

[Federal Register: July 1, 1994]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Endangered and Threatened Wildlife and Plants: Notice of Interagency Cooperative Policy on Recovery Plan Participation and Implementation Under the Endangered Species Act

AGENCIES: Fish and Wildlife Service, Interior, and National Marine Fisheries Service, National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of policy statement.

SUMMARY: The Fish and Wildlife Service and National Marine Fisheries Service (hereafter referred to as Services) announce interagency policy relative to recovery plan participation and implementation under the Endangered Species Act of 1973, as amended. This cooperative policy is intended to minimize social and economic impacts consistent with timely recovery of species listed as threatened or endangered under the Endangered Species Act of 1973, as amended (Act). In addition, this policy provides a Participation Plan process, which involves all appropriate agencies and affected interests in a mutually-developed strategy to implement one or more recovery actions.

EFFECTIVE DATE: July 1, 1994.

FOR FURTHER INFORMATION CONTACT: Jamie Rappaport Clark, Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, ARLSQ 452, 18th and C Streets NW., Washington, DC 20240 (telephone 703/358-2171), or Russell Bellmer, Chief, Endangered Species Division, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, Maryland 20910 (telephone 301/713-2322).

SUPPLEMENTARY INFORMATION:

Background

Section 4(f) of the Act directs the Secretary of the Commerce and the Secretary of Interior to develop and implement recovery plans for animal and plant species listed as endangered or threatened, unless such plans would not promote the conservation of the species. Coordination among State, Tribal or Federal agencies, academic institutions, private individuals and organizations, commercial enterprises, and other affected parties is perhaps the most essential ingredient for recovering a species.

Policy

To enhance recovery plan development and implementation, while recommending measures that accomplish the goals of a recovery plan, the Services will:

- A. Diversify areas of expertise represented on a recovery team,
- B. Develop multiple species plans when possible,
- C. Minimize the social and economic impacts of implementing recovery actions,
- D. Involve representatives of affected groups and provide stakeholders the opportunity to participate in recovery plan development, and
- E. Develop recovery plans within 2 1/2 years after final listing.

(1) Recovery Plan Preparation and Process

The method to be used for recovery plan preparation shall be based on several factors, including the range or ecosystem of the species (limited vs. extensive), the complexity of the recovery actions contemplated, the number of organizations responsible for the implementation of the recovery tasks, the availability and expertise of personnel, and the availability of funds. Outside expertise in the form of recovery teams, other Federal agencies, State agency personnel, Tribal governments, private conservation organizations, and private contractors shall be used, as necessary, to develop and implement recovery plans in a timely manner that will minimize the social and economic consequences of plan implementation.

Team members should be selected for their knowledge of the species or for expertise in elements of recovery plan design or implementation (such as local planning, rural sociology, economics, forestry, etc.), rather than their professional or other affiliations. Teams are to be composed of recognized experts in their fields and are encouraged to explore all avenues in arriving at solutions necessary to recover threatened or endangered species. Factors for selection of team members

are (1) expertise (including current involvement, if possible), with respect to the species, closely related species, or the ecosystem in which it is or may once again become a part, (2) special knowledge of one or more threats contributing to the listed status of the species and (3) knowledge of one or more related disciplines, such as land use planning, state regulations, etc. The Services also will select team members based on special knowledge essential for the development of recovery implementation schedules, particularly development of Participation Plans that are intended to minimize the social and economic effects of recovery actions. Teams should include representatives of State, Tribal, or Federal agencies, academic institutions, private individuals and organizations, commercial enterprises, and other constituencies with an interest in the species and its recovery or the economic or social impacts of recovery.

(2) Involvement of Affected Groups

Whether a recovery plan is developed by the Service's biologists, contractors, or a recovery team, each plan will seek the best information to fulfill the intent of the Act regarding recovery planning. This information and input from affected interests will be used to develop alternatives for recovery implementation that not only meet requirements for the recovery of a species, but minimize social and economic effects of recovery actions. Representatives of affected interests that can be determined during recovery plan development will be asked to participate during plan development and implementation.

(3) Implementing Recovery Actions

Implementation of recovery plans will be accomplished through the means that will provide for timely recovery of the species while minimizing social and economic impacts. The Services will involve all affected interests in the recovery plan implementation process through the development of a Participation Plan. A Participation Plan should involve all appropriate agencies and affected interests in a mutually developed strategy to implement one or more specifically designated recovery actions. Participation Plans should ensure that a feasible strategy is developed for all affected interests while providing realistic and timely recovery of the species.

Nothing in this policy is intended to change the current policy of developing recovery plans within 2½ years after final listing of a species (18 months for draft recovery plan and a final recovery plan within an additional 12 months of the draft).

Scope of Policy

The scope of this policy is Servicewide for all species of fish and wildlife and plants, as defined pursuant to section 3 of the Act (16 U.S.C. 1532).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 5131-1544).

Dated: June 27, 1994.

Mollie H. Beattie,
Director, U.S. Fish and Wildlife Service, Department of the Interior.

Dated: June 24, 1994.

Rolland A. Schmitten,
Assistant Administrator for Fisheries, National Marine Fisheries
Service.

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