



NOAA
FISHERIES

An Introduction to the Endangered Species Act

What is the Endangered Species Act?

Purposes:

- provide a means whereby the **ecosystems** upon which endangered species and threatened species depend may be conserved
- provide a program for the **conservation** of such endangered species and threatened species...

- Section 2(b) of the Endangered Species Act

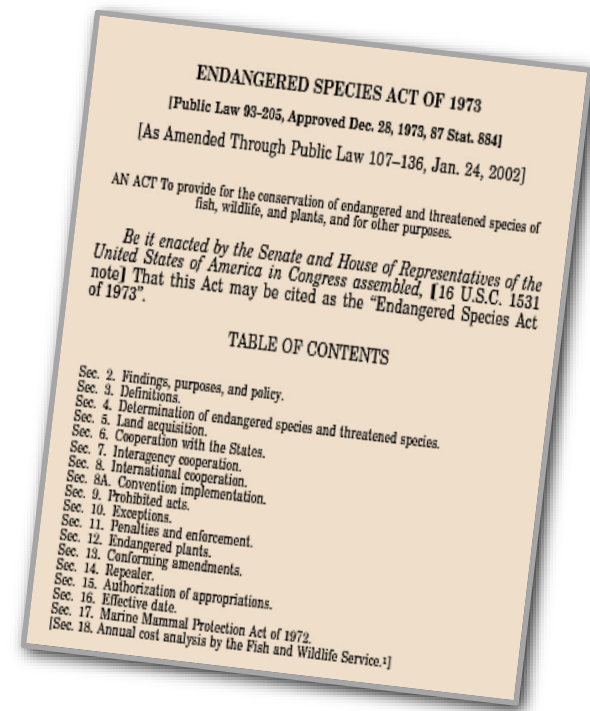
Administered by:



~165



~2,226 species



ESA-listed marine species along the West Coast

53 listed species

28 salmonids

- North American green sturgeon
- Eulachon (Columbia River smelt)
- Bocaccio
- Yelloweye rockfish
- Guadalupe Fur Seals
- Black Abalone
- White Abalone
- Giant Manta Ray

Blue Whales

Fin Whales

- Mexico Humpback Whale
- Central American Humpback Whale
- Northern Pacific Right Whales
- Western North Pacific Gray Whales
- Sei Whales
- Southern Resident Killer Whales

Sperm Whales

- Scalloped hammerhead shark
- Oceanic White tip shark
- Gulf Grouper

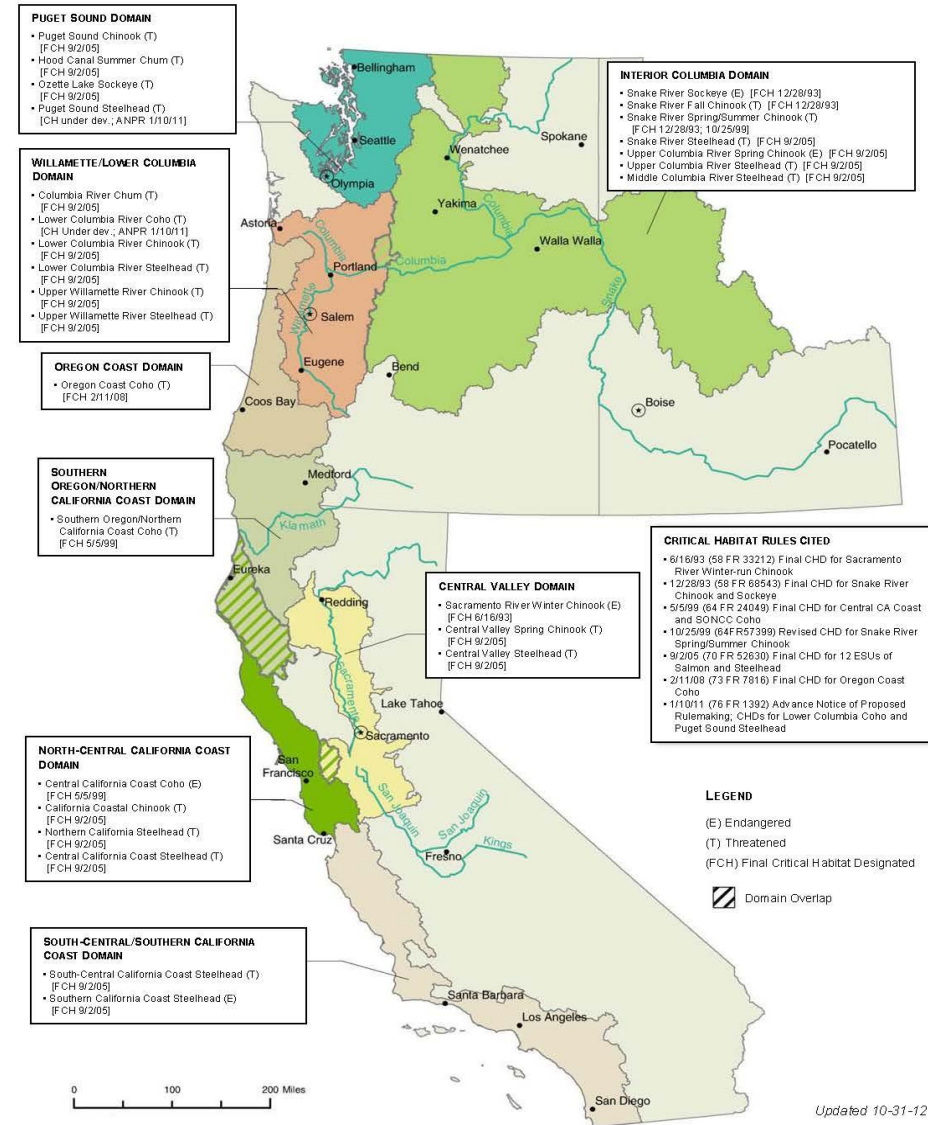
Leatherback sea turtle

- Green sea turtle
- Olive ridley sea turtle
- Loggerhead sea turtle
- Hawksbill sea turtle

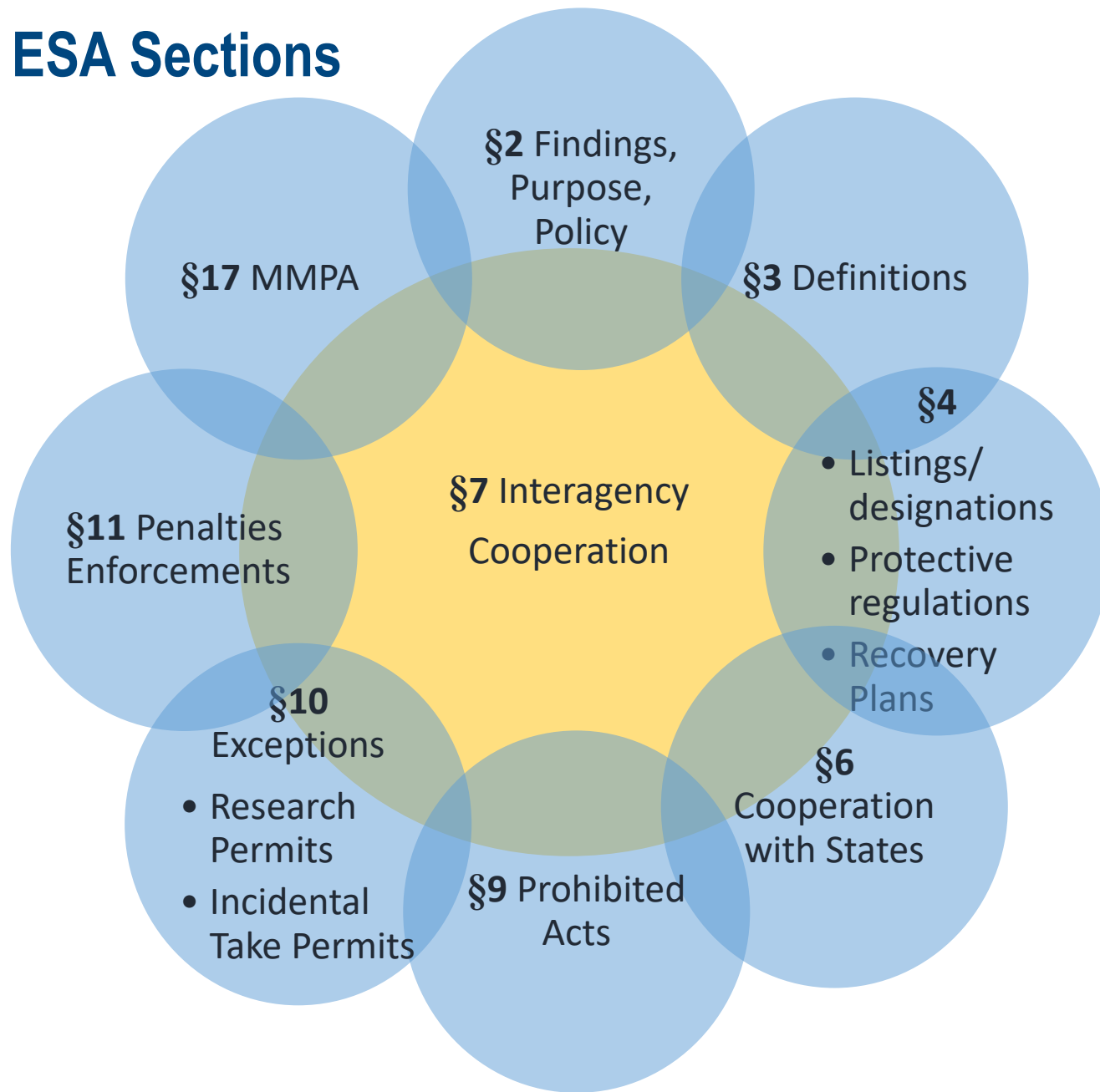
9 whales

5 sea turtles

Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead



Select ESA Sections



ESA §2

Policy of the ESA

All Federal departments and agencies shall

- seek to conserve endangered species and threatened species
- use their authorities in furtherance of the purposes of this Act



NOAA Fisheries typically consults with these agencies

ESA §3

Key Definitions

Conserve, conserving, conservation

use and the use of all methods and procedures necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary, i.e., the species is recovered.



ESA §4

Listing and Recovery

Prescribes the determinations the Services must make and the procedures the Services must follow to list a species or to designate critical habitat



Endangered Species: “any species which is *in danger of extinction* throughout all or a significant portion of its range...”

Threatened Species: “any species which *is likely to become an endangered species* within the foreseeable future throughout all or a significant portion of its range.”

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

ESA §4: What Factors are Considered in Listings?



1. Present or threatened destruction, modification, or curtailment of its habitat or range
2. Over-utilization for commercial, recreational, scientific, or educational purposes
3. Disease or predation
4. The inadequacy of existing regulatory mechanisms
5. Other natural or man-made factors affecting its continued existence.

ESA §4: What is Designated Critical Habitat?

The specific areas within the geographic area,

- occupied by the species at the time it was listed,
- that contain the physical and biological features that are essential to the conservation of endangered and threatened species and
- that may need special management considerations or protection.

Critical habitat may also include areas that were not occupied by the species at the time of listing but are essential for conservation



After ESA listings, “critical habitat” must be designated.
ESA prohibits “destruction or adverse modification” of critical habitat

ESA §7(a)(2)

Each Federal Agency

shall insure that any action authorized, funded, or carried out



in whole or in part is not likely to

Jeopardize species

or

Adversely modify Critical Habitat



BUREAU OF RECLAMATION



US Army Corps of Engineers



U.S. Fish & Wildlife Service, Department of the Interior



Bureau of Land Management, Department of the Interior



Federal Energy Regulatory Commission, Department of Energy



US Forest Service, Department of Agriculture



Department of Defense



FEMA, Department of Homeland Security



U.S. Department of Transportation, Federal Highway Administration



Environmental Protection Agency



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NOAA Fisheries typically consults with these agencies

Prohibitions under section 9 of the ESA:

Take within the U.S., the U.S. territorial sea, or upon the high seas.

What is “Take”?

To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct

- ESA §3(19)

What is “Harm”?

an act **which actually kills or injures** fish or wildlife

may include significant **habitat** modification or degradation **where it actually kills or injures** fish or wildlife

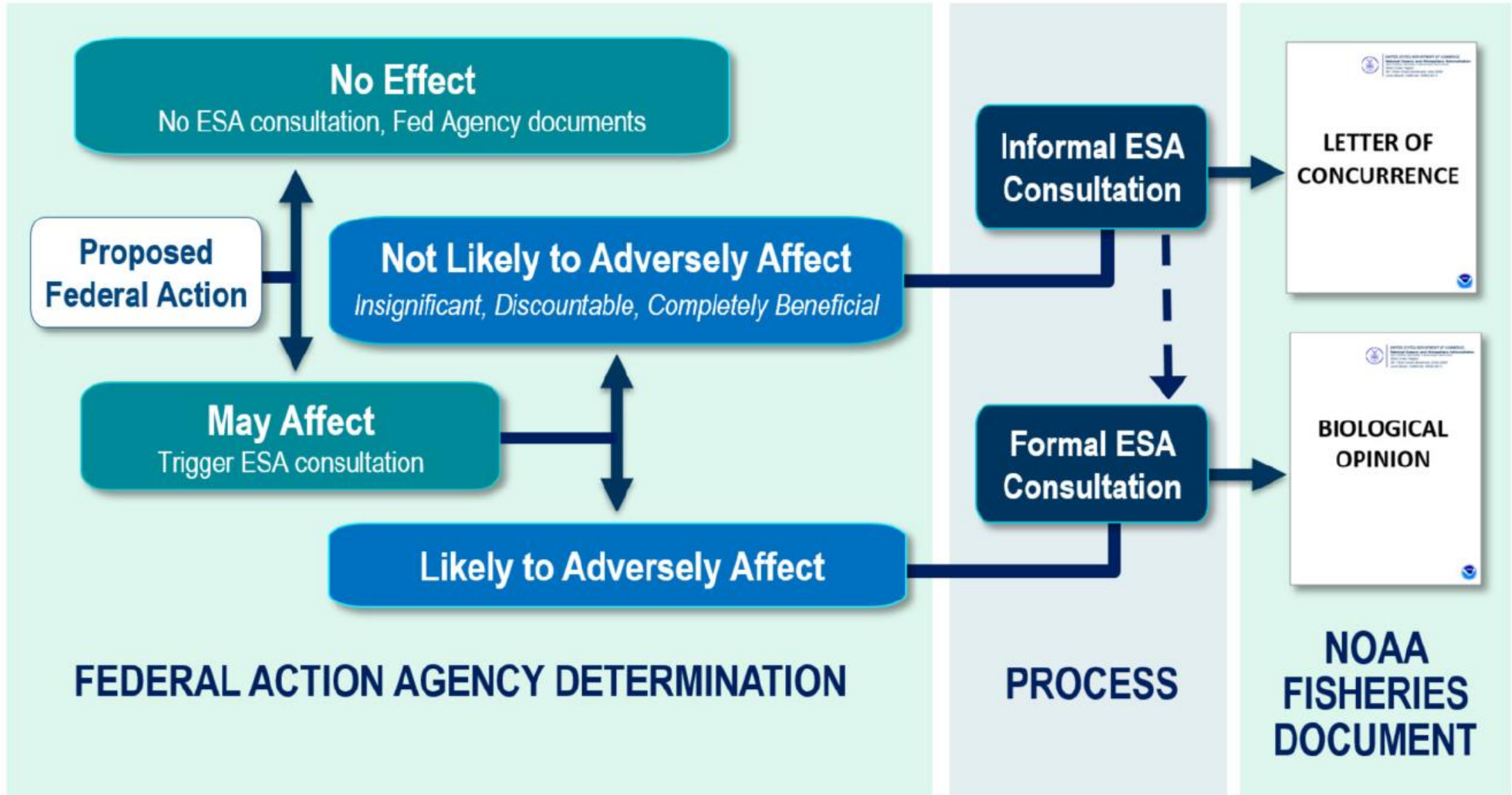
by **significantly impairing essential behavioral patterns**, including breeding, spawning, rearing, migrating, feeding or sheltering.

What is “Harass”?

NMFS interim guidance:

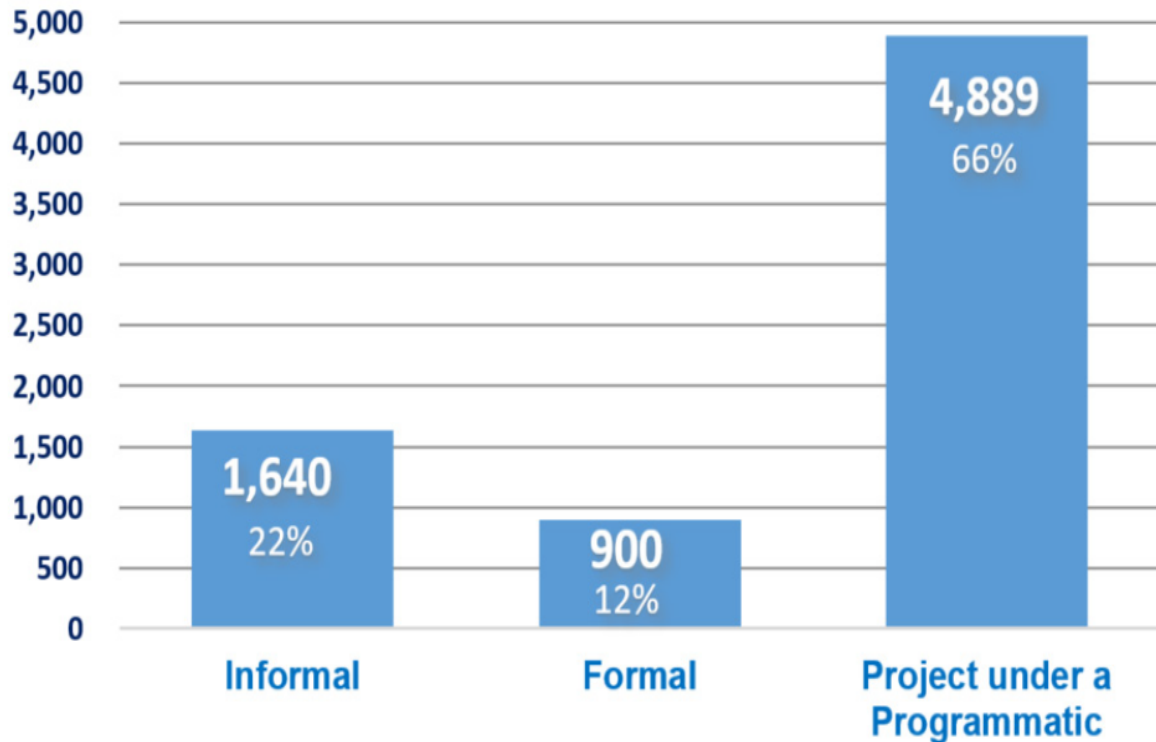
Create the **likelihood of injury** to wildlife by annoying it to such an extent as to **significantly disrupt normal behavioral patterns** which include, but are not limited to, breeding, feeding, or sheltering

The ESA Section 7 Consultation Process

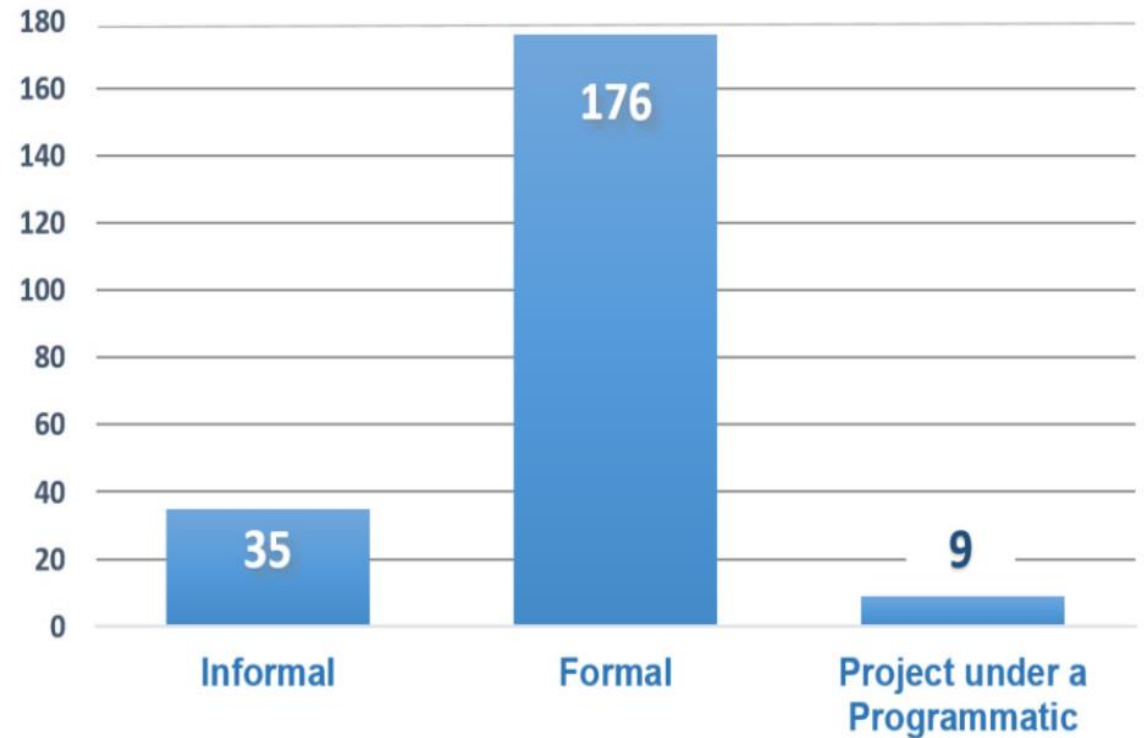


NMFS Section 7 consultations

Total Number of WCR ESA Section 7 Consultations, FY16-20



Mean Days to Complete WCR ESA Section 7 Consultations, FY16-20



Section §4(f) Recovery Plans



NOAA FISHERIES | West Coast Region
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

West Coast Region Home » Salmon & Steelhead » Recovery Planning

SALMON RECOVERY

RECOVERY ACTION MAPPING TOOL
CLICK HERE

Recovery Plans & Supporting Documents

NOAA Fisheries has adopted 10 recovery plans. Recovery plans for Snake River basin species, Oregon Coast coho salmon, and several California salmon and steelhead species are under development. Recovery plans and supporting documents are available below. For additional documentation and information about recovery planning in particular areas, please click on the appropriate [geographic recovery area](#).

| Recovery Plans | Publications |
|---|---|
| Puget Sound Chinook salmon, Hood Canal Summer-run chum salmon, and Puget Sound steelhead Recovery Plans | Regional Guidance for Monitoring Recovery Efforts |
| Lake Ozette sockeye salmon Recovery Plan | Columbia River Hydropower Module |
| Upper Columbia River Spring-run Chinook salmon and Upper Columbia steelhead Recovery Plan | Estuary Recovery Plan Module |
| Middle Columbia River steelhead Recovery Plan | |
| Lower Columbia River Chinook salmon, Lower Columbia River coho, Columbia River chum salmon and Lower Columbia River steelhead Recovery Plan | |
| Upper Willamette River Chinook salmon and Upper Willamette River steelhead Conservation and Recovery Plan | |
| Oregon Coast coho salmon Recovery Plan | |
| Southern Oregon/Northern California Coast coho salmon Recovery Plan | |

How do I?
• Contact the West Coast Region
• Learn more about ESA Section 7 consultations
• Learn more about the Pacific Coastal Salmon Recovery Fund
• Log into my IFQ account
• Find a biological opinion
• Report a stranded or entangled marine mammal
• Report a violation
• Find grant opportunities

- Recovery plans are non-regulatory documents that describe, justify, and schedule **the research and management actions** necessary to support recovery of a species.
- **Developed with** Federal, State, Tribal, local governmental, non-governmental, and other interested parties.
- If successfully implemented, listed species are **reclassified** from endangered to threatened or are **delisted** and removed from ESA protections.