



# **Status of ESA Petitions and Status Reviews**

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## Presentation Outline

- **WHAT** is the purpose of section 4 of the Endangered Species Act (ESA)?
- **PROCESS** to list species under the ESA?
- **HOW** are these species protected by the ESA?
- **UPDATE** on the status of ESA petitions and status reviews in the Pacific Islands region.

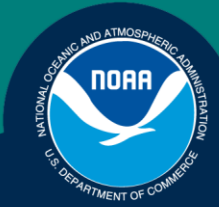


## Endangered Species Act (1973):

Protect critically imperiled species from extinction as a  
“consequence of **economic growth & development**  
untempered by adequate concern & conservation.”

– Richard Nixon





## Section 4 – Determination of E & T species:

- Listing, delisting, critical habitat & recovery planning/implementation
- Provides **protection & conservation benefits** that may assist in the recovery of species

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# PROCESS? (To protect species\*)

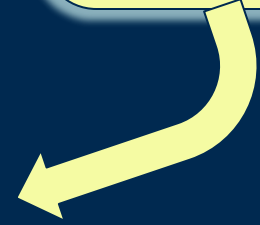


## ESA Rulemaking Process

(i.e., listing,  
delisting & critical  
habitat revisions /  
designations)



Or NMFS Proactively Initiates Status Review





## The ESA provides for listing

- species,
- subspecies, or
- distinct population segments (DPS) of vertebrate species.

A **DPS** - vertebrate population or group of populations that is

- discrete from other populations of the species **AND**
- significant in relation to the entire species.

(Remember this for later when we discuss the loggerhead & green sea turtle petition, false killer whale petition, etc.)





## HOW? (Are species protected)

Listed species are protected from  
“take” (unless specifically authorized):

- Harass
- Harm
- Pursue
- Hunt
- Shoot
- Wound
- Kill
- Trap
- Capture
- Collect
- Or to attempt to engage in any such conduct.



Examples of take  
(i.e., illegal activities)



## HOW? (Are species protected)

In addition to protecting a species from take, the ESA also requires the FEDERAL GOV'T to insure (via § 7) they do not:

**Authorize, fund, or carry out activities** that will adversely impact protected species & their habitat.



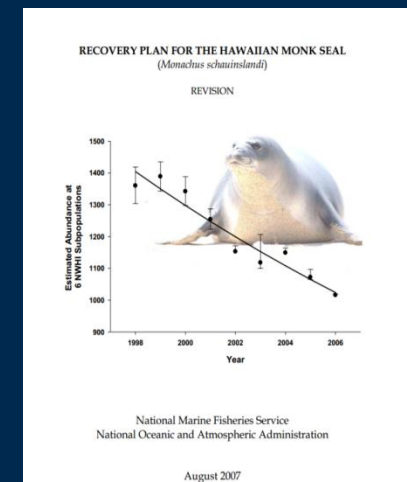
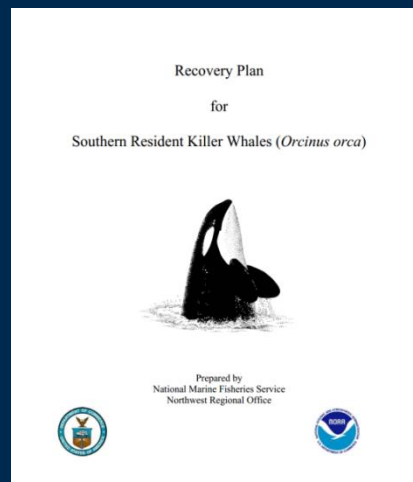
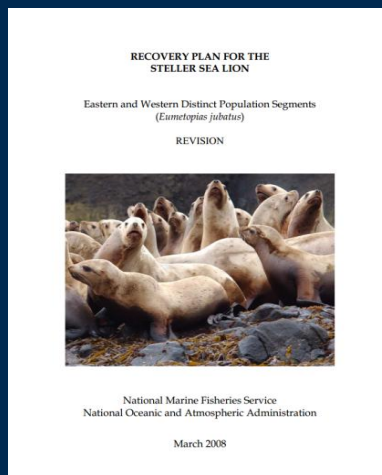


## HOW? (Are species protected)

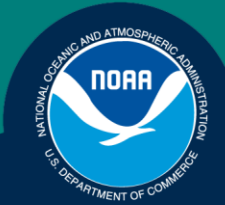
Once a species is listed, a recovery plan is then developed.

### RECOVERY PLAN GOAL:

The **maintenance of secure, self-sustaining wild populations** with minimum necessary investment of resources.



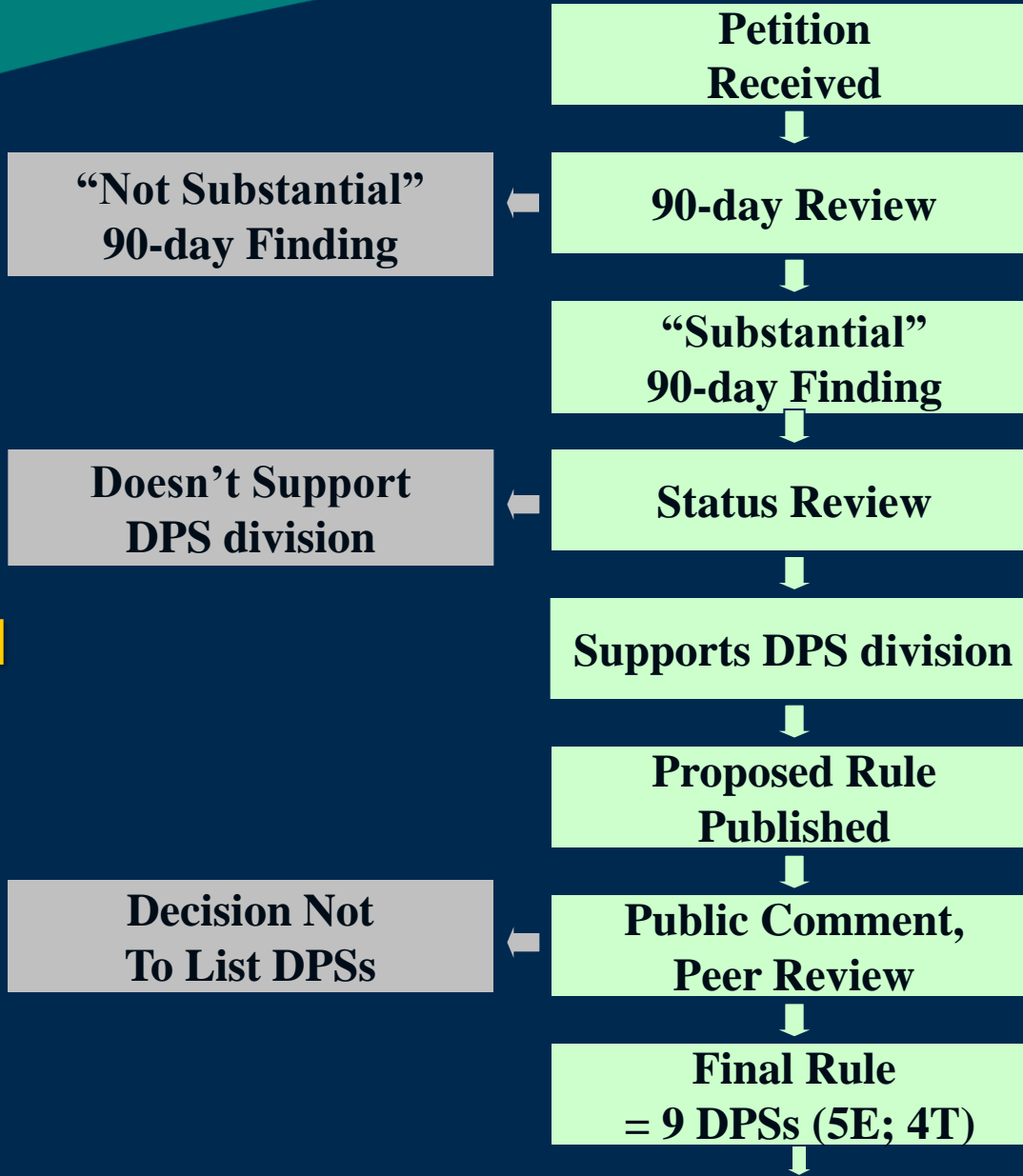
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# **Status of ESA Petitions and Status Reviews in the Pacific Islands Region**



Rec'd 7/12/07  
from CBD &  
Turtle Island  
Restoration  
Network



# Loggerhead Sea Turtle

(classify as  
DPSs)



3/16/10

9/22/11;  
E in N. Pac



**Final Rule**  
= 9 DPSs (5E; 4T)

**We are here**  
9/22/11;  
E in N. Pac

**Proposed Rule CH**

**Public Comment,  
Peer Review**

**Final Rule CH**

## Loggerhead Sea Turtle

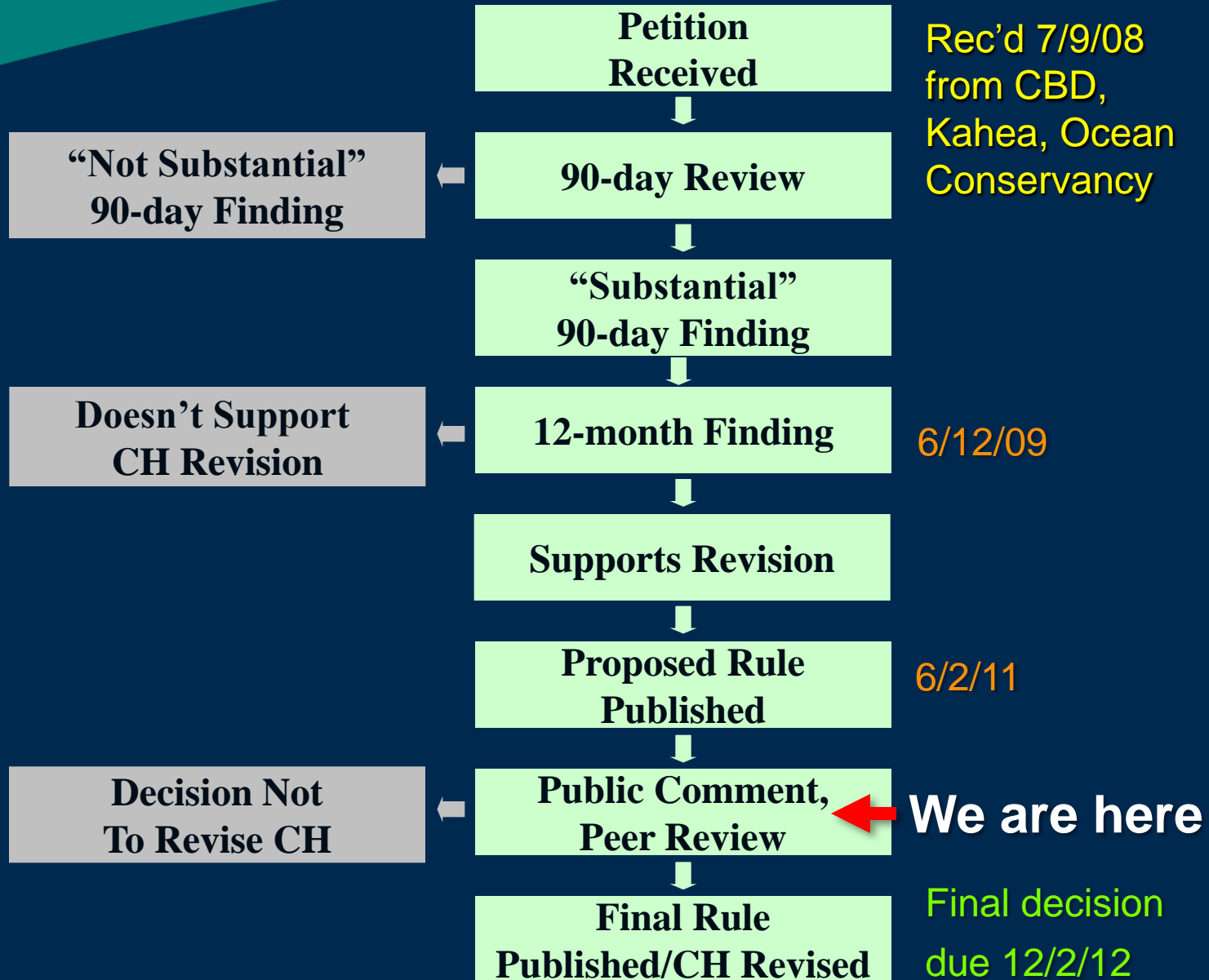
(classify as  
DPSs)

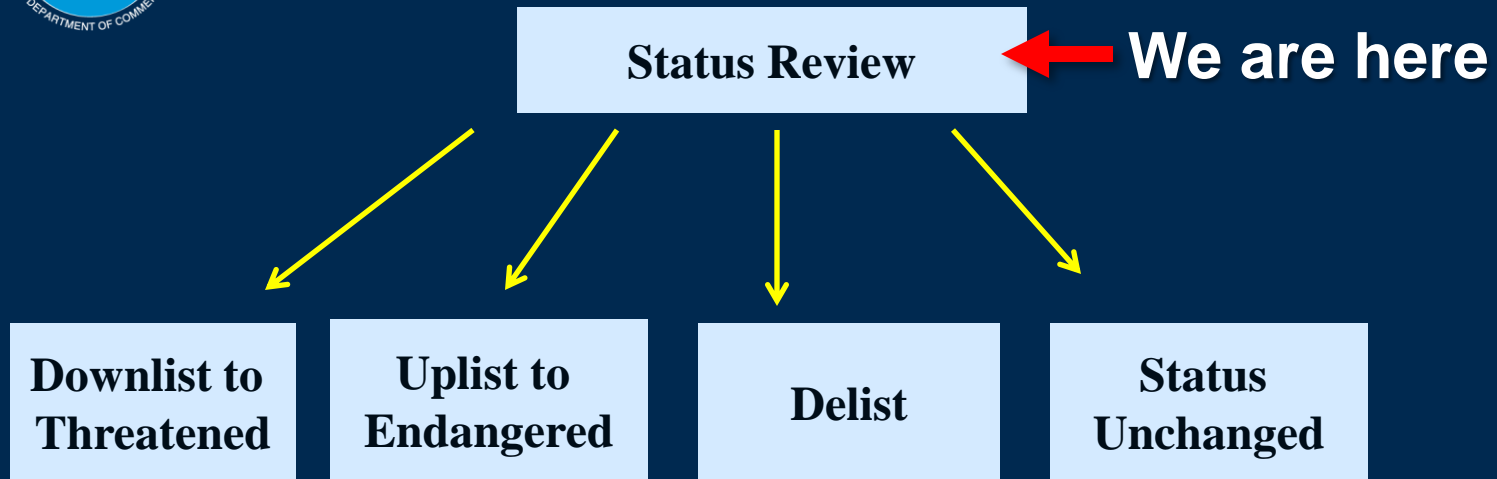
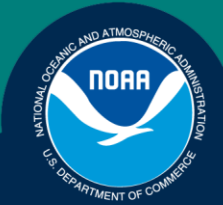




# Hawaiian Monk Seal

(revise critical habitat)





## Humpback Whale



Humpback Whale Global Status Review =  
is endangered listing still adequate?





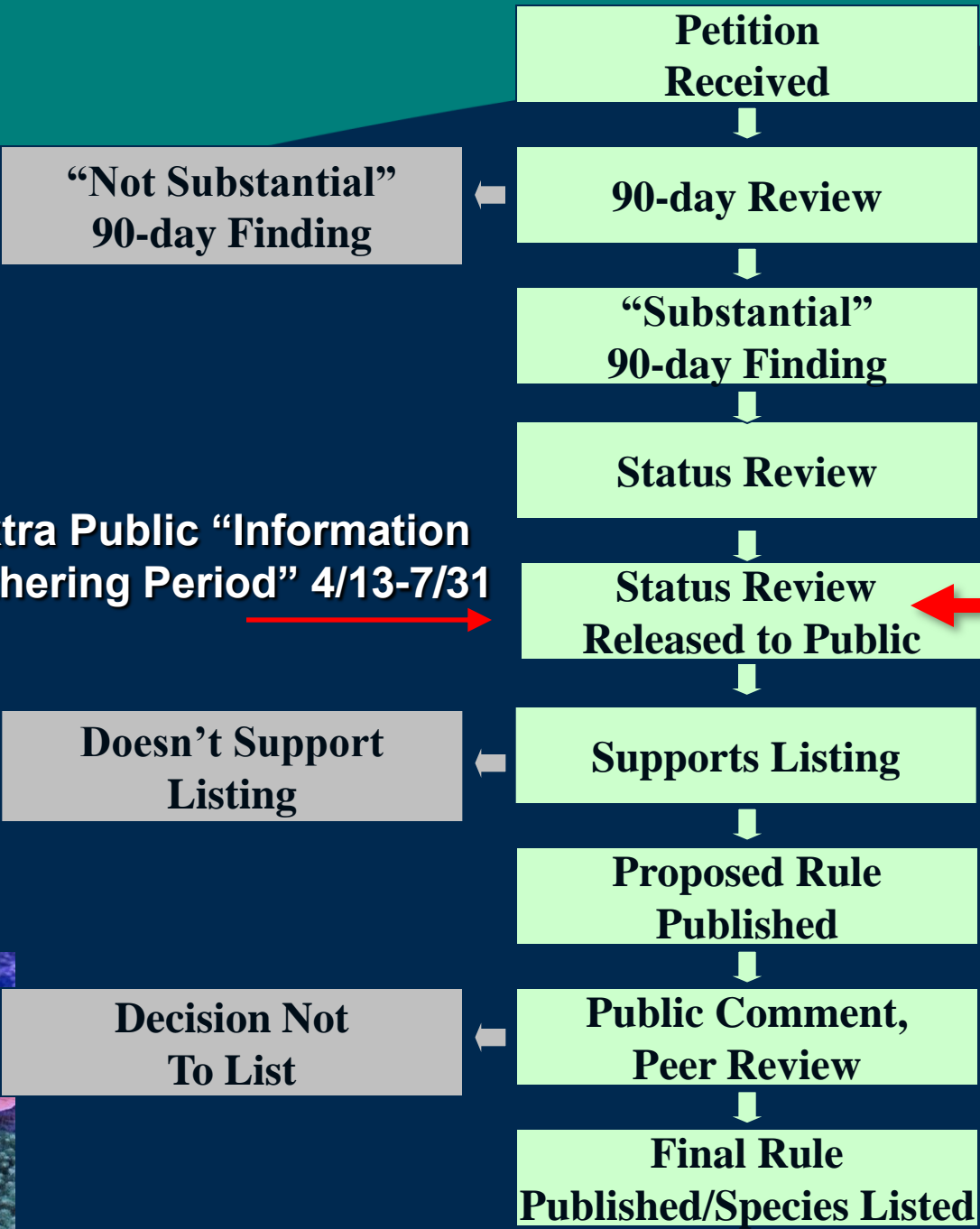
# False Killer Whale

(classify  
Hawaiian insular  
population as a  
DPS)





Rec'd 10/20/09  
from CBD



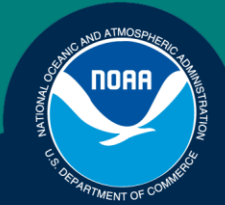
Extra Public "Information Gathering Period" 4/13-7/31

We are here

Decision whether to propose listing any species is due 12/1/12

**82 Corals**  
(75 in Pacific;  
9 in Hawaii;  
66 in U.S.  
Territories)





Rec'd 1/4/10  
from WEG



**We are here**

# Bumphead Parrotfish





Rec'd 8/15/11  
from WEG



**We are here**

# Scalloped Hammerhead Shark

(classify as 5 DPSs)



Initiated by  
NMFS 2/3/12



Status Review

Downlist to  
Threatened

Uplist to  
Endangered

Delist

Status  
Unchanged



Global status remains  
endangered as of 6/27/12

Sei  
Whale





**Green Sea Turtle**  
(classify Hawaiian green sea turtle as a DPS & delist)



Rec'd 2/15/12  
from Assoc. of  
Hawaiian Civic  
Clubs

8/1/12

**We are here**





Rec'd 6/21/12  
from WEG & on  
8/10/12 from  
Oceana, CBD &  
Shark Stewards

**We are here**

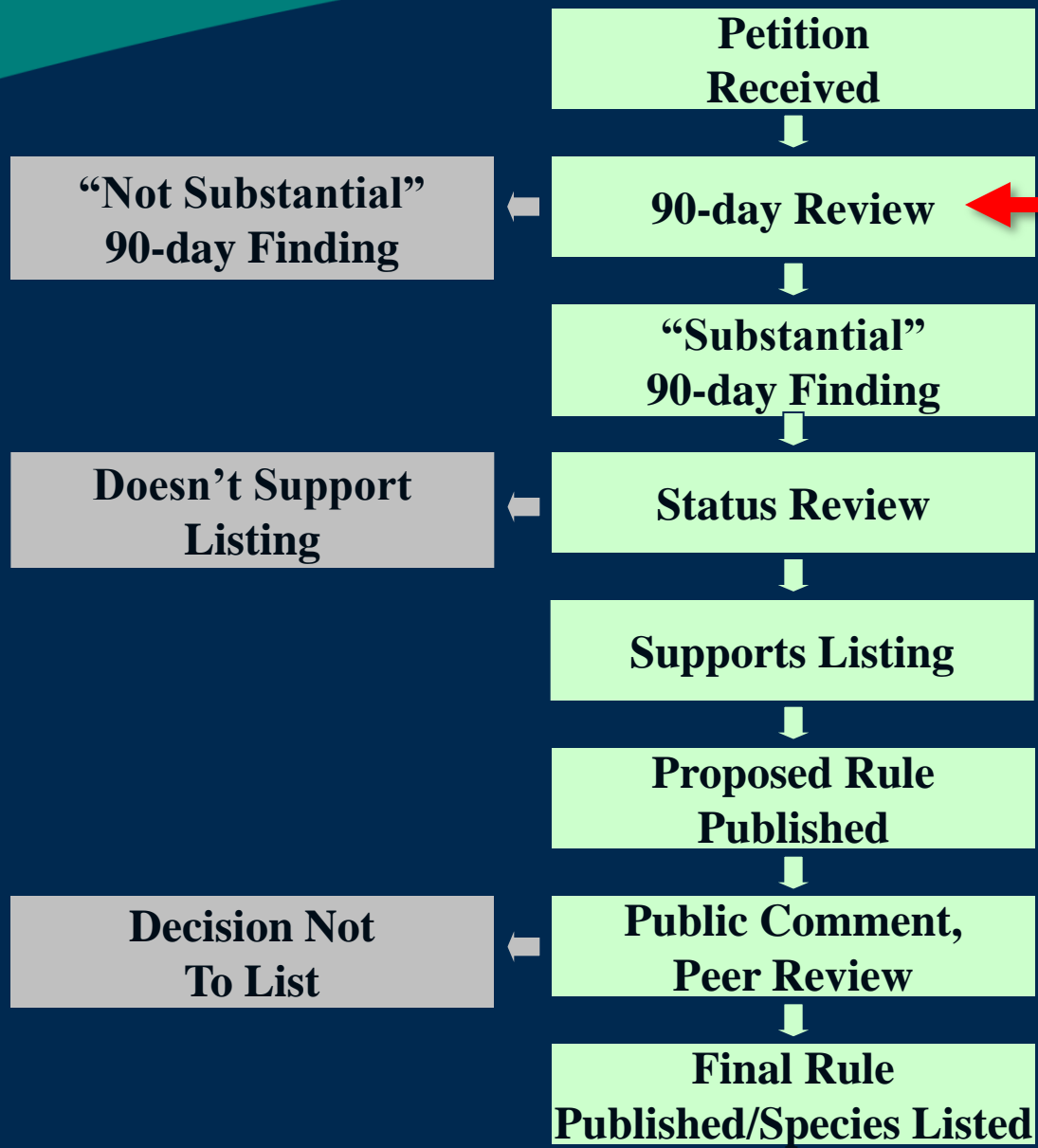


**Great White Shark**  
(classify NE Pacific population as a DPS)





Rec'd 9/13/12  
from CBD

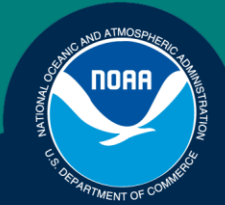


**We are here**

**8 Reef Fish Species**  
(1 clownfish & 7 damselfish)



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# Questions?

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