of the species that are present in the action area.
* Include recent publications/journal articles/agency data and technical reports that were used and cited.
* Include local information relative to the project vicinity, views of recognized experts, and results from recent studies on life history, population dynamics, trends and distribution.
* Reference field notes, unpublished data, research in progress, etc.
* Include population information within the action area.

Describe details on the presence, timing, abundance and site-specific biological requirements of different life stages that may be present in the action area.

Describe survey methods followed including dates and timing, list any survey protocols followed, and habitat assessment and survey results (note: including survey reports in an appendix can save time).

Describe which species we are assuming presence of, which portions of the action area, and rationale for this determination.

### Status of Critical Habitat within the Action Area

Identify and describe those PCEs/PBFs of designated and proposed critical habitat within the action area.

Description of how the BA used the best available scientific and commercial information regarding the status and trends of critical habitat PCEs/PBFs that are present in the action area. Include recent publications, journal articles, agency data, and technical reports that were used and cited. Include local information relative to the project vicinity, views of recognized experts, and results from recent studies, life history, population dynamics, trends, and distribution. Reference field notes, unpublished data, research in progress, and other applicable material.

Note the total area affected critical habitat (e.g. acres, linear feet) by applicable PCE/PBF.

## Effects of the Action

### Approach to the Assessment

Analytical approach is consistent with the risk assessment framework developed by USFWS for analyzing effects to listed species and their habitat based on exposure and response to an action. This framework follows nine steps that can be consistently applied to different types of actions and used to develop replicable assessments with logical, well-reasoned, and supportable conclusions.

Description of potential direct and indirect effects, effect on recovery, and cumulative effects, including of any proposed habitat creation, restoration, enhancement, management, and/or monitoring.

Quantify habitat impacts. Provide temporary and permanent, direct and indirect habitat impact calculations.

A description of how the project will affect individuals of a species and critical habitat will be conducted separately (see below).

Break down temporary or permanent actions. Consider all pre-construction, construction, and post-construction work associated with the project and as described in project description.

### Information Available for the Assessment

A description of the best scientific and commercial information that will be applied to the assessment.

### Assumptions Underlying this Assessment

A description of any assumptions that will be applied to the analysis.

### Effects: Exposure, Response, and Risk Assessment to Individuals

Description of the spatial and temporal exposure of species and specific life history stages to deconstructed elements of the proposed action in the action area.

* Consider species’ development patterns, spatial distribution, how that varies over time, and species’ niche/ecological relationship. Include description of the potential stressors associated with proposed elements with the action area.

Description of the direct and indirect biological response to species and individuals (e.g. demographic responses such as changes in fecundity, maternity, growth, survival, immigration, or emigration rates) that are exposed to project related stressors associated with deconstructed action elements with the action area.

Would responses of individuals be great enough to reduce fitness and/or increase the extinction risk considering the baseline conditions?

Document the number of individuals that are anticipated to be affected by the project and describe whether impacts are anticipated to be temporary or permanent.

### Effects: Exposure and Risk Assessment to Critical Habitat

Description of the spatial and temporal exposure of critical habitat PCEs/PBFs to potential stressors. Same parameters as above.

Description of the direct and indirect physical response of critical habitat PCEs/PBFs to potential stressors associated with deconstructed action elements with the action area. Same parameters as above.

Quantify the total area of affected critical habitat (e.g., acres, linear feet) by applicable PCE/PBF. If there are areas of project impact within designated critical habitat that lack PCEs/PBFs, include a quantification and explanation of why PCEs/PBFs are considered to be absent. Also quantify the total critical habitat area that will be impacted by the project (including both those areas with and without PCEs/PBFs) to allow for calculation of the percentage of proposed or designated critical habitat that will be affected by the project.

### Effects on Recovery

Evaluation of project consistency with recovery goals in species recovery plan.

If there is no recovery plan, evaluation of project consistency with general recovery goals of maintaining remaining populations and conserving/restoring habitat that supports them.

Summary of habitat impacts and any proposed habitat creation, restoration, enhancement, preservation, management and monitoring.

Conclusion on if and how the project is expected to contribute to the conservation and recovery of the species over the long-term.

## Cumulative Effects

Describe cumulative effects that are reasonably certain to occur within the action area:

* Cumulative effects include the effects of future state, tribal, local or private projects.
* Future Federal actions are not considered in this section because they will be subject to separate consultation pursuant to Section 7 of the ESA.

## Effects of Interrelated and Interdependent Actions

Description of any interrelated and interdependent effects associated with the proposed action.

## Determination

Logic of the analysis should support the determination. Summarize key points that link the analysis to the determination.

One of the following determinations shall be made for each listed or proposed species:

* No effect (No effect determinations do not require consultation and USFWS is not obligated to concur with no effect determinations).
* May affect, not likely to adversely affect.
* May affect, likely to adversely affect.

One of the following determinations shall be made for each listed or proposed species’ critical habitat:

* No effect.
* May affect, not likely to adversely affect.
* May affect, likely to adversely affect.

## Literature Cited

References used to prepare the BA.