

Critical Habitat

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What is Critical Habitat?

- ✓ Contain the physical and biological features essential to the conservation of a species. (*The legal term in the Endangered Species Act is “constituent elements”.*)
- ✓ May require special management considerations or protection.

NOTE: Critical habitat may include areas not currently occupied by the species, but that are considered essential for conservation of the species.

Critical habitat is defined in the Endangered Species Act as:

- (i) The specific areas within the geographic area occupied by species on which are found those physical and biological features that are
 - (a) essential to the conservation of the species and
 - (b) may require special management or protection; or
- (ii) Specific areas outside the geographic area occupied by the species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

Critical Habitat Does Not:

- × Create a wildlife refuge, reserve, or park
- × Affect private landowners who are not using Federal money or require Federal permits
- × Create a new, independent review process (potential impacts to critical habitat are reviewed at the same time as potential impacts to species)

Physical and Biological Features Essential To The Conservation of a Species

- * Space for growth and behavior
- * Cover or shelter
- * Food, water, light, or other nutritional or physiological requirements
- * Habitats that are protected or are representative of the historic distribution of a species

What is the Regulatory Impact of a Critical Habitat Designation

- ❑ Federal agencies are required to consult with the service to ensure that their actions will not destroy or adversely modify critical habitat. Federal actions include activities that are authorized, funded, or carried out by federal agencies.

NOTE: Federally endangered or threatened species are protected by the endangered species act regardless of whether or not they have designated critical habitat.

SECTION 7 FLOWCHART

