May 2009

GAO
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Highlights

Highlights of GAO-09-550, a report to congressional requesters

ENDANGERED SPECIES ACT

The U.S. Fish and Wildlife Service Has Incomplete Information about Effects on Listed Species from Section 7 Consultations

Why GAO Did This Study

The western United States, including vast stretches of federal land, is home to more than a third of the 1,317 species listed under the Endangered Species Act. Under section 7 of the act, federal agencies must ensure that any actions they authorize, fund, or carry out, whether on federal or private lands, do not jeopardize listed species. To fulfill this responsibility, the agencies often must formally consult with the Department of the Interior's U.S. Fish and Wildlife Service (Service), which issues a biological opinion assessing whether an action is likely to "take," or harm, a listed species. The Service may require the agencies to monitor and report on the action's effects on listed species, including take.

For listed species subject to formal consultations in 11 western states, GAO was asked to examine the extent to which the Service tracks (1) required monitoring reports and (2) cumulative take. GAO reviewed the act, regulations, and policy and interviewed Service staff in all western states, reviewed 128 consultation files in five offices, and analyzed 23 listed species in detail.

What GAO Recommends

GAO recommends that the Service develop a cost-effective method for tracking required monitoring reports systematically and continue to develop existing databases to enable tracking of cumulative take. The Department of the Interior concurred with GAO's findings and recommendations.

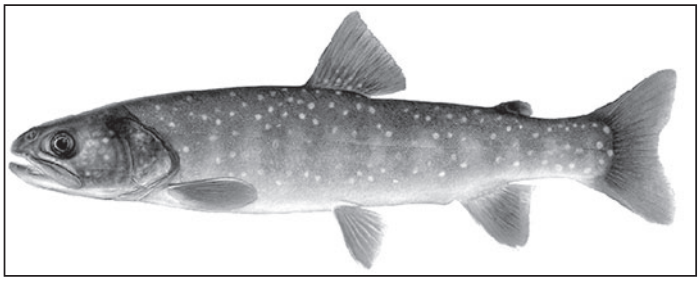
View GAO-09-550 or key components.
For more information, contact Robin M. Nazzaro at (202) 512-3841 or nazzaror@gao.gov.

What GAO Found

The Service lacks a systematic means of tracking the monitoring reports it requires in biological opinions and does not know the extent of compliance with these requirements. To track monitoring reports, the Service relies on its biologists to keep abreast of biological opinions and follow up on required monitoring reports. At the field offices GAO visited, Service biologists could not account for all required monitoring reports in 40 of 64 consultation files (63 percent) requiring such reports. Service staff said they face a demanding workload, and responding to new consultation requests often takes higher priority than following up on monitoring reports. This reliance on individual biologists leaves the Service with incomplete institutional knowledge of the extent of action agencies' compliance with reporting requirements, as well as with incomplete information on species' responses to the actions under consultation.

The Service also lacks a systematic method for tracking cumulative take of most listed species. Out of 497 listed species in the western states, GAO identified 3 species for which the Service has a formal, Web-based database for tracking cumulative take: northern spotted owl, marbled murrelet, and bull trout. GAO identified 7 more species for which Service biologists developed informal means to track cumulative take. While Service staff generally agreed that it is important to track cumulative take of all species, they cautioned that one size does not fit all in terms of tracking take. For some species, Service biologists said, systematically tracking cumulative take has not been critical, either because very few consultations have occurred with little to no take anticipated, or the Service has good information on the species' status through other sources. For other species, however, such as those that are frequently consulted on and wide-ranging, Service biologists believed that having a more systematic take-tracking method was warranted. The lack of systematic means to track cumulative take for some species, and the resulting gap in knowledge of the species' status, exposes the Service to vulnerabilities, including the threat of litigation and unobserved declines in species. The Service has been developing various databases for more systematically tracking cumulative take, though their development largely depends on resources not yet available in the Service's budget.

Bull Trout



Listed as threatened, the bull trout lives in the cold streams, creeks, and rivers of the western United States. The Service is developing a database to track cumulative take of bull trout throughout its range, in part in response to litigation.

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