

A photograph of a concrete bridge in a forested area. The bridge is supported by several large concrete pillars. In the foreground, a group of people are standing in a grassy area, some looking towards the bridge. A dark-colored vehicle is visible on the bridge. The background is filled with tall evergreen trees. The text "Endangered Species Act Interagency Cooperation" is overlaid in yellow on the right side of the image.

**Endangered Species
Act
Interagency Cooperation**

Legal Basis

- **Statutory Authority**

16 USC Section 1531 Endangered Species Act (ESA) of 1972 as amended

- **Regulations**

50 CFR part 402



ESA Sections

- Section 3 Definitions
- Section 4 Determination of Species (Listings)
- Section 7 Interagency Cooperation
- Section 9 Prohibited Acts (Import/Export, Possess, Transport, Take, Harass, Harm)
- Section 10 Exceptions (Scientific and Incidental Take Permits)

ESA Section 7 Interagency Coordination



Federal Agency
Actions and
Consultations:

Applies to ALL
actions in which
there is a
discretionary
Federal
Involvement or
control.

The Special Problem of Roads and Highways

- Barriers to wildlife movement
- Sources of wildlife mortality
- Animals on roads threaten driver safety



Purpose

A photograph of a stone bridge with a large black pipe arching over a stream. The bridge is built with grey stones and has a concrete top surface. The stream flows through a rocky bed. In the background, there are several people walking across the bridge, and a dense forest of green and yellow trees surrounds the area.

To allow construction of projects.

Responsibilities

- Avoid Jeopardy
- Cannot commit resources that will foreclose alternatives prior to completing Consultation



Agency Roles

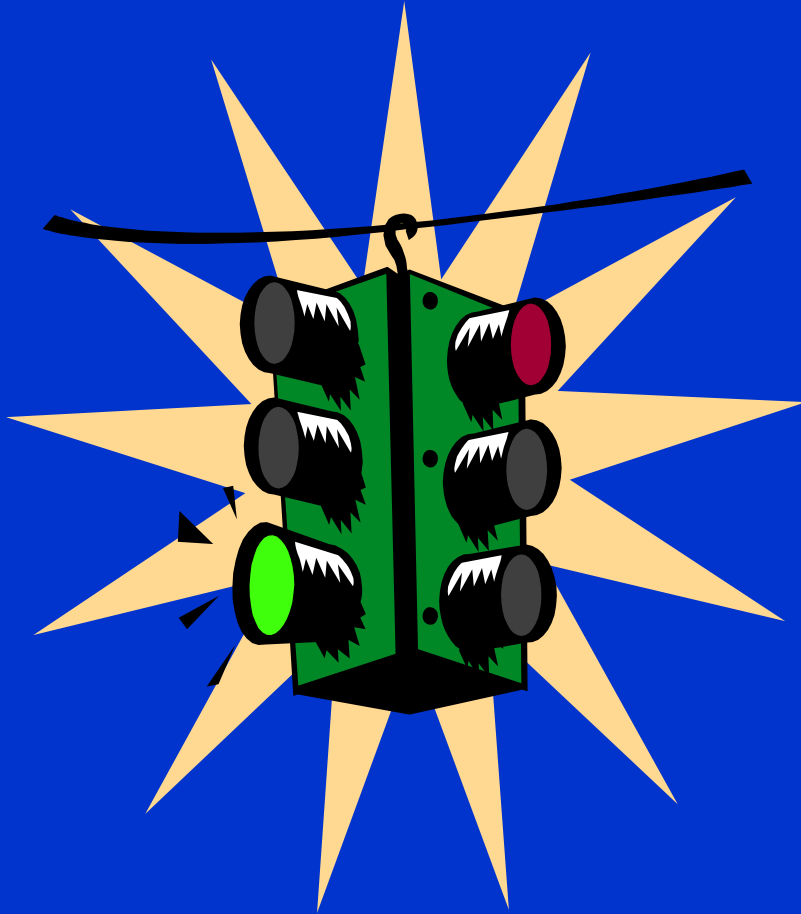
- NOAA Fisheries & US Fish and Wildlife Service
 - Administer ESA
 - DO NOT regulate the lead Federal Agency
 - Enforce prohibition of acts such as killing and harassing
- Lead Federal Agency
 - Compliance

Consultation Process



- Pre-consultation
- Biological Assessment
- Informal Consultation
- Formal Consultation

Timing of Consultation



Completion prior to
signing the
environmental
document









“Habitat & wildlife relationships to transportation facilities are an emerging science where potential impacts have been identified, but not quantified.”

-NCHRP Synthesis 305



***“In the end,
we will conserve only what we love,
we will love only what we understand,
we will understand only what we are taught.”***

- Bada Diom, Senegal