

Emergency Consultation Under Section 7

Joint Region 5 & Region 7
Regional Response Team Meeting
Spring 2023 Meeting – April 5-6

Emergency Response



Emergency Consultations

Definition:

“Situations involving acts of God, disasters, casualties, national defense or security emergencies, etc.”

Scope of Consultation:

Focuses on the agency’s response to the emergency, not the emergency itself

Emergency Consultations

Phases of Emergency Consultation:

 **Pre-emergency planning**

 **Emergency response**

 **Post-response**

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Pre-planning Phase:

- ① **Identify contacts**
- ① **Establish roles and responsibilities**
- ① **Identify processes**
- ① **Develop species maps**
- ① **Establish protective measures**
- ① **Minimize need to make decisions during the emergency**

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Pre-planning Phase Objectives:

- ① **ID the kinds of emergencies and procedures agencies will use to respond to these emergencies.**
- ① **Exchange information on the listed species and critical habitats present in areas and effects of the response activities.**
- ① **ID measures agencies can use to avoid, minimize, or mitigate adverse effects to listed species and or areas of designated critical habitat.**

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Emergency Response Phase:

- ④ Action agency should contact the Services as soon as practicable and identify –
 - ④ location of the activity
 - ④ need for the emergency response
 - ④ any listed resources that *may be* in the area
 - ④ description of all anticipated activities.

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Post-Response Phase:

- ① Initiate formal consultation if appropriate
- ① If formal consultation needed, provide:
 - ① A description of the emergency (provided during the informal consultation phase);
 - ① A justification for expediting the consultation (provided during the informal consultation phase); and

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Post-Response Phase (cont.):

- ④ If formal consultation needed, provide:
 - ④ An evaluation of the emergency and the effects of the response to the emergency on listed species and their habitats
 - ④ A description of how the Services' recommendations (if any) were implemented, and the results of their implementation in terms of minimizing the effects of any take.

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(summary)

Agency responsibilities:

- ① do not delay response actions
- ① contact the Services when the nature of the emergency is known
- ① explain why it is an emergency
- ① implement, to the degree possible, the Service's initial recommendations
- ① after the emergency has ended, continue consultation as appropriate

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(summary)




Services' responsibilities:

- 🌐 do not impede response efforts
- 🌐 establish procedures to define how each office should handle emergencies
- 🌐 offer recommendations to minimize the effects of the emergency action on the listed species
- 🌐 notify the Federal agency if jeopardy is likely

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(summary)

Services' responsibilities, (cont.):

-  follow verbal recommendations with a written document as soon as possible
-  notify the Regional Office
-  at conclusion of emergency response, complete a Biological Opinion, if necessary

QUESTIONS?

