

## Why GAO Did This Study

All six species of sea turtles found in U.S. waters and nesting on U.S. shores are listed as endangered under the Endangered Species Act. Two federal agencies—the National Marine Fisheries Service (NMFS) and the Fish and Wildlife Service (FWS)—are charged with protecting sea turtles, NMFS when the turtles are at sea and FWS on land. The act prohibits the “take,” including harassment or killing, of protected species. The services (NMFS and FWS) can, however, authorize take under certain circumstances. The act also requires recovery plans for each listed species, which set forth broad goals and recovery strategies. GAO was asked to determine the extent to which the services (1) coordinate their sea turtle protection activities, (2) collect and analyze take data, (3) clearly explain how they determine if a proposed action will jeopardize sea turtles, and (4) have developed operational plans to help realize recovery goals. To address these issues, GAO reviewed documents and interviewed officials from both services and experts, including state agency officials, university researchers, and representatives of environmental and industry groups.

## What GAO Recommends

GAO is making four recommendations to the Secretaries of Commerce and the Interior to improve the services’ sea turtle coordination, data collection, reporting, and planning efforts. Both NMFS and FWS generally agreed with the recommendations.

# ENDANGERED SEA TURTLES

## Better Coordination, Data Collection, and Planning Could Improve Federal Protection and Recovery Efforts

### What GAO Found

The services have coordinated some sea turtle protection efforts, including jointly developing recovery plans, and they established a memorandum of understanding in 1977 to define their roles in joint administration of their efforts. Nevertheless, neither the memorandum nor the services have clearly defined how and when the services are to coordinate; also, the services do not consistently share information about the majority of the take they authorize. According to sea turtle experts GAO spoke with, each service may therefore be authorizing sea turtle take without knowing how much its counterpart has authorized, and the combined allowance may be harming threatened and endangered sea turtles and delaying their recovery.

NMFS and FWS each use databases that collect information about consultations involving take of sea turtles and other species, but they do not use these databases to comprehensively collect and analyze sea turtle take data. Specifically, not all of the databases require entry of data on anticipated and actual take. The services also maintain separate documents that collect information about anticipated take, but these documents are not structured to easily allow analysis of total anticipated take and do not track actual take. According to some experts and NMFS officials GAO spoke with, total take should be considered when the services determine whether proposed actions are likely to jeopardize species or approve additional take authorizations.

Biological opinions prepared by NMFS and FWS do not clearly explain how the services determine that an action anticipated to result in the take of sea turtles will not jeopardize their continued existence. Guidance developed by the services states that the opinions should be written so the general public can trace the path of logic to the conclusion. But some experts GAO spoke with said, and GAO’s review of selected biological opinions found, that the opinions may not clearly describe why the services conclude that a particular action, such as commercial fishing anticipated to harm turtles, will not jeopardize the species’ existence. If the analyses and decisions in the opinions are not clear, neither Congress nor the public can be assured that the services are adequately protecting vulnerable sea turtle populations as required by the Endangered Species Act.

Neither NMFS nor FWS has developed its own service-specific operational plans describing the actions it will perform to achieve the goals in their jointly prepared sea turtle recovery plans. In the absence of service-specific plans, the services rely on the jointly developed recovery plans to guide their sea turtle protection and recovery efforts. But GAO’s review of these recovery plans found that they do not include key elements of effective planning, such as performance measures to gauge progress toward goals. Without service-specific plans and performance measures, neither service can ensure that it is taking the steps needed to realize sea turtle recovery goals.