

U.S. Fish & Wildlife Service

Introduction to the Endangered Species Act

Endangered Species Program, March 2003

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1973 Endangered Species Act

- Allow protections for all species
- Protects habitats as well as species
- Joint authority given to Fish & Wildlife Service and NOAA– Fisheries

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Desert tortoise habitat

American alligator

Atlantic Canada goose

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The Endangered Species Act

Section 2: Findings and Purposes
 Section 3: Definitions
Section 4: Listing, Critical Habitat Designation, Recovery, Monitoring
 Section 5: Land Acquisition
 Section 6: Financial Assistance to States and Territories
Section 7: The Role of Federal Agencies
 Section 8: International Cooperation
 Section 8A: Convention Implementation
Section 9: Unlawful Activities
Section 10: Exceptions, including Permits
 Section 11: Penalties and Enforcement

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Key Definitions

Section 3

Endangered Any species in danger of extinction throughout all or a significant portion of its range

Threatened Any species likely to become endangered in the foreseeable future

Critical Habitat Specific geographic areas with physical and biological features essential to the conservation of a listed species

West Indian manatee

Oregon silverspot butterfly

Critical habitat

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Candidate Species

Section 4

Species that warrant listing but are precluded by higher workload priorities are placed on a candidate species list.

The Fish & Wildlife Service has developed programs to conserve and recover candidate species awaiting ESA protection.

The northern sea otter is a candidate for listing.

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Listed Species by State

Other Pacific Islands: 17

Hawaii: 312

Puerto Rico: 75

U.S. Virgin Islands: 14

December 2002

Endangered and threatened species are found throughout the United States. More than 1200 species of fish, wildlife, and plants are currently listed.

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Critical Habitat Section 4

- Process for designating critical habitat is the same as listing process.
- Use best scientific and commercial data to identify areas essential to the conservation of a species and that may require special management consideration or protection.
- Economic impact analysis required and areas may be excluded from protection based on analysis.
- Critical habitat designation does *not* create a park or preserve.

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Recovery Section 4

Goals

- Reduce or eliminate threats to listed animals and plants
- Restore self-sustaining wild populations
- Remove species from the list



Whooping crane, a recovering species
Photo by Karen Hollingsworth

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Recovery Section 4

Recovering listed species requires actions on the part of the Fish and Wildlife Service and other Federal agencies.

States and private landowners are critical recovery partners. The Fish and Wildlife Service assists them through grants and other incentives.



The Los Angeles Zoo's captive breeding program raises California condors for release into the Ventana Wilderness Area.

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Delisting Section 4

- Process for delisting is the same as listing process
- Delisting criteria identified in the species' recovery plan
- Recovered species monitored for five years



American peregrine falcon, delisted in 1999

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Cooperation with the States Section 6

- Recognizes States' key role in conserving wildlife and plants
- Provides funding to States with which the Fish and Wildlife Service has cooperative agreements



Six states have received funding to monitor and manage reintroduced black-footed ferrets.
Photo by Fort Belknap Fish and Wildlife Department

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Consultations Section 7

Federal agencies are required to:

- conduct programs to conserve endangered and threatened species
- ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of listed species or adversely modify critical habitat

If agency action **may affect** a listed species or critical habitat, the agency must consult with the Fish and Wildlife Service.

Private individuals are affected by Section 7 when their action needs a Federal permit or funding.

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Consultations Section 7

Informal Consultations

- Evaluate action and potential effects on species and habitat
- If there are ways to avoid adverse effects, action may be modified.

The Corps of Engineers consults with the Fish and Wildlife Service about beach projects that "may affect" listed sea turtles.



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Consultations Section 7

Formal Consultations

If adverse effects appear unavoidable, the Federal agency initiates formal consultation:

- Relies on more detailed descriptions and other relevant studies, proposal reports, etc.
- Up to 90 days of consultation, followed by 45 days to produce a "biological opinion"

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Conducting "No Effect" Review for Federally Listed Species

Jody Millar
US Fish & Wildlife Service
Rock Island, Illinois

Species that may be present in **Prairies**



Eastern Prairie Fringed Orchid
Threatened in Iowa and Illinois





Species that may be present in

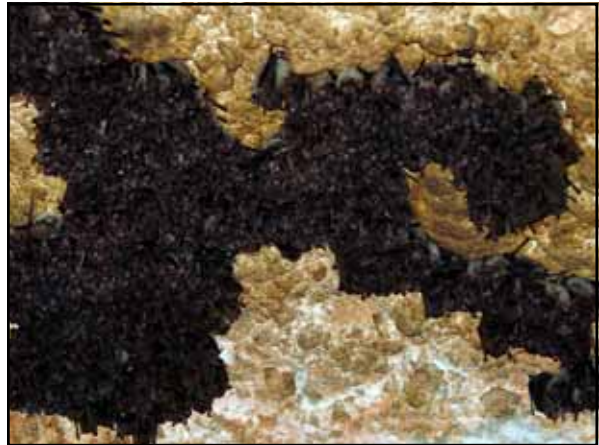
Woodlands



Gray Bat
Endangered in Illinois



Indiana Bat
Endangered in Iowa and Illinois



Bald Eagle
Threatened in Iowa and Illinois
Proposed for De-listing



Species that may be present in

Streams



Topeka shiner

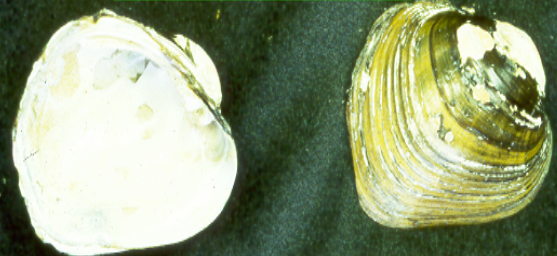


Species that may be present in

Big Rivers



Higgin's Eye Mussel



Endangered in Iowa and Illinois

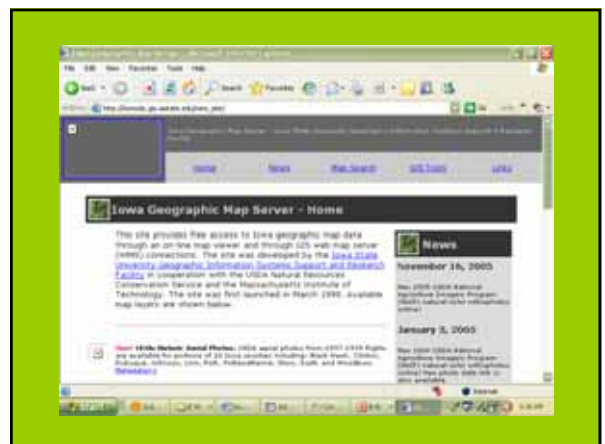


Sheepshead

Pallid Sturgeon

Endangered in Iowa and Illinois



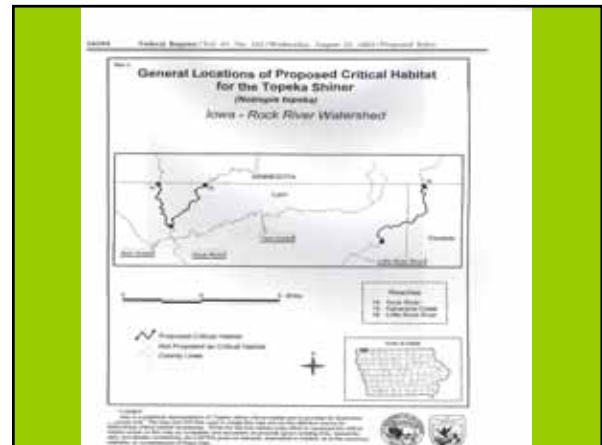
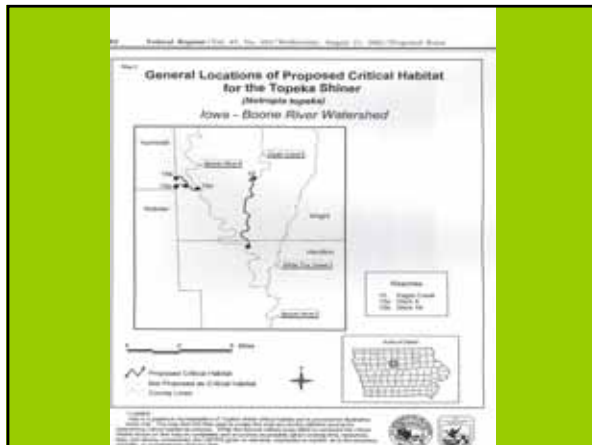
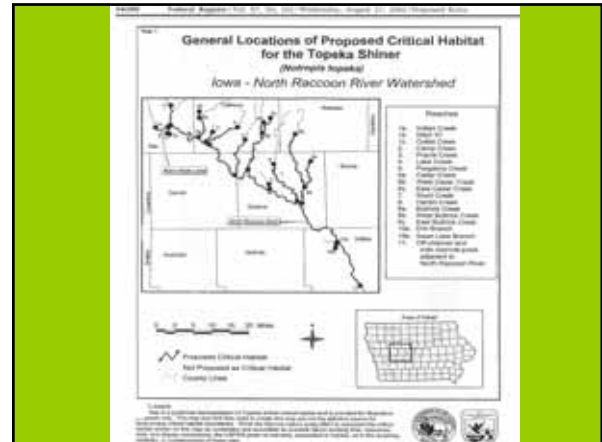


Species that may be present in

Streams

*Topeka shiner

If project is in Topeka shiner waters, contact USFWS & IDNR



Species that may be present in

Prairies

- Prairie Fringed Orchid
- Prairie Bush Clover
- Mead's Milkweed
- Butterflies, Snakes

Prairies/ grasslands/ pasture

NOT:

Lawns, row crops, highway ROW

