

PUBLIC HEARING

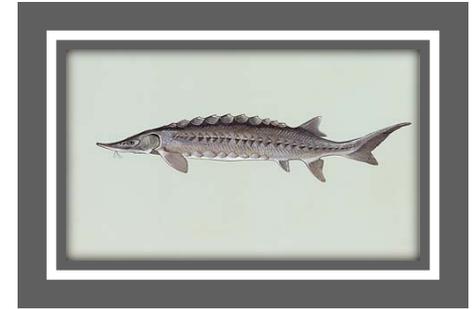
Proposed listing of Atlantic sturgeon in the Southeast as "endangered" under the Endangered Species Act (ESA)

*****Please fill out a card if you want to make a comment***

**NOAA
FISHERIES
SERVICE**



Request for Information



- The **abundance** of Atlantic sturgeon in the Southeast
 - The **mixing** of fish from different DPSs in parts of their ranges, particularly in the marine environment
 - Information concerning the **status** of, and **threats** to, Atlantic sturgeon in the Southeast
 - **Protective efforts** being made to conserve Atlantic sturgeon in the Southeast
-
- ⊘ No comments on economic issues or regarding Atlantic sturgeon DPSs in the Northeast
 - ⊘ No questions (after the Q&A period) or debating



Atlantic Sturgeon Life History



- Occur from the St. John River, Canada, to the Saint Johns River, Florida
- Long lived (~60 years), late maturing
- Anadromous = spawn in rivers but spend most of their life in the marine environment (estuaries, bays, ocean)
- Adults and subadults from different rivers mix in the marine environment and will enter bays and estuaries of non-natal rivers



Commercial Fishing

- In 1870, a significant fishery for the species developed
- The fishery collapsed in 1901, but persisted at reduced levels
- A coast-wide moratorium on landings was established in 1998/1999
- It is currently illegal to fish for or keep Atlantic sturgeon
- Atlantic sturgeon are still taken as bycatch





Other Reasons for Decline

Additional threats to Atlantic sturgeon from:

- Dams
- Dredging
- Water quality





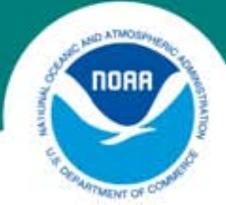
U.S. Populations

Population estimates are only available for 2 river systems

- Hudson (NY) = 870
- Altamaha (GA) = 343

All other river systems are believed to have less than 300 spawning adults





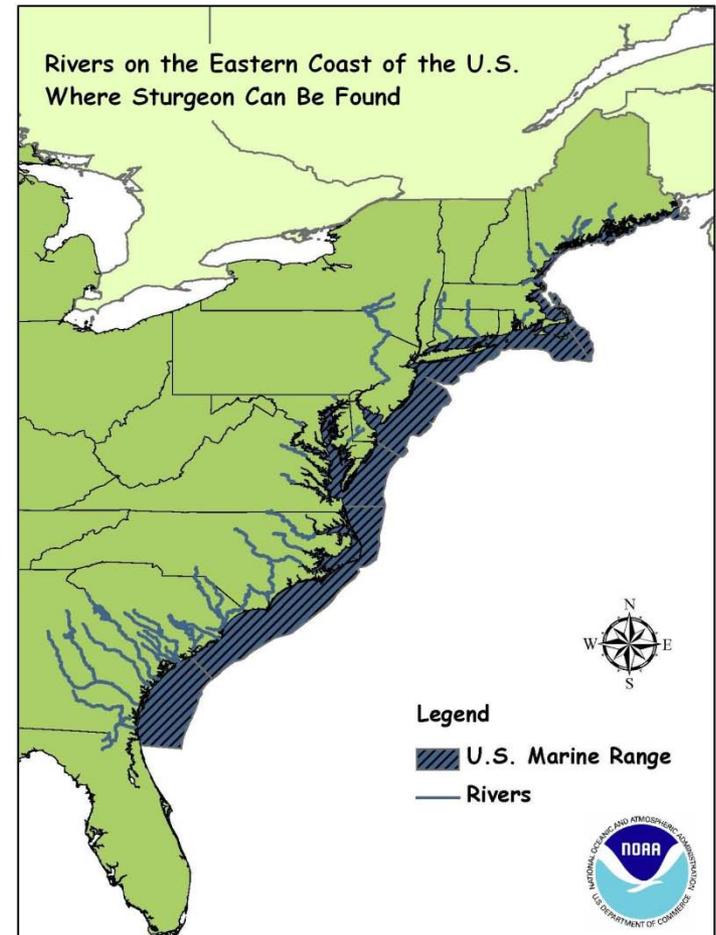
U.S. Distribution

Historically

- Present in 38 rivers and spawned in at least 35

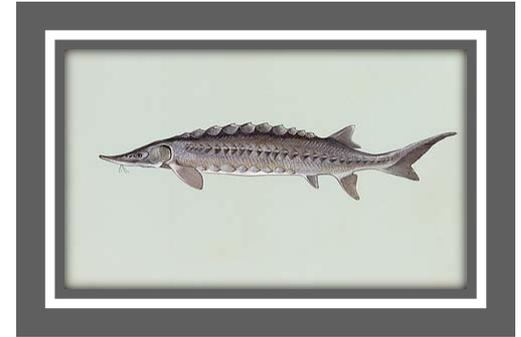
Currently

- Present in 36 rivers with at least 18 of those believed to be spawning rivers



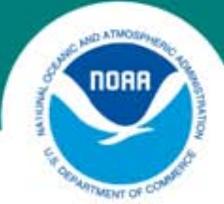


2007 Status Review



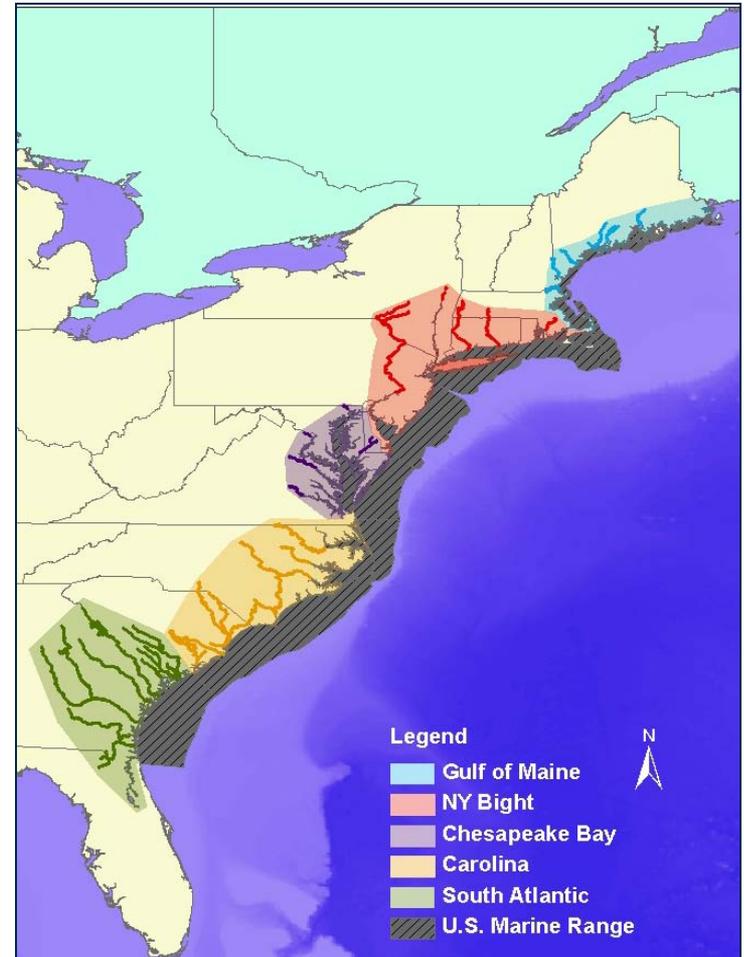
Conducted by NMFS, USFWS, and USGS; included input from state/regional biologists, and peer reviewed

- Considered whether Distinct Population Segments (DPSs) exist
- Evaluated the available information on the biological vulnerability of Atlantic sturgeon
- Conducted a qualitative analysis of threats to Atlantic sturgeon and existing protective measures



2007 Status Review

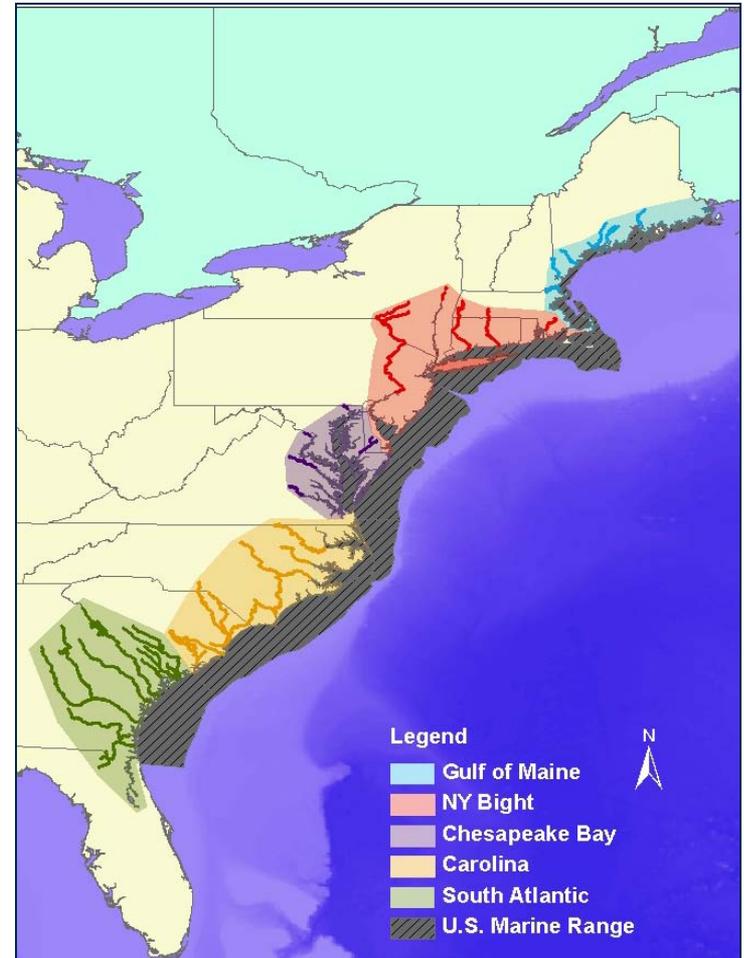
- Concluded there are 5 DPSs of Atlantic sturgeon in the U.S.
- Most significant threats are:
 - dams
 - poor water quality
 - dredging
 - bycatch in fisheries
 - inadequate regulatory protection

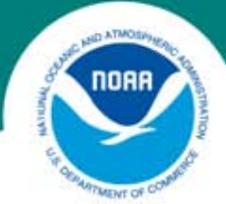




2007 Status Review

- Recommended 3 DPSs be listed as ***threatened***
 - *New York Bight DPS*
 - *Chesapeake Bay DPS*
 - *Carolina DPS*
- Made no recommendation for 2 DPSs due to insufficient information
 - *Gulf of Maine DPS*
 - *South Atlantic DPS*



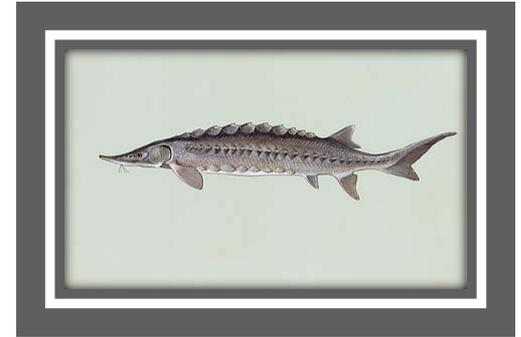


Petition to List Atlantic Sturgeon

- On October 6, 2009, NMFS received a petition from the Natural Resources Defense Council to either list:
 - Atlantic sturgeon, as a single species, as ***endangered***
 - as 5 DPSs, with the New York Bight, Chesapeake Bay, and Carolina DPSs listed as ***endangered***, and the Gulf of Maine and South Atlantic DPSs listed as ***threatened***
- The petitioner also requested that critical habitat be designated.
- On January 6, 2010, NMFS issued a public notice concluding that the petitioned actions may be warranted



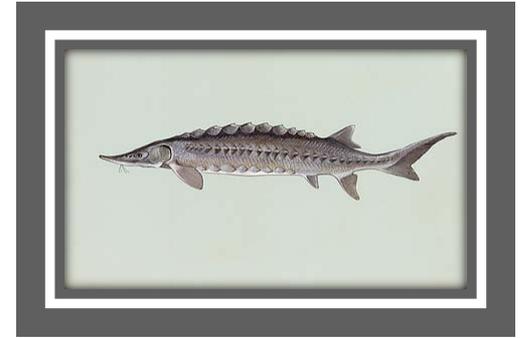
Proposed Listing



- Determine how Atlantic sturgeon meet the definition of “species”, including whether DPSs exist
- Determine the status of the species and the factors affecting it
- Identify and assess efforts being made to protect the species and determine if these efforts are adequate to mitigate the existing threats

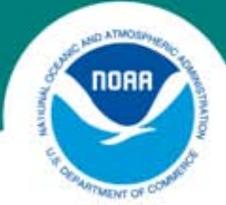


Proposed Listing

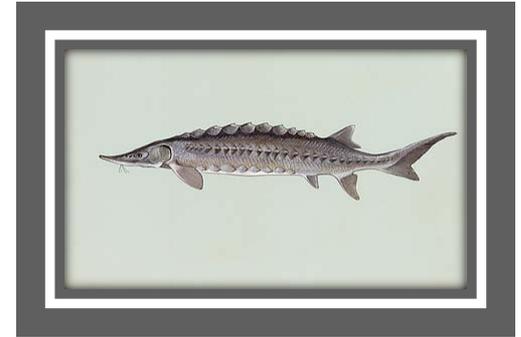


We are proposing to list 2 DPSs of Atlantic sturgeon in the Southeast based on:

- Ecological separation during spawning (i.e., sturgeon home to their natal rivers)
- Each DPS persists in a unique ecological setting
- DPSs are genetically distinct
- The loss of a DPS would result in a significant gap in the range of the species



Proposed Listing



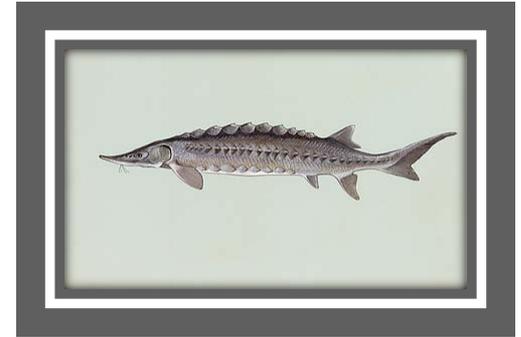
Conservation status:

“Threatened” – “any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.”

“Endangered” – “any species which is in danger of extinction throughout all or a significant portion of its range”



Proposed Listing



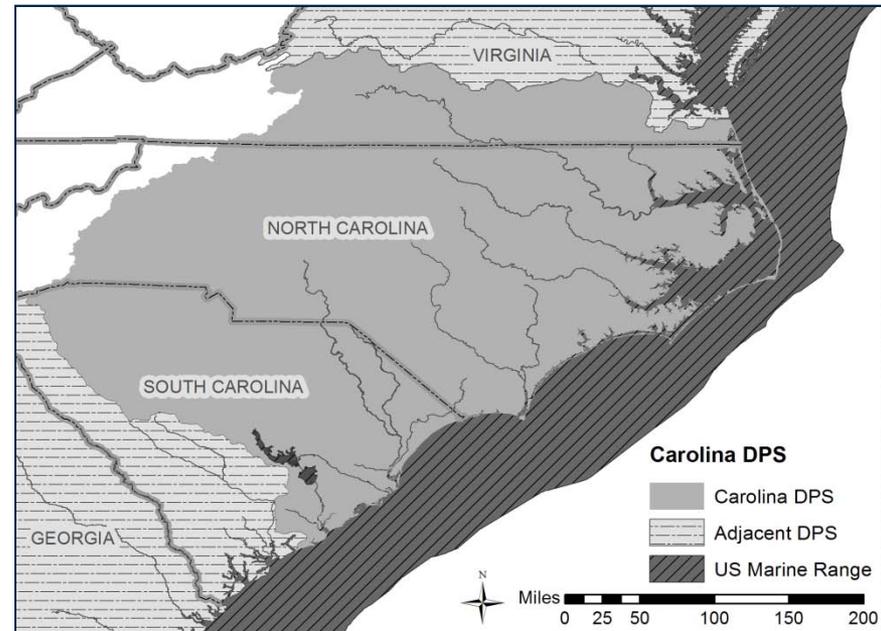
ESA five factor analysis:

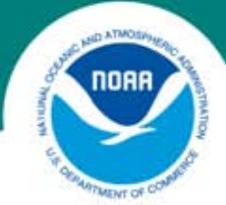
- A. Present or threatened destruction, modification, or curtailment of habitat or range;
- B. Overutilization for commercial, recreational, scientific, or educational purposes;
- C. Disease or predation;
- D. Inadequacy of regulatory mechanisms;
- E. Other natural or manmade factors affecting its continued existence



Carolina DPS

- Includes all Atlantic sturgeon that spawn in the watersheds from the Roanoke River, VA, to the Santee-Cooper Basin in SC
- The marine range of extends from the Bay of Fundy, Canada, to the Saint Johns River, FL
- Captive sturgeon documented to have originated from a river in the range of the DPS are included in the proposed listing

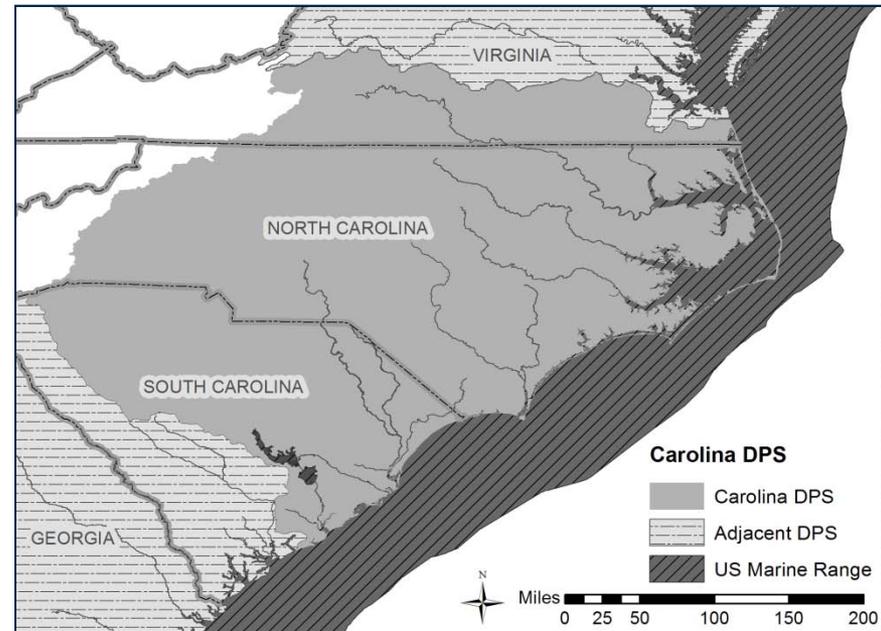




Carolina DPS

- Spawning populations in the:

- Roanoke
- Tar-Pamlico
- Cape Fear
- Waccamaw
- Pee-Dee
- Neuse*
- Santee*
- Cooper*
- Ashley*
- Sampit**

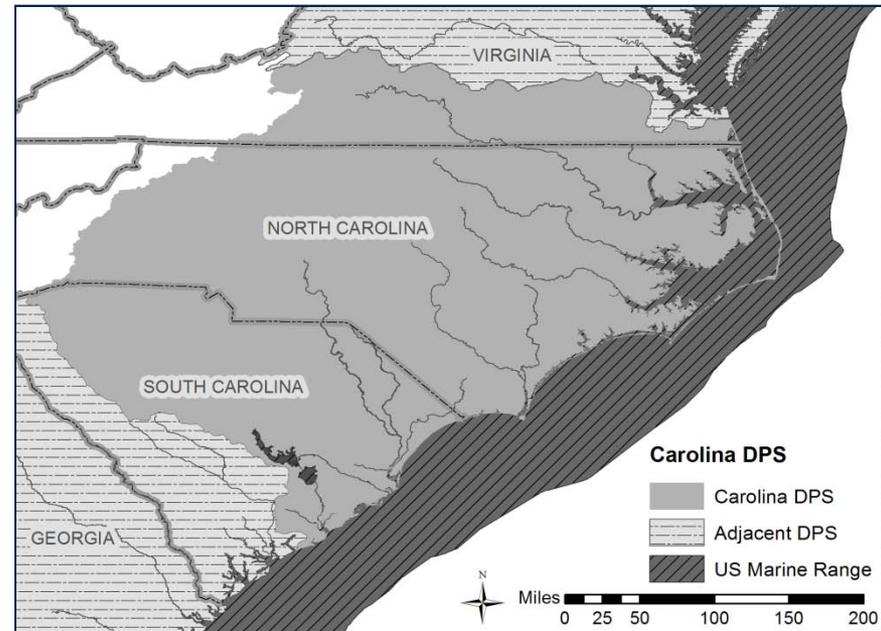


- Estimated abundance is less than 300 spawning adults per river, less than 3% of historical numbers



Carolina DPS

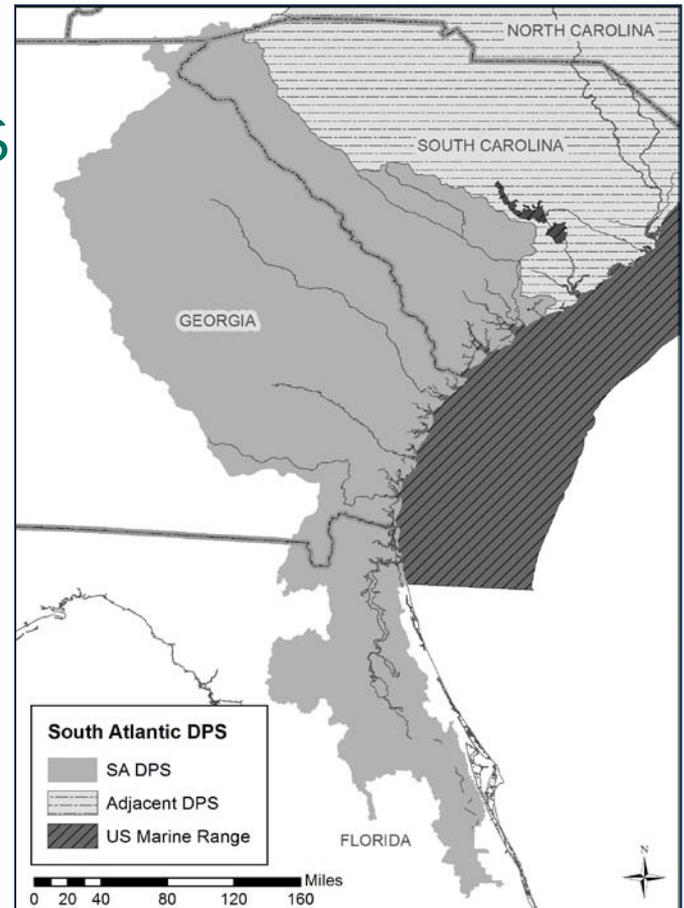
- Proposing to list the Carolina DPS as “endangered”
- Threats contributing to its endangered status:
 - A. Habitat modification (dams, dredging, water quality)
 - B. Overutilization (bycatch)
 - C. Climate change
 - D. Inadequacy of regulatory mechanisms





South Atlantic DPS

- Includes all Atlantic sturgeon that spawn in the watersheds from the ACE Basin, SC, to the Saint Johns River, FL
- The marine range of extends from the Bay of Fundy, Canada, to the Saint Johns River, FL
- Captive sturgeon documented to have originated from a river in the range of the DPS are included in the proposed listing

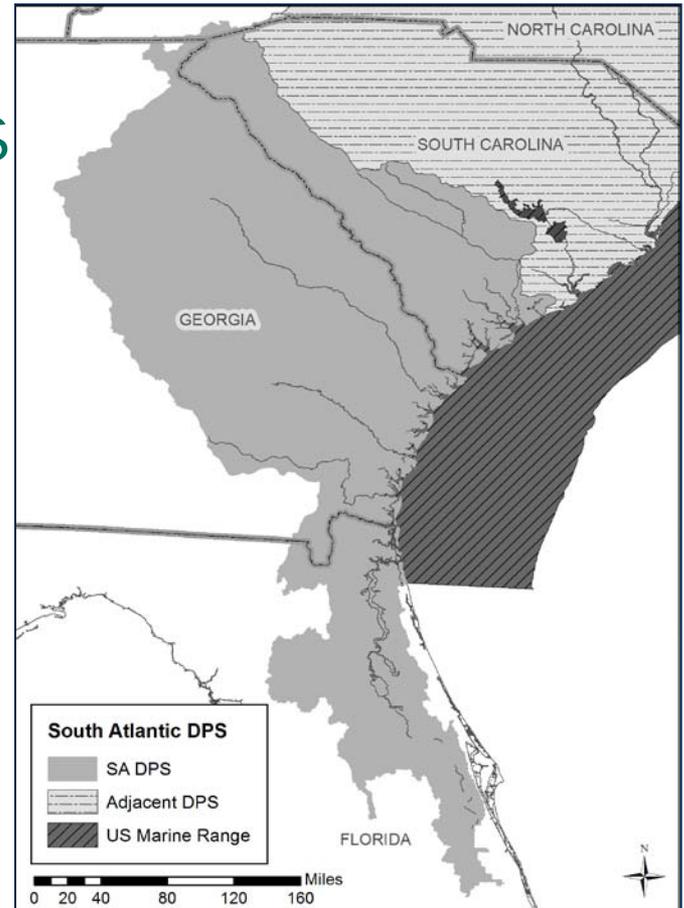




South Atlantic DPS

- Spawning populations in the:

- Combahee
- Broad/Coosawatchie*
- Edisto
- St. Marys**
- Savannah
- St. Johns**
- Ogeechee
- Altamaha
- Satilla

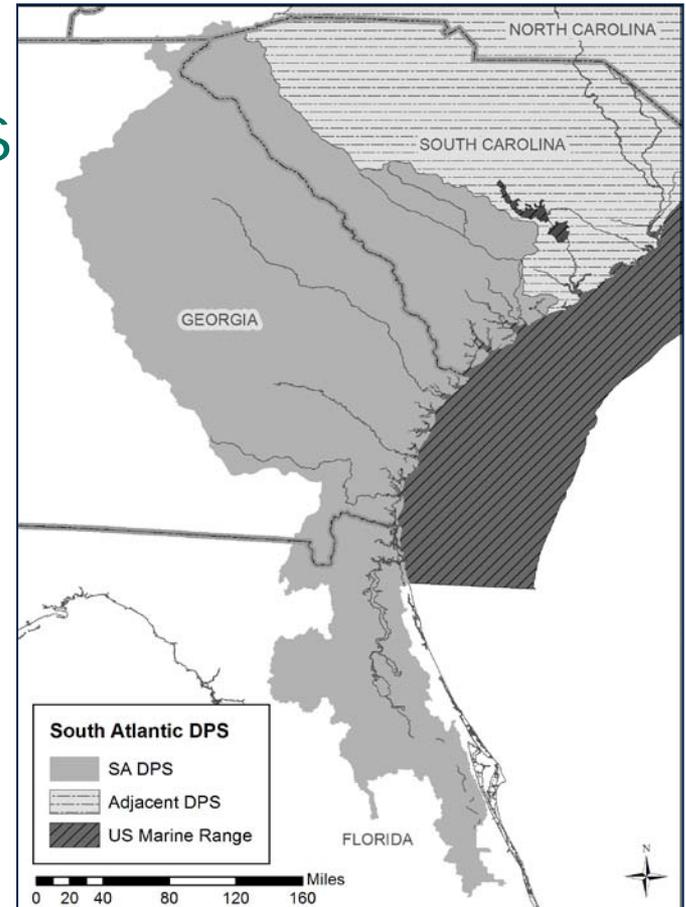


- Altamaha is estimated to have 343 spawning adults (6%)
- Less than 300 spawning adults in all other rivers, less than 1% of historical numbers



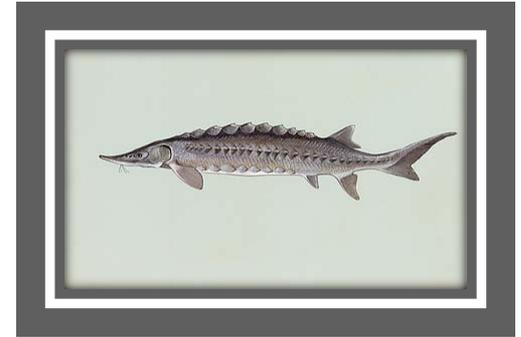
South Atlantic DPS

- Proposing to list the South Atlantic DPS as “endangered”
- Threats contributing to its endangered status:
 - A. Habitat modification (dams, dredging, water quality)
 - B. Overutilization (bycatch)
 - C. Climate change
 - D. Inadequacy of regulatory mechanisms





The Effects of Listing



- Carolina and South Atlantic DPSs are proposed for listing as “endangered”
- For DPSs listed as “endangered”, all of the ESA protective regulations (i.e., prohibitions) apply automatically upon listing, including “take” prohibitions
- “Take” is defined by the ESA as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect...”



Exceptions and Requirements- *Permits*

- Scientific research and enhancement permits can be issued under Section 10 of the ESA
- These permits authorize exceptions to any of the prohibitions (including “take”)
- Permits may be issued to Federal and non-Federal entities conducting research or conservation activities that involve intended “take” of listed species
- Section 10 permits may also be issued to non-Federal entities performing activities that may incidentally “take” listed species in the course of an otherwise legal activity

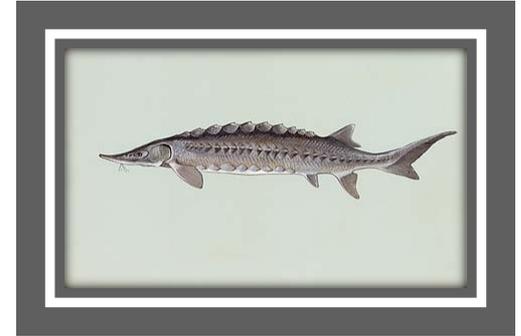


Exceptions and Requirements- *Consultations*

- Section 7 of the ESA requires Federal agencies to consult with NMFS on proposed Federal actions that may adversely affect a listed species or its critical habitat.
- Incidental “take” of an ESA-listed species that results from federally funded, authorized, or implemented activities conducted after completion of a Section 7 consultation will not violate the “take” prohibitions, provided the activities are conducted in accordance with the terms of the consultation



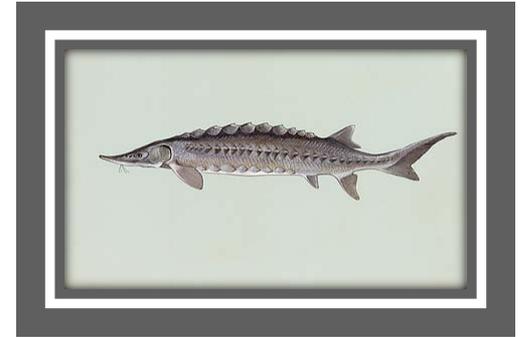
Next Steps



- Comments on the proposed listing will be accepted through January 4, 2011
- A final listing determination will be made by October 6, 2011
- NMFS will designate critical habitat, to the maximum extent prudent, within one year of a final listing



Contacts



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Permits

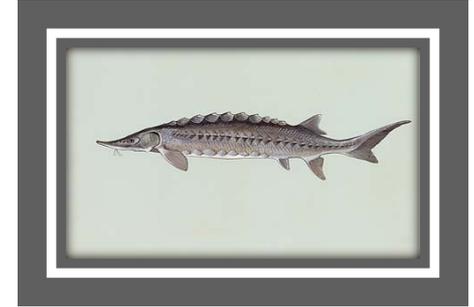
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