

Template for Consultation Request Cover Letter

Provided by NMFS Pacific Island Regional Office, Protected Resources Division

Revision Date: January 2009

INSTRUCTIONS

The following document is intended to serve as a template for letters from Federal action agencies (or their representatives) requesting consultation under Section 7 of the Endangered Species Act (ESA) on actions that may affect ESA-listed species.

COLOR KEY

Text coloring schemes:

- Black font (boilerplate)
- Blue font (*guidance & examples*)
- Red font (places to insert information)

As you finalize sections you should delete blue and red text.

[Letterhead for Federal action agency OR non-Federal representative]

[date]

Lisa Van Atta, Protected Resources
NMFS Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814

Re: Request for Consultation under Section 7 of the Endangered Species Act

Dear Ms. Van Atta:

The [Federal action agency/non-Federal representative] proposes to [authorize/permit/fund/carry out] the [name, location and date of proposed project]. [*Non-Federal representatives must be designated as such in writing by the Federal action agency*]. Enclosed is a [Biological Assessment(BA)/Biological Evaluation(BE)/other document as explained in template for BAs-BEs] to initiate [formal/informal] consultation under Section 7(a)(2) of the Endangered Species Act (ESA).

As described in the enclosed [BA/BE/other document], [the proposed action will have no effect on the following ESA-listed marine species: list each species] [*no concurrence or other consultation with NMFS is required for 'no effect' actions*]. The proposed action may affect, but is not likely to adversely affect, the following ESA-listed marine species: [list each species]. [There is no designated critical habitat in the project area/Designated critical habitat for the Hawaiian monk seal occurs within the project area]. [The proposed action may affect, but is not likely to adversely affect, monk seal critical habitat.] We request your concurrence with our 'not likely to adversely affect' determinations, and hereby request informal consultation under Section 7 of the ESA.

[As described in the enclosed BA/BE/other document, the proposed action may affect, and is likely to adversely affect (list species) (monk seal critical habitat). Therefore, we request initiation of formal consultation under Section 7 of the ESA.]

[*If the consultation request is for multiple projects, an entire program, or is otherwise more than a single discrete project, edit the above accordingly. E.g., provide more detail or attach tables showing the different projects and ESA determination for each, if applicable*]

Please contact [person's name and contact info] of my staff regarding this consultation request.

Enclosure: [BA/BE/other document]
[action agency project tracking number]