

# Section 7 Consultation Technical Assistance

## Glossary of Terms

See the [Code of Federal Regulations](#) for a full set of section 7 regulatory definitions.

**Action area** means all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.

**Applicant** refers to any person, as defined in section 3(13) of the Act, who requires formal approval or authorization from a Federal agency as a prerequisite to conducting the action.

**Beneficial effects** are those that result positive responses without any negative response. This analysis is done at the individual level. If an action will have beneficial effects for the species overall, but adversely impacts one or more individuals in the process, "likely to adversely affect" is the appropriate conclusion. The project may qualify, however, for streamlined consultation process designed for Recovery and Restoration Actions (contact your local Ecological Services Field Office for more information).

**Critical habitat** - The specific areas within the geographic area, occupied by the species at the time it was listed, that contain the physical or biological features (PBF) that are essential to the conservation of endangered and threatened species and that may need special management or protection. Critical habitat may also include areas that were not occupied by the species at the time of listing but are essential to its conservation. See [here](#) for a list of PBFs for critical habitat in Region 3.

**Designated Non-Federal representative** refers to a person designated by the Federal agency as its representative to conduct informal consultation and/or to prepare a biological assessment.

**Discountable effects** are those extremely unlikely to occur. Based on best judgment, a person would not expect discountable effects to occur.

**Environmental changes** include the physical, biotic, and chemical changes in the environment that will occur as a result of the federal action.

**Exposure** occurs when a species or an essential physical or biological feature of a species' critical habitat is subject to a consequence of a federal action.

**Effects of the action** are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later

in time and may include consequences occurring outside the immediate area involved in the action. (See 50 CFR §402.17).

**Harm** means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering." 50 C.F.R. § 17.3.

**Harass** is defined as an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding feeding or sheltering." 50 C.F.R. § 17.3.

**Insignificant effects** relate to the size of the impact and should never reach the scale where take occurs. Based on best judgment, a person would not be able to meaningfully measure, detect, or evaluate insignificant effects.

**May affect**, with respect to a species, is the appropriate conclusion when a species might be exposed to a consequence of a federal action and could respond to that exposure. For critical habitat, 'may affect' is the appropriate conclusion if an essential physical or biological feature may be exposed to a consequence of a federal action and could change in response to that exposure.

**May be present** means species or critical habitat are potentially present in the action area.

**No effect**, with respect to species, means that no individuals of a species will be exposed to any consequence of a federal action or that they will not respond to such exposure. With respect to critical habitat, it means that none of the essential physical or biological features of critical habitat will be exposed to the consequences of a federal action or that, if exposed, they will not respond.

**Physical or Biological Features** is a term that has replaced 'primary constituent elements' in the context of critical habitat. Both terms refer to the physical and biological features of designated or proposed critical habitat essential to the conservation of the species, including, but not limited to: (1) space for individual and population growth, and for normal behavior; (2) food, water, air, light, minerals, or other nutritional or physiological requirements; (3) cover or shelter; (4) sites for breeding, reproduction, rearing of offspring, germination, or seed dispersal; (5) habitats that are protected from disturbance or are representative of the historic geographic and ecological distributions of a species.

**Primary Constituent Elements.** See **Physical or Biological Features**.

**Species Response** is the physical, behavioral, or physiological reaction of an individual (species) or a change in an essential physical or biological feature (critical habitat) upon exposure.

**Stressors** are any physical, chemical, or biological alteration of resources (i.e., increase, decrease, or introduction) that can induce an adverse organism response. Stressors can act directly on an individual, or indirectly through impacts to resources.

**Take** is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.