



## What Is the Difference Between Endangered and Threatened?

The Federal Endangered Species Act of 1973 (Act) describes two categories of declining species of plants and animals that need the Act's protections – endangered species and threatened species – and provides these definitions:

**ENDANGERED** - any species that is in danger of extinction throughout all or a significant portion of its range;  
**THREATENED** - any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

### IN SIMPLE TERMS

**Endangered species** are at the brink of extinction now.

**Threatened species** are likely to be at the brink in the near future.

All of the protections of the Act are provided to endangered species. Many, but not all, of those protections also are available to threatened species. However, the U.S. Fish and Wildlife Service (Service) has the authority to determine which protections should apply to each threatened species; in other words, we can select and fine tune the protections that best meet the species' recovery needs.

Threatened status benefits species and people in two situations: (1) it provides Federal protection before a species reaches the brink of extinction; and (2) in the case of species that were initially listed as endangered, threatened status also allows scaling back Federal protection as they recover and no longer need the maximum protections of the Act.

Other flexibility provided by threatened status under the ESA includes:

#### Increased Management Flexibility for States

State natural resource management agencies designated by the Service may “take” (kill, wound, trap, or move as defined by the Act) individuals of a threatened species in pursuit of conservation programs for the species. In contrast, those agencies are prohibited from “taking” an **endangered** species if the action might kill or permanently disable the specimen, move it to another state, move it beyond its historical range, or keep it in captivity for longer than 45 days.

#### Increased Permitting Authority for U.S. Fish and Wildlife Service

The Service may issue permits to take **endangered** species for: (1) scientific purposes, (2) enhancing its propagation or survival, or (3) incidental taking, when done under the provisions of a Service-approved habitat conservation plan. For **threatened** species, permits can also be issued to take individuals for: (4) zoological exhibition, (5) educational purposes, or (6) special purposes consistent with the purposes of the Act.

#### Increased Flexibility via Special Regulations Under Section 4(d) of the Act

Section 4(d) of the Act allows the Service to implement special regulations that reduce or expand the normal protections for **threatened** species, if the Secretary of the Interior deems the special regulations are necessary and advisable to conserve the species. Such special regulations cannot be developed for **endangered** species. These special regulations may provide important flexibility to address species-human conflicts as the species approaches recovery and becomes more numerous and widespread.