## **Action Agency Guide to ESA Consultation with NMFS**

Action agency determines effects of its proposed action on each ESA-listed marine species in the action area:

(see "Effects Determination Guidance")

## No Effect

(Document and file using "ESA Effects Determination Record"; No correspondence w/ NMFS required)

OR

## **May Affect**

(Further determine if action is likely to adversely affect ESA-listed species or critical habitat - see "Effects Determination Guidance"; document and file using "ESA Effects Determination Record")

May Affect, but is <u>Not</u> Likely to Adversely Affect

(<u>Informal</u> consultation w/NMFS required

– use fillable Consultation Request
Cover Letter and BA-BE templates)

OR

May Affect, and <u>Is</u> Likely to Adversely Affect

(<u>Formal</u> consultation w/NMFS required use fillable Consultation Request Cover Letter and BA-BE templates)

