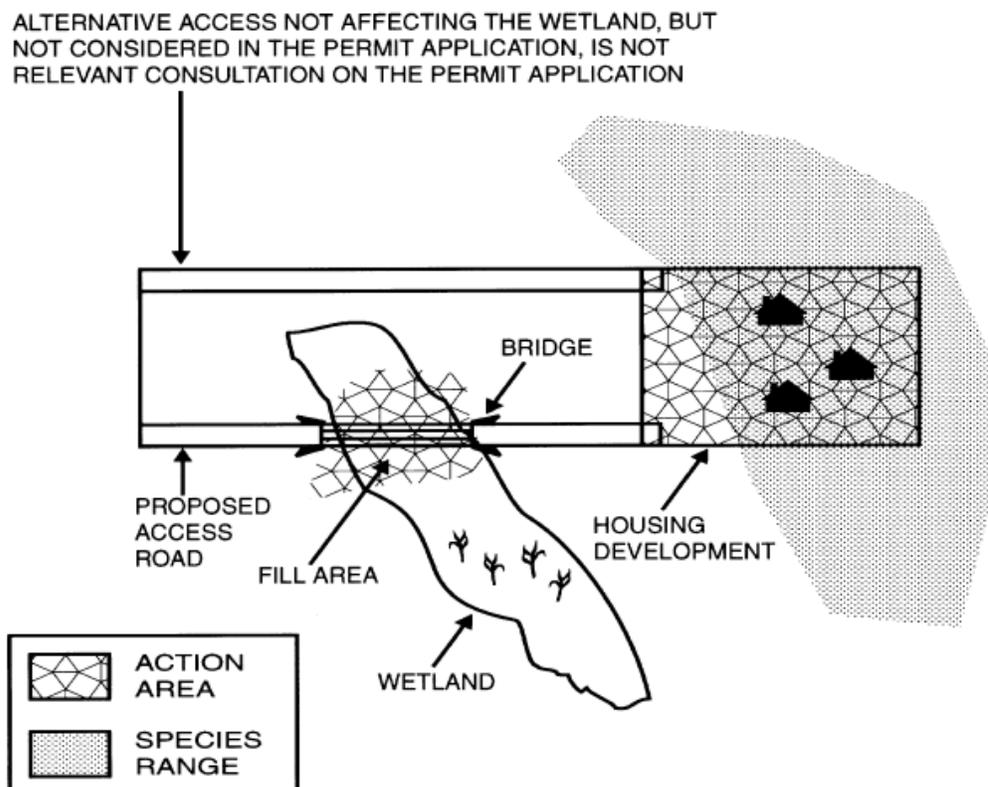


ACTION AREA
(from the Consultation Handbook)

“If the Services determine that the action area differs from that described by the agency or applicant, the Services should discuss their rationale for the change with the agency or applicant. Occasionally, an action agency or an applicant disagrees with the Services' delineation of the action area. This generally occurs when impacts to the species/habitat result from indirect or interrelated/interdependent effects. Reaching agreement on the description of the action area is desirable, but ultimately the Services are responsible for this biological determination (Figures 4-3, 4-4 and 4-5). Subsequent analyses of the environmental baseline, effects of the action, and levels of incidental take are based upon the action area as determined by the Services.” (page 4-15).

“The action area should be determined based on consideration of all direct and indirect effects of the proposed agency action [50 CFR 402.02 and 402.14(h)(2)]. For example (Figure 4-6), if the proposed action is a wetland fill (requiring a federal permit) to accommodate access to a proposed development (the actual area of impact to the species), then the development is included in the action area. Whether or not the applicant can build a road that does not impact the wetland, the analysis of effects of the action still encompasses the proposed development. If the applicant is seriously considering the alternative with no Federal nexus, the applicant should be advised of the need for acquiring a section 10(a)(1)(B) permit before proceeding with development for actions that will result in a taking.” (page 4-18).



(Taken from page 4-18 of Section 7 Consultation Handbook)