

## **11.0 Cumulative Effects**

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### Chapter Summary

- Cumulative effects are effects of future state or private activities that are reasonably certain to occur within the action area.
- Cumulative effects discussions are included only in BAs that require formal consultation, i.e., those with *likely to adversely affect* (LTAA) effect determinations for one or more listed species or designated critical habitats.
- The cumulative effects of a proposed action do not contribute to the definition of the action area.
- Effect determinations for a project are not influenced by cumulative effects.
- The action area defines the geographic scope of the cumulative effects analysis.

This brief chapter discusses the importance of differentiating between cumulative effects and delayed consequences. As defined in PART 3, GLOSSARY AND ABBREVIATIONS, cumulative effects are the effects of future state or private activities that are reasonably certain to occur within the action area. (This definition of cumulative effects is different from the one provided under NEPA.) Cumulative effects discussions are included only in BAs that require formal consultation, i.e., those with LTAA effect determinations for one or more listed species or designated critical habitats.

If development occurring in the project vicinity cannot be attributed to or linked to the project (i.e., is not demonstrably interrelated or interdependent) and this is verified by local planners or officials, the subsequent developments are not delayed consequences of the proposed project and should be addressed in a cumulative effects analysis.

The cumulative effects of a proposed action do not contribute to the definition of the action area. The action area is defined by the limits of direct effects and delayed consequences of the proposed action and also from interdependent and interrelated activities. Therefore, the effect determinations for a project are not influenced by cumulative effects, even if the cumulative effects occur within the action area. The purpose of the cumulative effects analysis is to aid the USFWS and NMFS in making jeopardy and no jeopardy calls for a species, in preparing biological opinions, and in tracking the environmental conditions throughout a general area.

Based on the regulatory definition, the following features are important in constructing a cumulative effects analysis:

- Focus on the effects on species and critical habitat. In the cumulative effects section, make sure to explain what the effects (e.g., increased sediment) of the future activity (e.g., grazing riparian areas on private land) will mean for the listed species (e.g., poor quality spawning habitat reducing egg survivability).
- To the extent ongoing activities have occurred in the past and are currently occurring, their effects should be included in the baseline (whether they are Federal, state, or private). To the extent those same activities are reasonably certain to occur in the future (and are state or private), their future effects should also be included in the cumulative effects analysis.
- In determining whether an activity or effect is reasonably certain to occur, focus on the extent to which it is contingent on decisions or events yet to occur.
- BA authors should review readily available documentation about a project and the general project location for information relevant to cumulative effects – for example, NEPA documentation, Recovery Plans, and perhaps state and local government websites. If it appears that there are no cumulative effects, it is important to explain why you reached that conclusion. In some cases, this may be an explanation about where you looked. In other cases, it could be that available information showed that there would be a federal nexus for future activities

