



# Endangered Species

*Endangered Species are all species, including plants and animals (with the exception of pest insects) whose population has decreased to such a small number that they are at risk of becoming extinct.*

## ENDANGERED SPECIES ACT:

The purpose of the ESA is to protect or recover species and their ecosystems that are at risk of extinction. The ESA has 2 categories of classification: **Endangered-** is for species that are in danger of extinction throughout all or a significant portion of its area. **Threatened** is for species that are likely to become endangered within the near future.

## HOW DO SPECIES MAKE THE ENDANGERED LIST?

Under section 4 of the ESA, species are classified as endangered or threatened solely on their biological status and threats to their existence.

The Fish and Wildlife Service (FWS) use 5 factors to evaluate a species listing;

- Damage or destruction of a species' habitat
- Overutilization of the species for commercial, recreational, scientific, or educational purposes.
- Disease or predation
- Inadequacy of existing protection
- Other natural or manmade factors that affect its survival

When one or more of these factors jeopardize the survival of a species, the FWS takes action to protect it, by placing

the species on a "candidate" species list. Here the FWS works with states, tribes, private landowners and other federal agencies to carry out conservation and prevention actions to reduce and possibly eliminate listing.

## HOW DOES THE ESA PROTECT?

The ESA protects endangered and threatened species and their habitat by prohibiting the "take" and "harm" of listed animals. The definition of *take* is "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." *Harm* is defined as "an act which actually kills or injures wildlife; which includes habitat modification or degradation that can lead to the death of wildlife such as, significantly impairing essential behavioral patterns such as, breeding, feeding, and sheltering".

## ESA LEGAL TERMS

**Section 4 of ESA-** This section deals with listing and recovery of species, and designation of critical habitat.

**Critical Habitat-** is a specific geographic area that is important to the conservation and management of listed species. This does not always mean that a critical habitat area has listed species occupying it.

**Section 7 of the ESA** – This section requires all involved federal agencies, to insure that their actions are not likely to jeopardize the listed species or result in destruction or deterioration of critical habitat.

**Biological Assessment**-A document prepared by action agency for the Section 7 processes to determine whether a proposed major construction activity is likely to adversely affect listed species, proposed species, or designated critical habitat.

**Biological Opinion**- A document that is the product of formal consultation, stating the opinion of the FWS on whether or not a Federal action is likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat.

**Applicant Status:** If the agency determines that issuing grazing permits requires consultation in accordance with Section 7. The grazing permittee will be notified and can ask the action agency for applicant status; this gives them the opportunity to review the draft of biological opinion.

**Consultation:** All Federal agencies must consult with the U.S. Fish and Wildlife Service when any activity permitted, funded or conducted by that agency may affect a listed species, critical habitat, or could jeopardize proposed species or critical habitat. There are 2 stages of consultation- informal and formal.

**Informal Consultation:** This is any form of communication between the Federal action agency, applicant, or designated non Federal representative and the FWS to determine if listed species may occur in the action area and what the effects of the action may be to such species.

**Habitat:** A location where a particular plant or animal lives- including non living and living organisms.

**Incidental Take:** Is when there is harm towards a listed species under federal statutes. This occurs when a species is harmed during otherwise lawful activities.

**Incidental Take Permit:** Is required when you are engaged in an otherwise lawful activity where a listed species may be adversely affected, and the purpose of your activity is not scientific research or enhancement of a listed species.

**Safe Harbor Agreement (SHA):** A voluntary agreement between private or other non-Federal property owners and the FWS to contribute to the recovery of species listed as threatened or endangered.

**Candidate Conservation Agreement (CCA):** Voluntary agreement between FWS and one or more public or private parties, who are working together to identify threats to candidate species, plan the measures needed to address the threats and conserve these species, identify willing landowners, develop agreements, and design and implement conservation plans and monitor.

Brought to you by: The Idaho Rangeland Resource Commission in partnership with: Idaho Fish and Wildlife Service's website. <http://www.fws.gov/endangered/laws-policies/index.html>