

# Endangered Species Act in Southeast Alaska

Bill Hanson  
US Fish & Wildlife Service



Queen Charlotte Goshawk

Photo: Rich Lowell



# Endangered Species

- Goals and Purpose of the Endangered Species Act
- Who Manages the ESA?
  - US Fish and Wildlife Service
  - National Marine Fisheries Service
- Which Species Threatened or Endangered in Alaska?
- How is a species reviewed for listing under the ESA?
- How does the ESA protect a species?
- ESA Successes in Alaska and Southeast Alaska



# Endangered Species Act

## GOALS

- 1) Protect and recover endangered and threatened species and their habitats; and
- 2) Conserve candidate species and species-at-risk so that listing under the ESA is not necessary

## PURPOSE

- "...to provide a means whereby the **ecosystems** upon which endangered species and threatened species depend may be conserved..."



# Guiding Principles US Fish & Wildlife Service

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- Base decisions on sound science
- Work cooperatively with stakeholders to implement the ESA
- Ensure the ESA is implemented in a clear and consistent manner.

# Who Manages the ESA?

- US Fish and Wildlife Service (USFWS)
  - Land-based wildlife and plant species,
  - Freshwater fish
  - 3 Marine mammals: sea otter, polar bear, walrus
- National Marine Fisheries Service (NMFS)
  - Manages all other marine species



# Which Species are Threatened or Endangered in Alaska?

## National Marine Fisheries Service

### Endangered species

- Blue Whale
- Fin whale
- Humpback whale
- North Pacific right whale
- Sperm whale
- Sei whale
- Leatherback sea turtle
- Cook Inlet beluga whale
- Steller sea lion west of 144 degrees
- Bowhead whale

### Threatened species

- Steller sea lion east of 144 degrees
- Loggerhead sea turtle
- Green sea turtle

### Delisted species

- Gray Whale

Blue shows species occurring in SE Alaska



# Which Species are Threatened or Endangered in Alaska?

## US Fish and Wildlife Service

### Endangered species

- Aleutian shield fern
- Eskimo curlew
- Short-tailed albatross

### Candidate species

- Kittlitz's murrelet
- Yellow-billed loon
- Pacific walrus

### Threatened species

- Northern sea otter (SW PopIn)
- Polar bear
- Spectacled eider
- Steller's eider
- Wood bison

### Delisted species

- Aleutian Canada goose
- Arctic peregrine falcon
- American peregrine falcon

Blue shows species occurring in SE Alaska

How is a species reviewed for  
ESA protection?

# How are species reviewed for Listing?

- Petition
  - List, Delist, or Change Status
- FWS Review (90-day Finding)
  - Is there Substantial information to indicate the species may warrant listing?
- Status Review
  - Review of all available Data
  - Does data support the need to list?
- Draft and Final Rules

# Recent Southeast Alaska ESA Petitions

## Prince of Wales flying squirrel

- Negative 90-day Finding Aug 2012



## Alexander Archipelago wolf

- Draft finding is being prepared



# Evaluating Species in Alaska

Species that occur in Southeast Alaska shown in yellow

Species	Date	Conclusion
<b>Botrychium tunux (plant)</b>	2007	Not a candidate
<b>Olive-sided flycatcher</b>	9/26/2008	Not a candidate
<b>Prince of Wales spruce grouse</b>	9/29/2010	Not a candidate
<b>Montague Island marmot</b>	pending	pending
<b>Prince of Wales flying squirrel*</b>	8/28/2012	Not a candidate
<b>Alexander Archipelago Wolf*</b>	pending	pending

\* = petitioned species



# How does the ESA protect a species?

- Critical Habitat may be designated
- Hunting, Transporting, Trading are restricted
- "TAKE" is illegal. Take includes harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect.

## Protection on NON-FEDERAL Lands

- FWS may issue a permit for "incidental take"
- Habitat Conservation Plan must be approved by the USFWS to get permit
- Currently there are no approved HCPs in Alaska
- Recovery Plans and Actions



# How does the ESA protect a species?

- ALL FEDERAL AGENCIES MUST:
  - Conserve listed species
  - Ensure their actions do not jeopardize continued existence of the species or result in the adverse modification of critical habitat
- Applies to any action funded, authorized, or carried out by a Federal agency
- Federal agency must CONSULT with USFWS and NMFS.



# How does the ESA protect a species?

- Federal agency must CONSULT with USFWS.
- Applies to any action funded, authorized, or carried out by a Federal agency
- Applies to any project funded by federal funds, regardless of who receives the funding
- Examples of actions, authorizations, funding
  - US Forest Service timber sales (action)
  - Federally funded roads, airports, ferry terminals
  - US Army Corps of Engineers permits (authorization)



# How does the ESA protect a species?

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## - FEDERAL LANDS and ACTIONS

- Since 2002 in Alaska the Fish & Wildlife Service has completed over 5,500 section 7 consultations.
- ~98% concluded informally usually within a few days.
- USFWS has not stopped any projects or required major modifications to a proposed action in Alaska.



# Endangered Species Act Successes

Species RECOVERED AND DELISTED in Alaska:

- Aleutian Canada goose
- Arctic peregrine falcon
- American peregrine falcon

Species recovered and delisted Outside of Alaska:

- Bald eagle





# ESA Southeast Alaska Successes

**Goal: Work with partners to conserve species and habitats so that ESA listings are not necessary**

- Forest Service Tongass Forest Plan 1997
  - 1997 USFWS: Queen Charlotte Goshawk not listed
  - 1997 USFWS: Alexander Archipelago Wolf not listed
  - 2007 USFWS: Goshawk listed in British Columbia, but not in Alaska
- Tongass Conservation Strategy
  - Old-growth Reserves and other Land Use Designations
  - Standards and Guidelines for goshawk, wolf, other species



# ESA Southeast Alaska Successes

**Goal: Work with partners to conserve species and habitats so that ESA listings are not necessary**

- Alaska Department of Fish and Game
  - Working together with ADFG and Forest Service to create and implement the Tongass Conservation Strategy
  - Coordination and communication on ESA actions
  - USFWS has provided funding and support for studies: Goshawk, Prince of Wales Spruce Grouse



# Endangered Species Act Southeast Alaska Successes

**Goal: Work with partners to conserve species and habitats so that ESA listings are not necessary**

- Cities and Boroughs
  - Planning and ordinances to conserve fish and wildlife
    - Bald Eagles
    - Fish streams and buffers
    - Wetlands conservation

# Endangered Species Act in Southeast Alaska

Bill Hanson  
US Fish & Wildlife Service

Bill Hanson  
907-780-1170  
bill\_hanson@fws.gov

Queen Charlotte Goshawk

Photo: Rich Lowell



END



## How does the ESA protect a species?

- If project places the species or critical habitat in Jeopardy:
  - Major modifications to a proposed action may be required. Major modifications are rarely required.
- If no Jeopardy:
  - May include terms and conditions which aim to reduce the amount of incidental take.
  - May authorize the project to “take” a listed species (“take” can include lethal and non-lethal effects).



# USFWS Species of Concern in Southeast Alaska

\*Remember that NMFS manages additional species

## Endangered

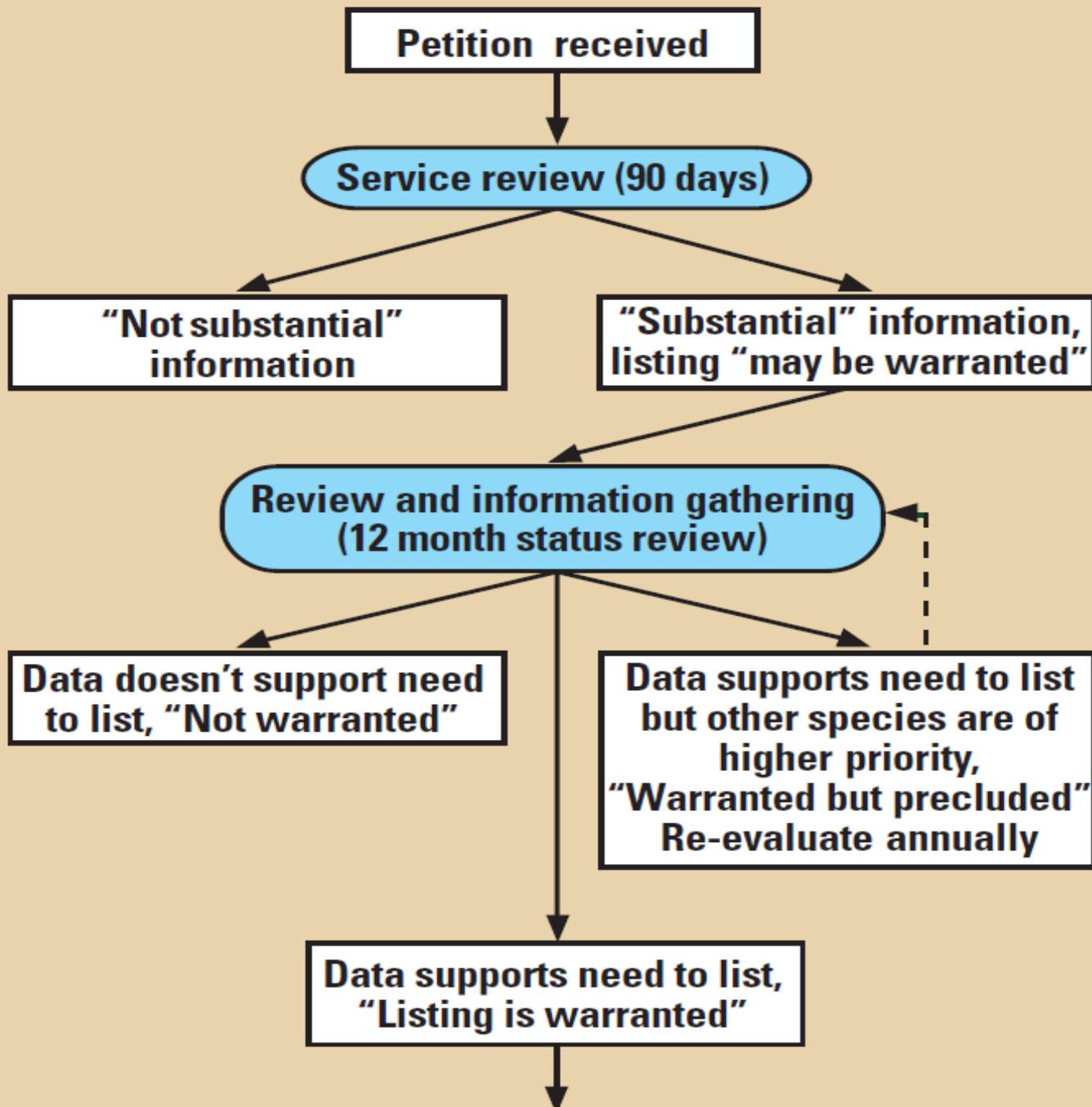
- Short-tailed albatross (open ocean)

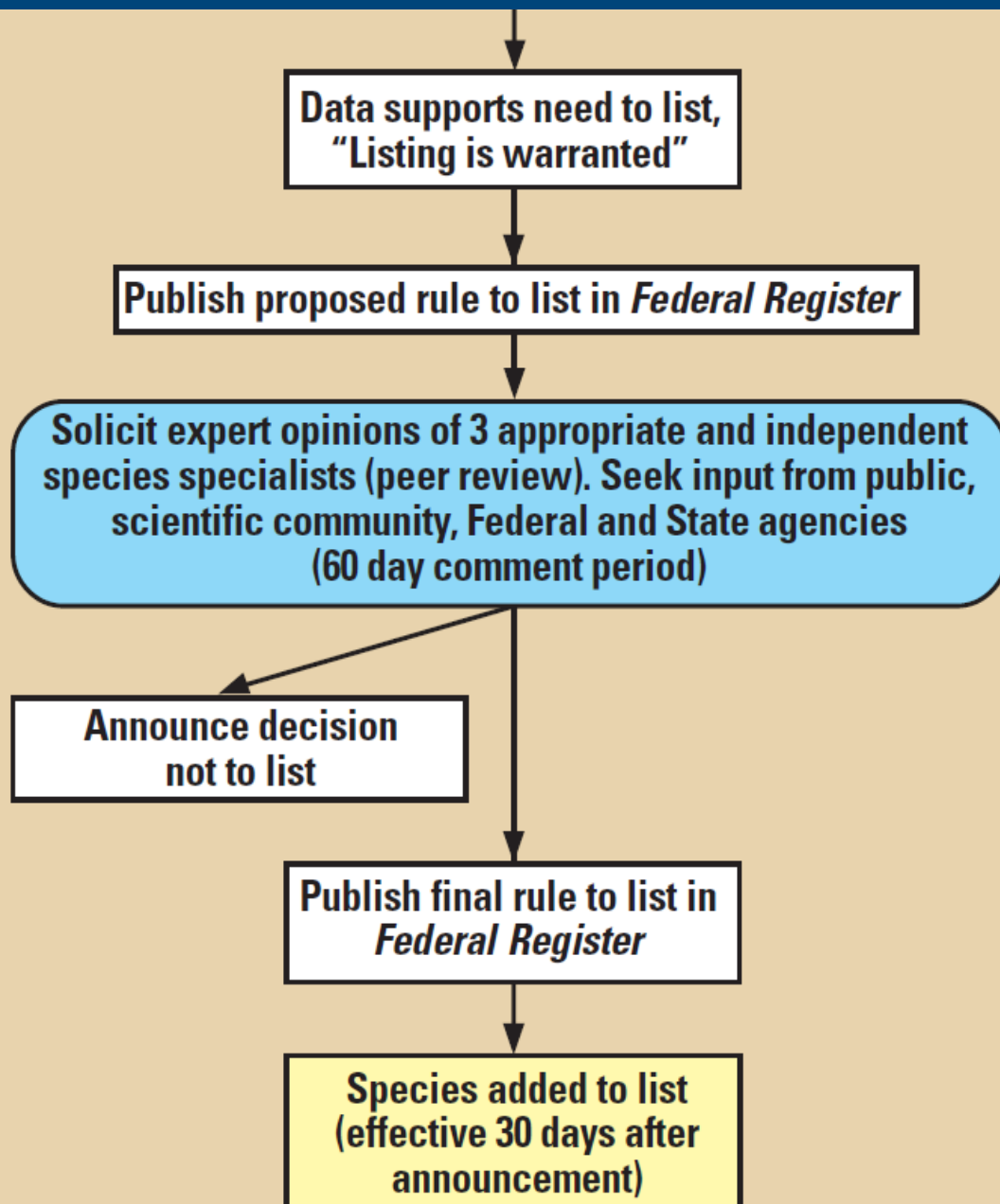
## Candidate Species (not yet listed)

- Yellow-billed loon (winter on saltwater)
- Kittlitz's murrelet (coast and fjords north of Port Snettisham)

## Petitions under review (not yet listed)

- Alexander Archipelago Wolf





# FWS Candidate Species in Alaska

FWS candidate: We have enough information to propose the species for listing, but there are other species of higher priority.

Kittlitz's murrelet  
decision due Sept. 2013



Yellow-billed loon  
decision due Sept. 2014



Pacific walrus  
decision due  
Sept. 2017