



**UNITED STATES OF AMERICA
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
ENDANGERED SPECIES PROGRAM**

An Introduction to the Endangered Species Act of 1973

Module 5 of 11 – Section 4 Critical Habitat

Time: (2:47)

Slide 1 (Music Plays)

Slide 2

Endangered and threatened species occur wherever they find suitable habitat without regard to whether the land is Federal or non-Federal, public or private.

When a species is listed under the Endangered Species Act, we must consider whether there are areas that are essential to the species' conservation.

Habitat that meets specific criteria relevant to the conservation of the species is proposed as critical habitat, and undergoes a process of public review and comment.

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“The term ‘critical habitat’ for a threatened or endangered species means the specific areas within the geographical area occupied by the species . . . on which are found those physical or biological features essential to the conservation of the species and which may require special management considerations or protection.”

“Specific areas outside the geographical area occupied by the species at the time it is listed that such areas are essential for the conservation of the species.”

Critical habitat is one of the most misunderstood aspects of the ESA.

Slide 4

First and foremost, the designation of critical habitat does NOT create a park or preserve.

The designation of critical habitat primarily affects Federal agencies.

Federal agencies are required under section 7 of the ESA to ensure in consultation with the Services, that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species, or result in the destruction or adverse modification of critical habitat designated for that species.

Slide 5

Identifying critical habitat enhances the conservation of listed species by providing important information about the actual and potential distribution of a species, and where opportunities may exist to work with our partners.

Slide 6

As with the listing process, we are required to use the best scientific data available to identify any areas of critical habitat.

An analysis of the potential economic impact of critical habitat designation is also required before critical habitat is designated.

Based on this analysis, certain areas under consideration for critical habitat may be excluded from designation.

Slide 7

A critical habitat designation has no effect in situations where a Federal agency is not involved.

Critical habitat does not affect private landowners who are undertaking activities that do not require Federal permits, funding, or approval.

Slide 8

Private landowner activities proposed within areas of critical habitat that involve Federal authorization or funding are reviewed by the Services to determine whether the project would appreciably diminish the value of that habitat.

For example, by noticeably reducing its capacity to provide for the conservation of the affected species.

Under such circumstances, private landowners may require an incidental take permit.

End Segment