

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of Interagency Cooperative Policy for the Ecosystem Approach to the Endangered Species Act

AGENCIES: Fish and Wildlife Service, Interior, and National Marine Fisheries Service, National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of policy statement.

SUMMARY: The Fish and Wildlife Service and National Marine Fisheries Service (hereafter referred to as Services) announce interagency policy to incorporate ecosystem considerations in Endangered Species Act actions regarding listing, interagency cooperation, recovery and cooperative activities.

EFFECTIVE DATE: July 1, 1994.

SUPPLEMENTARY INFORMATION:

Background

A primary purpose of the Act (section 2(b)) is "to provide a means whereby the ecosystems upon which endangered or threatened species depend may be conserved. . . ."

Section 5(a) authorizes the establishment and implementation of a program to conserve fish, wildlife, and plants, including those which are listed as endangered or threatened. Section 6 authorizes partnerships with the States to develop cooperative programs for the conservation of endangered and threatened species. Section 7(a)(1) obligates all Federal agencies to utilize their authorities to further the purposes of the Act by carrying out programs for the conservation of endangered and threatened species.

Section 8 encourages partnerships with foreign countries to provide for conservation of fish or wildlife and plants. Section 10 conservation planning provides opportunities for ecosystem-level resource protection with non-federal partners to address concerns of threatened and endangered species.

Success of ecosystem management will depend on the cooperation of partners, (federal, state, and private). Setting new internal standards for teamwork and communication between regions and other agencies will be emphasized to support an ecosystem approach to species conservation. Species will be conserved best not by a species- by-species approach but by an ecosystem conservation strategy that transcends individual species. The future for endangered and threatened species will be determined by how well the agencies integrate ecosystem conservation with the growing need for resource use.

Policy

The purpose of this cooperative policy is to promote healthy ecosystems through activities undertaken by the Services under authority of the Endangered Species Act of 1973 (Act), as amended, and associated regulations in Title 50 of the Code of Federal Regulations. In the following endangered species activities, it is the policy of the Services to incorporate ecosystem considerations in Endangered Species Act activities in the following manner:

A. Listing

(1) Group listing decisions on a geographic, taxonomic, or ecosystem basis where possible. (2) Develop partnerships with other Federal, State, Tribal, and private agencies to conduct comprehensive status reviews across the entire range of candidate species.

B. Interagency Cooperation

(1) Develop cooperative approaches to threatened and endangered species conservation that restore, reconstruct, or rehabilitate the structure, distribution, connectivity and function upon which those listed species depend.

C. Recovery

(1) Develop and implement recovery plans for communities or ecosystems where multiple listed and candidate species occur.

(2) Develop and implement recovery plans for threatened and endangered species in a manner that restores, reconstructs, or rehabilitates the structure, distribution, connectivity and function upon which those listed species depend. In particular, these recovery plans shall be developed and implemented in a manner that conserves the biotic diversity (including the conservation of candidate species, other rare species that may not be listed, unique biotic communities, etc.) of the ecosystems upon which the listed species depend.

(3) Expand the scope of recovery plans to address ecosystem conservation by enlisting local jurisdictions, private organizations, and affected individuals in recovery plan development and implementation.

(4) Develop and implement agreements among multiple agencies that allow for sharing of resources and decision making on recovery actions for wide-ranging species.

D. Cooperative Efforts

(1) Use the authorities of the Act to develop clear, consistent policies that integrate the mandates of Federal, State, Tribal, and local governments to prevent species endangerment by protecting, conserving, restoring, or rehabilitating ecosystems that are important for conservation of biodiversity.

(2) Integrate research and technology development on conservation of endangered and threatened species with initiatives for management of ecosystems that serve many other uses.

(3) Prioritize actions and system monitoring schemes to meet specific objectives for genetic resources, species populations, biological communities, and ecological processes through carefully designed

adaptive management strategies.

(4) Integrate ecosystem-based goals of the Endangered Species Act with existing mandates under other environmental laws, such as the National Environmental Policy Act, Clean Water Act, Clean Air Act, Marine Mammal Protection Act, Magnuson Fishery Conservation and Management Act, and Fish and Wildlife Coordination Act.

Scope of Policy

The scope of this policy is Servicewide for all species of fish and wildlife and plants, as defined pursuant to section 3 under the Act (16 U.S.C. 1532) and for listing, recovery, land acquisition, interagency consultation, international cooperation, and permitting programs as outlined in, and to the extent consistent with the provisions of sections 4(a)(c), 4(e)(g), 7(a)(c), 8A(c), and 10(a) of the Act, respectively.

Authority

The authority for this policy is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

Dated: June 27, 1994.

Mollie H. Beattie,

Director, U.S. Fish and Wildlife Service, Department of the Interior.

Dated: June 24, 1994.

Rolland A. Schmitten,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

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