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Protected Resources Update

For the Caribbean Fishery Management Council

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Presentation Overview

- Status Updates on U.S. Caribbean-Related ESA:
 - Rulemaking
 - Section 7 Consultation
 - Species Recovery Actions



ESA Rulemaking Update

- Reclassification of Pillar Coral (*Dendrogyra*) from Threatened to Endangered under the ESA
 - First coral in U.S. jurisdiction to be listed as endangered (Final Rule 89 FR 101993)
 - Effective since March 21, 2025.
 - What this listing change means:
 - Take Prohibitions now apply.
 - Any research or restoration activities that may cause “take” of pillar coral will need an ESA Section 10(a)(1)(A) permit issued by NOAA Fisheries (Pre-application guide).



Pillar coral with fish. Credit: NOAA Fisheries

“Take” is defined under the ESA as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.”

Apply to all persons subject to the jurisdiction of the United States, including in the United States, its territorial sea, or on the high seas.

ESA Rulemaking Update

- Rules Pending Final Agency Decision:
 - Oceanic Whitetip Shark 4(d) Rule
 - Green Sea Turtle Critical Habitat



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Biological Opinion Reinitiation Updates

- Reinitiation of Section 7 consultation on the Island-FMPs Biological Opinion
 - Amending the Opinion to:
 - Add Nassau grouper critical habitat, 5 coral critical habitat, and queen conch listing analyses.
 - Update pillar coral status and ITS.
 - Opinion Development Team lead retiring April 30
 - Moving forward, but slower; no longer expect to have first draft this spring.
 - Available related information:
 - [Species Frameworks](#)

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Queen Conch Recovery Updates

- Progress towards next steps we outlined at the December CFMC Meeting:
 - Continue to engage with partners, both nationally and internationally on science.
 - Conducted BVI Survey and training
 - Hold several virtual workshops with national and international partners to discuss more technical themes (mainly focused scientific and enforcement feasibility).
 - On hold
 - Finalize workshops report and disseminate among agencies and with Councils.
 - National workshop report sent to the library of congress for review
 - Use information for recovery plan development and any 4(d) regulations if pursued.
 - No new progress to report



Figure 1: Juvenile queen conch in seagrass (Photo: Jennifer Doerr, NOAA-SEFSC).

Queen Conch Recovery Updates

- Current Queen Conch Recovery Action Priorities:
 - Large Scale Consultation Guidance
 - Conducting Section 7 consultations:
 - Port Everglades deepening project
 - SARBO reinitiation
 - JAXBO reinitiation

Recovery Updates For Other Species

- Nassau grouper
 - No updates at this time.
- Oceanic whitetip shark
 - ESA Species 5-Year Review completed March 27, 2025
 - Concluded no change to the listing status is warranted at this time.
- Giant Manta ray
 - Final recovery plan development is ongoing.
 - Comments on draft plan were accepted through December 16, 2024.
 - ESA Species 5-Year Review is also in progress (Announcement published 10/15/24).
 - Timing of final plan and review unknown at this time.

