



NOAA FISHERIES

Office of Protected Resources

NOAA is proposing to list 66 species under the ESA – 54 as threatened and 12 as endangered. Also, 16 of the 82 species are not warranted for listing under the ESA. In addition to the 66 species being proposed for listing for the first time, 2 Caribbean species are being proposed for reclassification from threatened to endangered. They are: elkhorn (*Acropora palmata*) and staghorn (*A. cervicornis*) corals.

Important Points

- This is a proposed rulemaking open for public comment through March 7, 2013.
- These species are only proposed for listing/re-classification; therefore nothing changes until a final rulemaking.
- The earliest that the endangered listing would be final would be December 2013, with a 60-day post-announcement effective date in February 2014.

82 Corals & Scientific Research and Enhancement Permits

What happens if a proposed species is listed as “threatened”?

Fifty-four (54) of the 66 species are proposed for listing as “threatened” under the Endangered Species Act (ESA). “Threatened” species may be afforded fewer protections under the ESA than species listed as “endangered.” The prohibitions on “take” listed in Section 9 of the ESA, including import and export of threatened species, do not automatically apply to threatened species. Therefore, if the proposed listing determinations for these 54 species are finalized, scientific research and enhancement on species listed as threatened would continue as usual and without the necessity for an additional ESA permit.

What happens if a proposed species is listed as “endangered”?

Twelve (12) of the 66 species are proposed for listing as “endangered” under the ESA. The two Caribbean acroporids currently listed as “threatened” are also proposed for re-classification to “endangered”. Section 9 of the ESA prohibits “take” of endangered species, including commerce, import, and export. Therefore, if the proposed listing determinations for these 12 species and re-classification of Caribbean acroporids are finalized, scientific research and enhancement activities involving take, import, or export of these species would require an ESA Section 10(a)(1)(A) permit.

Will I need a permit to conduct my activities?

Scientific research and/or enhancement permits are required under Section 10(a)(1)(A) of the ESA to conduct scientific research or to enhance the propagation and survival of endangered species. Permits will be required for any coral listed as endangered for all life stages including gametes and both live and dead parts. Examples of activities that may require a section 10(a)(1)(A) permit include, but are not limited to:

- Collection, including sampling and swabbing
- Experiments in the wild or captivity
- Application of chemicals or introduction of pathogens to coral
- Restoration, including experiments, reattachment and stabilization activities
- Surveys/counts and monitoring that involve physical contact with coral
- Import of samples from the high seas or collected legally in another country
- Export of samples from the U.S. to another country

Please note that international shipment of samples also will require a CITES permit from the country of origin. For more information about CITES, please contact the U.S. Fish and Wildlife Service’s Division of Management Authority.

Proposed “Threatened” Species

CARIBBEAN SPECIES

Agaricia lamarcki

Dichocoenia stokesii

INDO-PACIFIC SPECIES

Millepora tuberosa

Pocillopora danae

Pocillopora elegans (Indo Pacific)

Seriatopora aculeata

Acropora aculeus

Acropora acuminata

Acropora aspera

Acropora dendrum

Acropora donei

Acropora globiceps

Acropora horrida

Acropora listeri

Acropora microclados

Acropora palmerae

Acropora paniculata

Acropora pharaonis

Acropora polystoma

Acropora retusa

Acropora speciosa

Acropora striata

Acropora tenella

Acropora vaughani

Acropora verweyi

Anacropora puertogalerae

Astreopora cucullata

Isopora crateriformis

Isopora cuneata

Montipora angulata

Montipora australiensis

Montipora calcarea

Montipora calculata

Montipora dilatata/flabellata/turgescens

Montipora lobulata

Montipora patula (*verrilli*)

Alveopora allingi

Alveopora fenestrata

Alveopora verrilliana

Porites horizontalata

Porites napapora

Porites nigrescens

Pachyseris rugosa

Pavona diffluens

Pectinia alicornis

Acanthastrea brevis

Acanthastrea hemprichii

Acanthastrea ishigakiensis

Acanthastrea regularis

Barabattoia laddi

Caulastrea echinulata

Euphyllia cristata

Euphyllia paraancora

Physogyra lichtensteini

Proposed “Endangered” Species

CARIBBEAN SPECIES

Mycetophyllia ferox

Dendrogyra cylindrus

Montastraea faveolata

Montastraea franki

Montastraea annularis

INDO-PACIFIC SPECIES

Millepora foveolata

Pocillopora elegans (East Pacific)

Acropora jacquelineae

Acropora lokani

Acropora rudis

Anacropora spinosa

Euphyllia paradivisa

Proposed Reclassification to “Endangered” Species

CARIBBEAN SPECIES

Acropora palmata

Acropora cervicornis

Do I need a permit for a nursery, grow-out facility, aquarium, zoo, or coral in captivity?

Maintenance and asexual propagation of endangered corals in a nursery would not require a permit. Conducting additional activities such as experiments, transfer, transport, or outplanting of captive animals may require a permit. Import or export may be authorized only for research or enhancement purposes by permit. Endangered species cannot be maintained solely for the purpose of public display. However, public display may occur incidental to a permitted scientific research or enhancement activity or if the specimens were legally held in captivity at the time of listing and such holding is not in the course of a commercial activity.

Does a U.S. citizen need an ESA permit to “take” or collect endangered specimens in a foreign country?

No, a U.S. permit is not required for activities conducted by a U.S. citizen on land or in the territorial waters of another nation. However, an ESA permit is required for any “takes” by a U.S. citizen on the “high seas,” (i.e., more than 12 miles from the coast of any nation) or import of samples.

Where do I get a Scientific Research & Enhancement Permit?

NOAA’s Office of Protected Resources, Permits and Conservation Division issues 10(a)(1)(A) permits. You can apply for a permit by email or mail.

Application instructions are at:

http://www.nmfs.noaa.gov/pr/permits/esa_permits.htm#scientific. The

permitting process takes approximately one year.

Currently, it is not possible to apply for permits online, as one can for other species. We are adapting our online application system for coral permits and an announcement will be made once it is available. To familiarize yourself with the online system as it works for other NMFS protected species, go to:

<https://apps.nmfs.noaa.gov/index.cfm>.

We encourage beginning the ESA Section 1(a)(1)(A) permit application process now if you currently conduct scientific research or enhancement activities on either of the Caribbean acroporids or on any of the 12 coral species proposed for “endangered” status under the ESA.

What if I want to apply for a grant and don’t yet have a permit?

Within your grant application we recommend that you inform the granting agency of your intent to apply or the status of your application for a scientific research or enhancement permit. Conversely, if you are applying for a scientific research or enhancement permit but do not have current funding, in the application section “Resources Needed to Accomplish Objectives”, please identify any grants in process and when you expect to receive a decision.

For more information contact:

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