



Legislation Text

File #: Res 0717-2023, **Version:** *

Res. No. 717

Resolution to commemorate the 50th anniversary of the federal Endangered Species Act on December 28, 2023.

By Council Members Menin, Gennaro, Schulman, Brewer and Riley

Whereas, The Endangered Species Act of 1973 (“ESA”) aims to preserve fish, wildlife, and plant species with small and declining populations by affording them special protections; and

Whereas, Species that receive ESA protections are registered on the endangered species list, which is maintained by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (“Services”); and

Whereas, Proposed additions to the endangered species list may be identified by the Services or by the public through a petition process; and

Whereas, The Services must conduct a rigorous review of proposed additions to the endangered species list based solely on the best scientific and commercial data available, and solicitation of public comment; and

Whereas, If the Services determine that a proposed species should be listed, the species receives a designation of threatened or endangered according to the species’ need for protection; and

Whereas, Protections afforded to threatened and endangered species include a prohibition on the harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting of any listed species; and

Whereas, The ESA also prohibits federal agencies from funding, approving, or conducting any activity that is likely to threaten the population or habitat of a listed species; and

Whereas, The Services must develop a recovery plan for each listed species, unless such a plan would not promote the conservation of the species; and

Whereas, The ESA authorizes the contribution of millions of dollars annually to state and U.S. territory programs that implement these recovery plans; and

Whereas, As of June, 2023, the endangered species list included 2,381 foreign and domestic species of plant and animal; and

Whereas, Ninety-nine percent of species on the endangered species list remain extant and 46 species have recovered in population size and were removed from the list by the Services; and

Whereas, Recovered species include plants and animals of national importance, such as the bald eagle, which was nearly extinct in the lower 48 states before the enactment of the ESA, and now has a population of over 300,000; and

Whereas, Many species of insects, reptiles, mammals, and birds that are native to or migrate through New York City are on the endangered species list; and

Whereas, These include the American burying beetle, a large carrion beetle endemic to North America whose habitat once included Brooklyn, the Bronx, and Staten Island; and

Whereas, The ESA also protects the bog turtle, the smallest turtle native to New York State, which once thrived in the calcareous wetlands of Staten Island until it experienced a 50 percent decline in population in the Northeast before it was placed on the endangered species list in 1997; and

Whereas, Multiple species of whale that migrate near New York City waters are on the endangered species list, including the North Atlantic right whale, which requires sustained ESA protections to recover its estimated 2019 North Atlantic population of just 368 whales; and

Whereas, Several species of shorebird that frequent New York City receive protection from the ESA, such as the threatened red knot, which stops to forage in the mudflats of Jamaica Bay on its annual migration of over 9,800 miles from the southern tip of South America to the Canadian Arctic; and

Whereas, The endangered species list also includes the piping plover, another threatened migratory shorebird, which breeds on the banks of the New York City barrier islands and was nearly extirpated from the

region in 1983 when its Long Island population fell to just 88 breeding pairs; and

Whereas, Continued ESA protections for these and other species of plants and animals are critical to the conservation of New York City's natural habitat and biodiversity; and

Whereas, The ESA complements local efforts to protect listed species through efforts such as the Rockaway Beach Endangered Species Nesting Area program, which allows rare shorebirds to lay and incubate eggs without human disturbance; and

Whereas, The ESA also aligns with New York City's goal of restoring wetlands in the Bronx and Staten Island to facilitate the return of endangered species to their natural habitats in these boroughs; now, therefore, be it

Resolved, That the Council of the City of New York commemorates the 50th anniversary of the federal Endangered Species Act on December 28, 2023.

AGB
LS #13518
6/27/2023