



## Issue Statement

### The U.S. Endangered Species Act

Congress passed the Endangered Species Act (ESA) in 1973 and has amended it several times since then. The ESA is administered by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS); these agencies, when necessary, designate species as endangered or threatened. Following the listing of a species, USFWS/NMFS must designate Critical Habitat and create a Recovery Plan that outlines strategies designed to facilitate recovery and eventual delisting.

Implementation of the ESA has been successful in achieving the legislation's primary goal of preventing species extinctions. Very few of the more than 2,300 (as of 2022) listed entities (species, subspecies, populations) have been declared extinct. However, only 54 (as of 2021) of the species listed under the ESA have subsequently been delisted. The slow pace of delisting is the result of many factors, primary of which is the difficulty in recovering species in human dominated landscapes. Although other metrics like downlisting (i.e., reclassifying a species from endangered to threatened when its status is sufficiently improved) may provide additional insight into the success of ESA implementation, the slow rate of delisting is eroding support for the Act and the critical role it plays in the conservation of biological diversity in the U.S.

Most species are deemed threatened or endangered only after their population is critically low and likely still declining. Population declines result from habitat loss and other threats that require significant time, funding, and commitment to reverse through restoration, enhancement, management, or protection. Historically, recovery of ESA-listed species has been constrained by insufficient funding. Improvements in the status of listed species are correlated positively with the number of years of protection under the ESA, funding available to USFWS/NMFS to implement recovery strategies, and number of recovery plan tasks completed. Greater commitment and integration of federal, tribal, state, local, and private resources are key to ensuring effective implementation of the ESA to achieve its fundamental goal of preventing extinction and recovering species.

Identifying rare and declining species before their populations reach critically low levels allows the implementation of more ecologically, socially, and economically viable conservation options. States and Tribes also play a key role in preventing at-risk species from requiring listing under the ESA. At the state level, the conservation of at-risk species is largely guided by the development and implementation of State Wildlife Action Plans (SWAPs), which currently are funded through the federal State and Tribal Wildlife Grant program (STWG) with matching funds from states. Current STWG and matching funds are inadequate to meet the needs and objectives established in SWAPs.

Broader societal commitments are required to address fully the sociocultural and socioeconomic issues that frequently drive species extinction and recovery in order to effectively implement the ESA. The ESA must adapt to include and encourage proactive measures to identify and conserve

critical components of landscapes. Managing and recovering endangered species will be even more challenging under climate change, because altered natural systems may pose unanticipated threats to some species, which can require re-ordering of priorities for recovery. The ESA remains a critical component of efforts to conserve biological diversity in the U.S.

The policy of The Wildlife Society regarding the U.S. Endangered Species Act is to:

1. Support a collaborative approach to at-risk species conservation and recovery efforts among federal, tribal, state, and local governments, as well as private landowners and organizations, including the development of interagency guidelines and dedication of adequate funding under Section 6 of the ESA;
2. Support the statutory duties and standards in the Endangered Species Act and actively promote their consistent interpretation to prevent extinctions and recover species;
3. Work to ensure that decisions under the ESA are transparent and based on robust and rigorous analyses of the best scientific data and evidence available, including data provided by states and tribes and peer-reviewed data on current and potential future effects of climate change;
4. Advocate for listing decisions that are based solely on the status of the species in question and oppose listing justifications based on economic and political consideration;
5. Oppose the use of congressional action that subverts established legal and science-based agency processes to affect the listing status or consideration of species under the ESA;
6. Advocate for adequate federal funding and agency staffing to ensure efficiency in ESA listing and recovery planning processes, implementation of recovery actions, and support for at-risk species conservation actions implemented by or in collaboration with states and tribes;
7. Advocate for efficient and transparent rulemaking processes around critical habitat definitions, designation of critical habitat for listed species, and measures to restore, enhance, manage, and protect occupied and unoccupied critical habitats that are essential to recover endangered and threatened species;
8. Support actions that incentivize and encourage private landowner to contribute to the recovery of listed species and conservation of at-risk species.

*The Wildlife Society's Position Statement: Conservation of Biological Diversity, states that "The Wildlife Society supports and promotes global conservation of all components of biological diversity including species in decline and those at risk of extinction."*

Approved by TWS Council in November 2023.