

Whooping Crane Migratory Reintroduction Project

Endangered Species Act Protection

Frequently Asked Questions

1. What is meant by designating the whooping cranes in this reintroduction project as a “nonessential experimental” population?

Introduction of an endangered species into a new area can result in new federal regulation, which sometimes prompts negative public reaction. The designation under this rule allows the relaxation of provisions of the Endangered Species Act, which has already demonstrated and can be expected to result in increased public acceptance of the reintroduction.

This designation is made possible by provisions contained within section 10(j) of the Endangered Species Act, as amended. The population is considered *experimental* because it is being (re)introduced into suitable habitat that is outside of the whooping crane’s current range, but within its historic range. It is designated *nonessential* because the likelihood of survival of the whooping crane, as a species, would not be reduced if this entire population was not successful and was lost. To designate this nonessential experimental population, the Secretary of the Interior must determine that the action will not result in jeopardy to the continued existence of the whooping crane. Survival of the whooping crane as a species has been determined to be secure, based upon the existence of the wild, migratory population and the captive breeding flocks in multiple locations. The nonessential experimental population status will protect this whooping crane population as appropriate to conserve the population, while still allowing the presence of the cranes to be compatible with routine human activities in the reintroduction area. We believe the nonessential experimental designation will allow us to retain the full support of the public, which will be critical to the success of the project.

2. What would happen if someone shoots one of the whooping cranes in this population?

Because of the experimental non-essential designation in this rule, if the shooting is determined to be accidental and occurred incidentally to an otherwise lawful activity that was being carried out in full compliance with all applicable laws and regulations, no prosecution under the Endangered Species Act would occur. In the case of an intentional shooting, the full protection of the Endangered Species Act could apply.

3. Are there other laws that would protect this flock of whooping cranes?

Yes, they would be protected under applicable State laws for non-game species and the federal Migratory Bird Treaty Act, which protects all birds that migrate such as herons, egrets and songbirds.

4. What would happen if whooping cranes from this population try to nest on my property - will this affect how I can use my property?

As a result of the relaxation of protections associated with this rule, no conflicts are envisioned between the whooping cranes’ reintroduction and activities on private lands. Any disturbance of nesting cranes on private property that is accidental or incidental to an otherwise lawful activity, such as recreation (hunting, trapping), agricultural practices (plowing, planting, application of pesticides, etc.), construction or water management would not be considered an illegal activity under the Endangered Species Act.

5. Are private property owners part of this project?

Yes, absolutely. This project could not go forward without the assistance and involvement of private citizens who live in remote areas along the seven-state flyway route. Over 40 private landowners have offered their property to be used as safe overnight sites for the birds and landing sites for the ultralights on the migration route. Additionally, many private individuals, businesses and corporations have donated funds, services, personnel and products through the Whooping Crane Eastern Partnership’s non-profit and fund raising entities.

6. Who is the Whooping Crane Eastern Partnership?

The Whooping Crane Eastern Partnership is a consortium of people representing a wide variety of private organizations and public agencies working to reintroduce a migratory flock of whooping cranes back into eastern North America. The ultimate goal of the project is to reintroduce enough birds to the flyway to establish a self-sustaining flock containing at least 25 adult breeding pairs.

Founding members of the Whooping Crane Eastern Partnership are the International Crane Foundation, International Whooping Crane Recovery Team, Operation Migration Inc., National Fish and Wildlife Foundation, Natural Resources Foundation of Wisconsin, U.S. Fish and Wildlife Service, USGS/Patuxent Wildlife Research Center and Madison Wildlife Health Center, and Wisconsin Department of Natural Resources. Many other flyway States, provinces, private individuals and conservation groups have joined forces with and support WCEP by donating resources, funding and personnel.

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