



Endangered Species Act Alert 2005-2

RE: Puget Sound Resident Killer Whales Listed as Endangered

DATE: December 16, 2005

The National Marine Fisheries Service (NMFS) has announced that it will list the Puget Sound resident killer whales (officially known as the “Southern Resident killer whales) as “endangered” under the Endangered Species Act (ESA). The whales had been proposed for listing as “threatened” but were listed as “endangered” based on recent information and further analysis by NMFS that demonstrated a need for more protection.

The whales are currently protected under the Marine Mammal Protection Act (MMPA) however the new listing will provide additional protection and conservation efforts. In addition to the ESA prohibition on ‘take’ of the whales, which is similar to current protection under the MMPA, the new listing will require all federal actions to consult with NMFS on any impacts to the whales under section 7 of the ESA. NMFS has recognized that potential federal actions that could affect the whales include “coastal development, oil and gas development, seismic exploration, point and non-point source discharge of persistent contaminants, contaminated waste disposal, adoption of water quality standards, regulation of newly emerging chemical contaminants, vessel operations and noise level standards, and fishery management practices.”

NMFS is currently working to designate critical habitat for the whales and additional protections and conservation activities may be required in those areas or as a result of a recovery plan that will be developed.

The new listing will become effective 90 days from its future publication in the Federal Register (future publication date unknown).

Additional Resources:

NMFS killer whale listing page - <http://www.nwr.noaa.gov/Marine-Mammals/Whales-Dolphins-Porpoise/Killer-Whales/ESA-Act-Status/Listing-Final.cfm>

Federal Register language for listing - <http://www.nwr.noaa.gov/Marine-Mammals/Whales-Dolphins-Porpoise/Killer-Whales/ESA-Act-Status/upload/KW-FRN-lang.pdf>

Need More Information?

If you have questions or comments about this ESA Alert, please contact Jesse Halsted, ESA Policy Analyst (jhalsted@parametrix.com), or John Marsh (jmarsh@parametrix.com), Director of ESA Program.

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