

**PART 424—LISTING ENDANGERED  
AND THREATENED SPECIES AND  
DESIGNATING CRITICAL HABITAT**

**Subpart A—General Provisions**

Sec.

- 424.01 Scope and purpose.  
424.02 Definitions.  
424.03 Has the Office of Management and Budget approved the collection of information?

**Subpart B—Revision of the Lists**

- 424.10 General.  
424.11 Factors for listing, delisting, or reclassifying species.  
424.12 Criteria for designating critical habitat.  
424.13 Sources of information and relevant data.  
424.14 Petitions.  
424.15 Notices of review.  
424.16 Proposed rules.  
424.17 Time limits and required actions.  
424.18 Final rules—general.  
424.19 Impact analysis and exclusions from critical habitat.  
424.20 Emergency rules.  
424.21 Periodic review.

AUTHORITY: 16 U.S.C. 1531 *et seq.*

SOURCE: 49 FR 38908, Oct. 1, 1984, unless otherwise noted.

**Subpart A—General Provisions**

**§ 424.01 Scope and purpose.**

(a) Part 424 provides regulations for revising the Lists of Endangered and Threatened Wildlife and Plants and designating or revising the critical habitats of listed species. Part 424 provides criteria for determining whether species are endangered or threatened species and for designating critical habitats. Part 424 also establishes procedures for receiving and considering petitions to revise the lists and for conducting periodic reviews of listed species.

(b) The purpose of the regulations in part 424 is to interpret and implement those portions of the Act that pertain to the listing of species as threatened or endangered species and the designation of critical habitat.

**§ 424.02 Definitions.**

The definitions contained in the Act and parts 17, 222, and 402 of this title apply to this part, unless specifically modified by one of the following definitions. Definitions contained in part 17 of this title apply only to species under the jurisdiction of the U.S. Fish and Wildlife Service. Definitions contained in part 222 of this title apply only to species under the jurisdiction of the National Marine Fisheries Service.

*Candidate.* Any species being considered by the Secretary for listing as an endangered or threatened species, but not yet the subject of a proposed rule.

*Conserve, conserving, and conservation.* To use and the use of all methods and procedures that are necessary to bring any endangered or threatened species to the point at which the measures provided pursuant to the Act are no longer necessary, *i.e.*, the species is recovered in accordance with § 402.02 of this chapter. Such methods and procedures include, but are not limited to, all activities associated with scientific resources management such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, and transplantation, and, in the extraordinary case where population pressures within a given ecosystem cannot be otherwise relieved, may include regulated taking.

*Geographical area occupied by the species.* An area that may generally be delineated around species' occurrences, as determined by the Secretary (*i.e.*, range). Such areas may include those areas used throughout all or part of the species' life cycle, even if not used on a regular basis (e.g., migratory corridors, seasonal habitats, and habitats used periodically, but not solely by vagrant individuals).

*List or lists.* The Lists of Endangered and Threatened Wildlife and Plants found at 50 CFR 17.11(h) or 17.12(h).

*Physical or biological features essential to the conservation of the species.* The features that occur in specific areas and that are essential to support the