

National Marine Fisheries Service (NMFS) Section 7 Checklist Procedures

This document was created to assist applicants/agents unfamiliar with the Endangered Species Act (ESA) Section 7 consultation process. Both the Checklist and the Procedures document were intended to be utilized electronically (i.e., through use of a Portable Document Format (PDF) viewing application such as Adobe Acrobat). Both documents are interactive and contain hyperlinks to supplemental information useful in completing this checklist. If you are reading a printed copy, an electronic version can be downloaded at http://sero.nmfs.noaa.gov/protected_resources/section_7/consultation_submittal/index.html. Essentially, the checklist compiles information NMFS needs in order to respond to action agency requests for consultation on “minor actions” that do not require the full-scale Biological Assessment required by federal regulations for “major federal actions.” Typically, these minor in-water construction projects are residential docks, seawalls, boat ramps, and minor dredging actions; however, this checklist is not limited to these types of projects, and is useful as a guide for all projects that qualify as “minor actions.” The general rule of thumb is to use this for smaller-scale projects that are not likely to adversely affect listed species and/or critical habitat. If a species or critical habitat is likely to be adversely affected (i.e., all project effects are not *insignificant, discountable, or beneficial*), a much more complete Biological Assessment is in order.

Section A (Project Identification)

- **Lead Action Agency:** In most cases, this is simply the federal agency that will be permitting the project in question (e.g., the U.S. Army Corps of Engineers). Note: When a particular action involves more than one federal agency (e.g., an offshore dredging project, aspects of which are permitted by both the U.S. Army Corps of Engineers and the Bureau of Ocean Energy Management), the consultation and conference responsibilities may be fulfilled through a lead agency (see 50 CFR §402.07) which will need to be designated.
- **Agency Contact:** This is the lead action agency’s project manager who is handling the project. Please include the contact’s phone number and email in this box.
- **Applicant Name:** This is the name of the applicant of the project. If the applicant is a business, please provide the name of a point of contact for the business, along with the contact’s phone number and email address.
- **Project Name & ID #:** This is the official name of the project (e.g., Bay County BOCC-Callaway Bayou) and the identification number assigned to the project by the action agency (e.g., SAJ-2012-03178 [SP-DNA]).
- **Are any aspects of the proposed project being authorized under a separate consultation?** This question refers any aspects of the proposed project being authorized with a Programmatic Opinion, the Gulf Regional Biological Opinion, the South Atlantic Regional Biological Opinion, a separate ESA Section 7 consultation, or any other permitting mechanism currently in place to satisfy the requirements of Section 7 ESA consultation.

Section B (Project Location and Site Description)

1. **Address and description of property:** This is a description of the address at which the project is located. If an address is not available, a description of what is near the property is sufficient. Additionally, a description of the project’s land use (e.g., public, residential, commercial, industrial, etc.) is needed.

2. **Latitude & Longitude:** This is a geographic coordinate system that enables every location on the earth to be specified by a set of numbers. Typical ways of gathering this information would be through a geographic positioning system (GPS) or through map-based applications capable of identifying points on a map and providing the location in a geographic coordinate system (e.g., Google Earth, ESRI ArcExplorer, etc.). NMFS requires the coordinates to be in decimal degrees (e.g., 27.71622, -80.25174) and that the correct geocentric datum and graphic coordinate system used be provided (i.e., NAD 1927, NAD 1983, WGS 1984, etc.). If your coordinates are in another format, please visit the Federal Communications Commission website to [convert the coordinates to decimal degrees](#).

3. **Waterbody:** This is the name of the body of water on which the project is located (e.g., St. Johns River, Tampa Bay, Suwannee River). If the location is in a river or estuary, please approximate the navigable distance from the

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project location to the marine environment (e.g., Alafia River approximately 35 nautical miles from the Gulf of Mexico).

Section C (Project Site Resource Description)

1. Existing Structures: This is a description of the current structures found in the project area (e.g., dock, seawall, marina, etc.).
2. Existing Conditions: This is a description of the current environmental conditions within the project area (e.g., substrate type, water quality, depth of water). Is the location tidal, riverine, estuarine? List any alterations to substrate type, water quality, depth, etc. resulting from proposed action (qualitative and quantitative).
3. Seagrasses & Other Marine Vegetation: This is a description of the seagrasses found in the project area (if any). If a benthic survey was conducted, provide a date of survey and copy of the report. Additionally, please provide an estimate of the species area of coverage and density of coverage (typically displayed in percent of area). Please include the location of the seagrasses relative to the existing and/or proposed structures. It is important to provide a detailed sketch of the project area and location of the seagrasses. Describe any impacts to seagrasses or other marine vegetation resulting from proposed action, quantify in square feet.
4. Mangroves: This is a description of the mangroves found in the project area (if any). Please indicate the species found (e.g., red, black, white), and the area of coverage for each species (typically displayed in square footage). The linear footage along project shoreline is also required. It is important to provide a detailed sketch of the project area and location of the mangroves. Describe any impacts to mangroves resulting from proposed action, quantify in square and linear feet.
5. Corals: This is a description of the corals found in the project area (if any). List all species present. If a benthic survey was conducted, provide a date of survey and copy of the report including the survey methods. Additionally, provide an estimate of the species area of coverage (typically measured as a percentage) and/or density. Please include the location of the corals relative to the existing and/or proposed structures. It is important to provide a detailed sketch of the project area and location of the corals. Describe impacts to corals resulting from proposed action quantitatively and qualitatively in terms of number and size of colonies or fragments.

Section D (Project Description and Construction Methods)

Has the applicant agreed to follow the [*Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation \(SAV\), Marsh or Mangrove Habitat*](#), 2001?

Has the applicant agreed to follow the [*Key for Construction Conditions for Docks and Other Minor Structures Constructed in or Over Johnson's Seagrass \(Halophila johnsoni\)*](#), 2002?

Has the applicant agreed to follow the [*Sea Turtle and Smalltooth Sawfish Construction Conditions*](#), 2006?

1. Project: Please provide a detailed account of the project purpose and need.
2. In water Structures: Please include details about the following aspects of the in water structures: type of structure(s) proposed for installation (e.g. boat basin, riprap, seawall), square and/or linear feet of proposed structure(s), number of new slips to be installed, if any; number of new vessels expected, if any; is this structure new, replacing an existing structure, or the removal of an existing structure?
3. Overwater Structures: Please include details about the following aspects of the overwater structures: proposed spacing between boards (if applicable), height above Mean High Water (MHW) elevation, directional orientation of main axis of dock (North, South, East or West), overwater area (calculate square footage).

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4. If the proposed structure is a fishing pier please answer the following: Please include details about the following aspects of the fishing pier: is it public or private?, number of people expected to fish from the pier each day, detailed plan to address any hook-and-line captures which take place at the fishing pier, and whether educational signs will be posted. If signs will be posted, please provide information as to which ones.

5. Methods: Please provide detailed plans for step-by-step construction methodology, demolition and/or removal of existing structures and debris, and locations of work (barge, upland or both).

6. Pile Installation: Similar to the general construction methods, we need information on the specific construction methodology used to install the pilings and/or sheetpiles (if any) in this project (e.g., impact hammer, vibratory hammer, jetting, etc.). What type of material is the piling (e.g., wood, steel, concrete, etc.) or sheetpile (e.g., steel, fiberglass, vinyl, etc.)? What size and how many will be used? Impacts to marine vegetation need to be addressed here. Also, impacts to listed species related to noise from piling and sheetpile installation need to be addressed here. This might require consultation with your contractor. Impact hammer noise abatement may be required.

7. Dredging: Maintenance dredging and other dredging operations can use a variety of different methodologies; therefore, please include details about the following aspects of the dredging operations:

- Dredge type (hopper, cutterhead, clamshell, etc.)
- Area (square feet) to be dredged
- Depth of cut (i.e., What is the current depth and proposed maximum depth of dredging?)
- Volume of material (cubic yards) to be produced from dredging
- Sediment testing (i.e., Is the material being dredged contaminated?)
- Spoil disposition plans (i.e., Where is dredged material being disposed? Include location of disposal area [upland/openwater/beneficial use site], sediment type at disposal area, and thickness of fill placement.)

8. Artificial Reefs: Please provide a detailed account of the artificial reef site selection and reef establishment decisions (i.e., management and siting considerations, stakeholder considerations, environmental considerations [proximity to existing natural resources and buffers, substrate characteristics, water depth, hydrodynamics, entanglement risk]), deployment schedule, materials used (decommissioned vessels, concrete culverts, piers, etc.), deployment methods (placed by diver, placed by crane, or deployed by being shoved off the deck of a vessel, etc.) as well as the final depth profile and overhead clearance for vessel traffic. For additional information and detailed guidance on artificial reefs, please refer to the artificial reef program websites for the particular state in which the project will occur:

[Alabama](#); [Florida](#); [additional Florida guidance](#); [Mississippi](#); [Louisiana](#); [South Carolina](#); [North Carolina](#); [Texas](#)

9. Construction Schedule: Please include a construction schedule with the duration of the project's major phases of in-water work (e.g., number of days, weeks, or months; daytime only or 24-hour operation; seasonal restrictions).

10. Conservation / Protective Measures: Please indicate how mitigation or other protective measures are being incorporated in this project.