



# WILD Kids



## Protecting Endangered Species

The Endangered Species Act, passed in 1973, is the most powerful Act in Congress for the protection of plants and animals. This law is designed to protect plants and animals that are in danger of extinction, now or in the foreseeable future. An *endangered species* is any species which is in danger of extinction throughout all or a significant part of

its range. A *threatened species* is any species which is likely to become endangered within all or a significant part of its range. But, how do we know when a species is endangered? Who is responsible for protecting endangered species and how does the Endangered Species Act (ESA) provide protection?

### Who is responsible for endangered species?

The ESA authorizes The National Marine Fisheries Service to identify and list endangered and threatened marine species. The United State Fish and Wildlife Service (USFWS) is authorized to identify and list all other plants and animal species endangered or threatened in the United States and abroad.



### When is a species listed as endangered?

A species has to meet certain conditions before it is *listed* or added to the official “List of Endangered and Threatened Wildlife and Plants.” First, it has to be nominated. You might be surprised to find out that anyone can nominate a species for listing. To nominate a species, a *petition*, is submitted to the USFWS. The USFWS evaluates the petition and determines if the nominated species is endangered or threatened due to one or more of the following criteria: present or threatened destruction of habitat, disease or predation, exploitation, lack of management, or other man-made factors affecting its continued existence.



### How does USFSW decide which species to list?

The USFWS uses a priority system to determine which species are in greatest need of protection. If a species meets the above criteria for federal protection, a proposal to list it is published. This proposal, called a *rulemaking*, is published in the Federal Register, a daily government publication. Next, public meetings are held to give people a chance to express their concerns about the proposal.

### What protection does the ESA provide?



If the USFWS decides protection is needed, the species is listed as threatened or endangered. When listed, the species is protected from *take*. “Take” is defined as harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species. Endangered species cannot be transported or traded in interstate or foreign commerce without special permit. In addition, the USFWS is authorized to develop a *Recovery Plan* for listed species.

### What is a Recovery Plan?

Recovery is the process of stopping or reversing the decline of an endangered species. The goal of the ESA is the recovery of species to sufficient numbers so they can be removed from the list. A Recovery Plan is a document that is prepared for a listed species. It provides guidelines for the conservation of species and their habitats.

### Does every species have a Recovery Plan?

Recovery Plans are required by law, but not all species have recovery plans because the USFWS is encouraging multi-species recovery plans, with an emphasis on habitats instead of individual species. *Critical habitat* may be designated for listed species.



### What is Critical Habitat?

Critical habitat is the area of land, water, and air a species needs to survive. It includes shelter, breeding sites, room for normal behavior and population growth.

## More Environmental Laws

### CITES (1975)

The **Convention on International Trade in Endangered Species of Wild Fauna and Flora** is an international treaty designed to protect plants and animals affected by international trade. It regulates the import and export of endangered and threatened wildlife. Nations that sign the treaty agree to restrict trading of certain plants and animals. The severity of restrictions depends on the **appendix** under which the plant or animal is listed.

#### Appendix I (CITES)

Includes plants and animals immediately threatened with extinction. All shipments of live or dead animals and plants, their parts, and anything made from them must have two permits - one from the exporting country and one from the importing country. The permits are granted only for educational or scientific purposes and only if the collection of the plant or animal will not threaten the population any further.

#### Appendix II (CITES)

Includes plants and animals that are not immediately in danger of extinction, but will likely be if trade is not regulated. A permit only from the exporting country is required. It is legal to use these plants or animals in commercial trade, but only if it will not threaten the population.

#### Appendix III (CITES)

Includes species not covered by Appendix I or II, but are endangered or threatened in a country that needs international help to protect them. An export permit must be issued by the country where the plant or animal is native.

### Marine Mammal Protection Act (1972)

This act prohibits harming or taking marine mammals in U.S. waters, or importing their body parts or products made from them. Marine mammals include polar bears, sea otters, walruses, dugongs, manatees, whales, seals, and sea lions. Some Native American tribes are excluded from this act and may take specific numbers of animals for food.

### Eagle Protection Act (1962)

This act was passed to protect our national bird, the bald eagle. Bald eagles cannot be hunted, trapped, poisoned or killed. Body parts, eggs, nests, feathers, and products made from these are illegal to possess. The act was amended in 1962 to include the golden eagle. It is often difficult to tell an immature bald eagle from a golden eagle, so both are now protected. Certain Native American tribes are excluded and may possess live eagles and eagle feathers for ceremonial purposes.

### Migratory Bird Treaty Act (1918)

This treaty protects migratory birds (those that cross international borders on their way to summer or winter grounds). It restricts the trade of bird parts (wings, tails, bones, etc.) feathers, nests, eggs, and products made from these things. (You need to be careful when collecting feathers and nests!) Seasonal hunting is allowed for some ducks, geese, woodcocks and other migratory birds. An interesting note: the roadrunner was almost *not* included in this treaty (they do not have separate summer and winter grounds - they are year-round residents). However, scientists saw a few roadrunners crossing the U.S./Mexico border looking for food, making them eligible for protection.

### Lacey Act (1900)

This U.S. Act prohibits the selling, buying, trading, taking, importing, exporting or transportation of any plant or animal that is protected by state, federal, tribal, or foreign law. It is illegal to import into the U.S. any plant or animal that may be harmful to people, agriculture, or wildlife. Finally, the act requires that wildlife be humanely transported and correctly identified. The Lacey Act's strict penalties (up to five years in prison and/or a \$20,000 fine) are used to prosecute people that import illegal species.

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### Research an Endangered Species

Write a report about a threatened or endangered species in Arizona. (Check the Arizona Game and Fish Department website at [www.azgfd.com](http://www.azgfd.com) for information about endangered species.) Include threats to the species and laws that protect it.

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