

STATEMENT OF WORK BIOLOGICAL ASSESSMENT

A. Interagency Cooperation under the Endangered Species Act of 1973, as amended, (Act) 50 CFR Part 402 is required by Federal agencies regarding endangered or threatened species of fish, wildlife, or plants and habitat of such species that has been designated as critical. The Act requires every Federal agency, in consultation with and with the assistance of the Secretary, to insure that any action it authorizes, funds, or carries out, in the United States is not likely to jeopardize the continued existence of any listed species or results in the destruction or adverse modification of critical habitat. Biological Assessments, information prepared by or under the direction of the Federal agency concerning listed and proposed species and designated and proposed critical habitat that may be present in the action area and the evaluation potential effects of the action on such species and habitats, is required under Section 7(c) of the Act.

B. The Contractor shall furnish the necessary personnel, materials, services, equipment, facilities, and otherwise do all things necessary for and incident to the performance of the work specified in this Statement of Work in a manner consistent with accepted professional standards and procedures found at 50 CFR Part 402.12 of the Endangered Species Act of 1973, as amended. The Contractor must be familiar with this law and applicable implementing regulations and must comply with them in preparing the Biological Assessment.

C. The Contractor must employ the following professional personnel to perform the services required under this contract. A substitution may not be made without the approval of the Contracting Officer and the GSA Regional Environmental Program Officer (REPO). An increase in salary rates is not allowed when substitute personnel are authorized. The following types of personnel should perform the functions necessary to complete this statement of work:

Project Administrator - The Contractor's representative with responsibility for the overall management of this contract.

Project Task Manager - Contractor's personnel with management and supervisory responsibilities for individual task orders. The Project Task Manager may be from any of the professional disciplines as listed below.

Environmental Scientists

Biologists

Ecologists

D. The GSA REPO will serve as the technical representative and environmental project manager for this proposal. Duties performed shall include:

a) furnish guidance and supervision;

1. independently review and evaluate the scope and contents of the biological assessment;

c) assume ultimate responsibility for compliance with Section 7.

E. Point of Contact;

Name
Title
General Services Administration
Regional Office

F. Preparation of Biological Assessment

The Contractor shall prepare a Biological Assessment examining a site known as the Point Roberts Port of Entry (POE) and the potential site expansion area immediately adjacent to the POE. The POE, a 30,000 square foot site, is located at the intersection of Roosevelt Road and Tyee Drive near the U.S./Canada border in Point Roberts, Whatcom County, Washington. The expansion site, a 70,970 square foot site, is located immediately south and southwest of the POE. The current and expansion site are being considered for construction and expansion of the existing POE. Through this Biological Assessment, the Contractor shall identify any proposed and/or listed species which is/are likely to be affected by the proposed construction project. To complete the Biological Assessment the Contractor shall:

- 1) Conduct an onsite inspection of the area to be affected by the proposal, which may include a detailed survey of the area to determine if the species is present and whether suitable habitat exists for either expanding the existing population or potential reintroduction of the species;
- 2) review literature and scientific data to determine species distribution, habitat needs, and other biological requirements,
- 3) interview experts including those within the U.S. Fish and Wildlife Service, National Marine Fisheries Service, state conservation departments, universities, and other who may have data not yet published in scientific literature;
- 4) review and analyze the effects of the proposal on the species in terms of individuals and populations, including consideration of cumulative effects of the proposal on the species and its habitat;
- 5) analyze alternative actions that may provide conservation measures;
- 6) prepare a report documenting the results, including a discussion of study methods used, any problems encountered, and other relevant information.

G. Biological Assessment Outline and Contents

1) Analysis Area Description

a) Scope - an assessment of actions on federal lands including who, what, where, and when;

b) Identify listed and proposed species within the analysis area;

c) Location map - location of analysis area displaying boundary of the analysis area and land ownership.

2) Analysis Area Description Specific to Site location

- a) Natural physical characteristics;
- b) Man-caused physical characteristics;
- c) Vegetation characteristics - type, condition, trend;
- d) Description and distribution of species - location of important nesting, roosting, rearing habitat, condition and trend of populations, life history characteristics;
- e) Descriptions of habitat condition, trend, limiting factors, and relationship to desired future condition objectives, nesting and rearing habitat;
- 3) Description of Proposed Action
 - a) Purpose and need of the action
 - b) Describe site specific activities of the proposed action. Aggregate activities and/or actions by type
 - c) Describe management measures and practices
 - d) Describe any units with additional or different management measures or direction.
 - e) Provide map site-specific location of each activity within the analysis area.
- 4) Analysis of Potential Effects of the Proposed Action on Listed and Proposed Species (50 CFR 402.02)
 - a) Direct and indirect effects - provide all available scientific information pertinent to the potential effects, views of recognized experts of the species at issue, site-specific analysis of potential effects for each activity and/or action, relate potential effects to the limiting factors described above in 2.
 - b) Interrelated and interdependent actions - expand discussion to include interrelated and interdependent actions which are specific to proposed action, including detailed descriptions of effects on listed or proposed species (50 CFR 402.02)
 - c) Cumulative effects (50 CFR 402.02) - effects of on-going and future activities (state and private), not involving Federal activities, that are reasonably certain to occur within the analysis/action area of the Federal action subject to consultation.
- 5) Mitigation Measures
 - a) Describe specific mitigation measures applied to the action which were designed to avoid, minimize, or compensate potential adverse impacts;
 - b) Describe a monitoring and evaluation plan to measure the success or failure of the mitigation measures;
 - c) Describe a fall-back or emergency action that would be enacted should the mitigation measures fail.
- 6) Determination
 - a) summarize available information, regarding the implementation of the action, that supports a conclusion of "no effect", "beneficial effect", "not likely to adversely affect", or "likely to adversely affect" on listed species and/or their critical habitat.
 - b) document rationale for the determination.
- 7) Appendix
 - a) References cited

- 1. Maps, etc.

H. Biological Assessment Format

The Contractor shall prepare a report which will eventually be submitted to the Regional Director of the U.S. Fish and Wildlife Service. The document shall be written in plain language and shall use appropriate graphics so that decision makers can readily understand them. All results will be explained in enough detail to allow a lay person to fully comprehend the ramifications of the findings and proposed action. All technical terms will be clearly defined. In addition, the document shall be prepared on 8 1/2 x 11 inch recycled bond paper. The paper for this contract shall meet the U.S. EPA Guidelines for Federal Procurement of Paper and Paper Products Containing Recycled Materials (*Federal Register* June 22, 1988, pp. 23546-23566) which states that high grade bleached printing and writing papers must contain at least 50 percent "waste paper" defined as post consumer materials or secondary wastes. The BA shall be printed as double sided documents on recycled bond paper which has sufficient opacity to provide a clear reading surface such that type from one side of the page is not visible through to the opposite side of the page. The Contractor shall be responsible for assembling documents. The Contractor shall provide the REPO with a preliminary draft BA in a three-ring binder for GSA's review. Upon completion of review, the final document must be bound in a manner agreed upon by the REPO for distribution to the Regional Director. All postage and fees related to submitting information (including forms, reports, etc.) to the Contracting Officer or REPO shall be paid by the Contractor, except where specifically stated otherwise.

The Contractor shall submit all materials required hereunder to the REPO in accordance with the following schedule. All times are in calendar days, and refer to the date by which the REPO must receive the deliverable.

It is estimated that a maximum of two (2) months are necessary to complete a Biological Assessment. The Contractor shall promptly inform the REPO of any conditions which may cause a significant delay in the delivery of these assessments.

All documentation that results from this contract shall be the sole property of GSA and will not be released in any part without prior written consent of GSA.