

USFWS Overview of ESA

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Community Working Group Meeting



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Overview...

- ❑ Mission of USFWS
- ❑ Overview of ESA . . .
- ❑ How are species petitioned?
- ❑ What is process for listing?
- ❑ What is your role?
- ❑ Sagegrouse Updates
- ❑ Questions . . .

FWS Mission



- *Working with others to conserve, protect, and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people.*



ESA Overview

Endangered Species Act of 1973

Findings of Congress

“Various species of fish, wildlife, and plants have been rendered extinct as a consequence of growth untempered by adequate conservation.”

“These species are of aesthetic, ecological, educational, historical, recreational, and scientific value to this Nation and its people.”

ESA Overview

Intended to provide for the conservation of endangered and threatened species:

- Original Statute passed in 1973
- Relatively little controversy when originally passed
- Preceded several other earlier acts to protect imperiled species
- Major amendments 3 times

ESA Overview

Purpose:

- provide means to conserve ecosystems upon which endangered species and threatened species depend
- provide a program for the conservation of endangered species and threatened species
- take measures to achieve the purposes of the treaties and conventions identified in Act

ESA Overview

In short, the Act Requires the Services to:

- List, classify, protect and recover species (S4, S9 & S12)
- Review and evaluate federal actions for potential affects to listed species (S7)
- Oversee recovery activities (S4, S5, S6)
- Work cooperatively with the States (S6) & Internationally (S8)
- Provide exemptions for scientific efforts and conservation activities (S10)

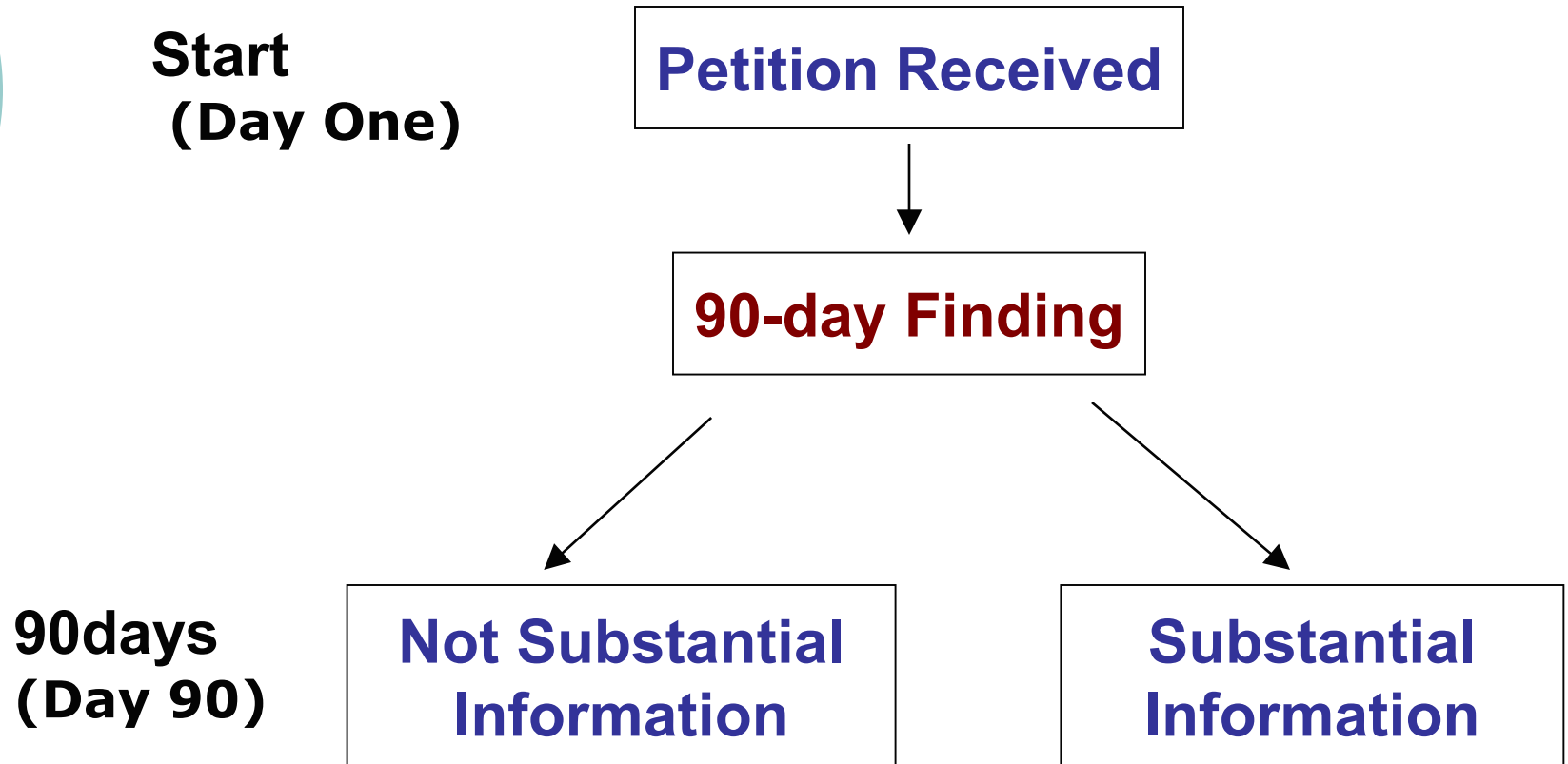


How is a Species Listed...?

Three ways a species can be listed:

- Grandfathered from pre-1973 lists
- Initiative of the USFWS or NMFS/NOAA
- Petition by any citizen of the U.S.

How are Species Petitioned?



How are Species Petitioned...?

The Petition must have:

- Scientific and common name of species
- Description of what the petitioner wants (i.e., listing, delisting, or change in listing status)
- Detailed narrative describing numbers and distribution of the species involved and any threats faced by the species
- Information regarding the status of the species
- Supporting documentation

How is a Species Listed...?

Process for listing

The Petition contains substantive information – Now what do we do?

...develop a status review or 12 month finding...

How is a Species Listed...?

Process for listing/developing the status review

1. determine the “species” or listable entity

- Entire species
- Subspecies
- Distinct population segment



How is a Species Listed...?



Process for listing/developing the status review

2. Determine the species' status (con't)

Does it meet the definition of threatened or endangered -

Based -solely on the best scientific and commercial (trade) information available

How is a Species Listed...?

Process for listing/developing the status review

2. Determine the species' status (con't)

- Seek “best available” information
 - Consider population, trends and status
- Complete a risk assessment –threats
- Consider what we know, think we know and don't know
- Develop a recommendation

How is a Species Listed...?

Process for listing/developing the status review

2. Determine the species' status (con't)

- Seek “best available” information on species
 - Presence/absence information
 - Surveys, population/trend information, abundance, modeling
 - Life history information
 - Habitat information
 - Potential threats
 - Conservation measures that improve any of above...

How is a Species Listed...?

2. Determine the species' status (con't)

Risk Assessment –Is it in danger of extinction because of:

- Loss of habitat
- Overuse due to scientific, commercial and other reasons
- Disease or predation
- Inadequate regulations
- Other natural or manmade factors

**Known as the 5 factor analysis

How is a Species Listed...?



Process for listing/developing the status review

2. Determine species' status (con't)

When evaluating threats to a species – we consider:

- Location of threat –local versus rangewide
- Impact of threat –individuals, populations, entire ranges
- Analysis entity: DPS, subspecies, species
- Degree of threat: magnitude –how severe
- Immediacy of threats: present, future, ongoing
- Synergy of threats

How is a Species Listed...?



Process for listing/developing the status review

2. Determine species' status (con't)

Summarize the science, the information, the risk assessment, draw conclusions.

Evaluate these on the listable entity and determine a recommendation....

...is it an endangered or threatened species ??

How is a Species Listed...?

Process for listing/developing the status review

3. Complete the process

- **Draft notice of listing**
- **Publish proposal**
- **Request comments and information**
- **Conduct Peer Review**
- **Revise proposal considering public and peer review comments**
- **Publish Final**

How are Species Listed?

**90 days
(Day 91)**

**Substantial
Information**

12 month finding

Candidate Species

**Listing
Warranted**

**Listing Warranted
But Precluded**

**Listing Not
Warranted**

**1 year
(Day 365)**

**Proposed Listing
With Critical Habitat**

**Proposed Listing
Without Critical Habitat**

Every year after -Annual review

**2 years
(Day 712)**

**Final Listing and
Critical Habitat**

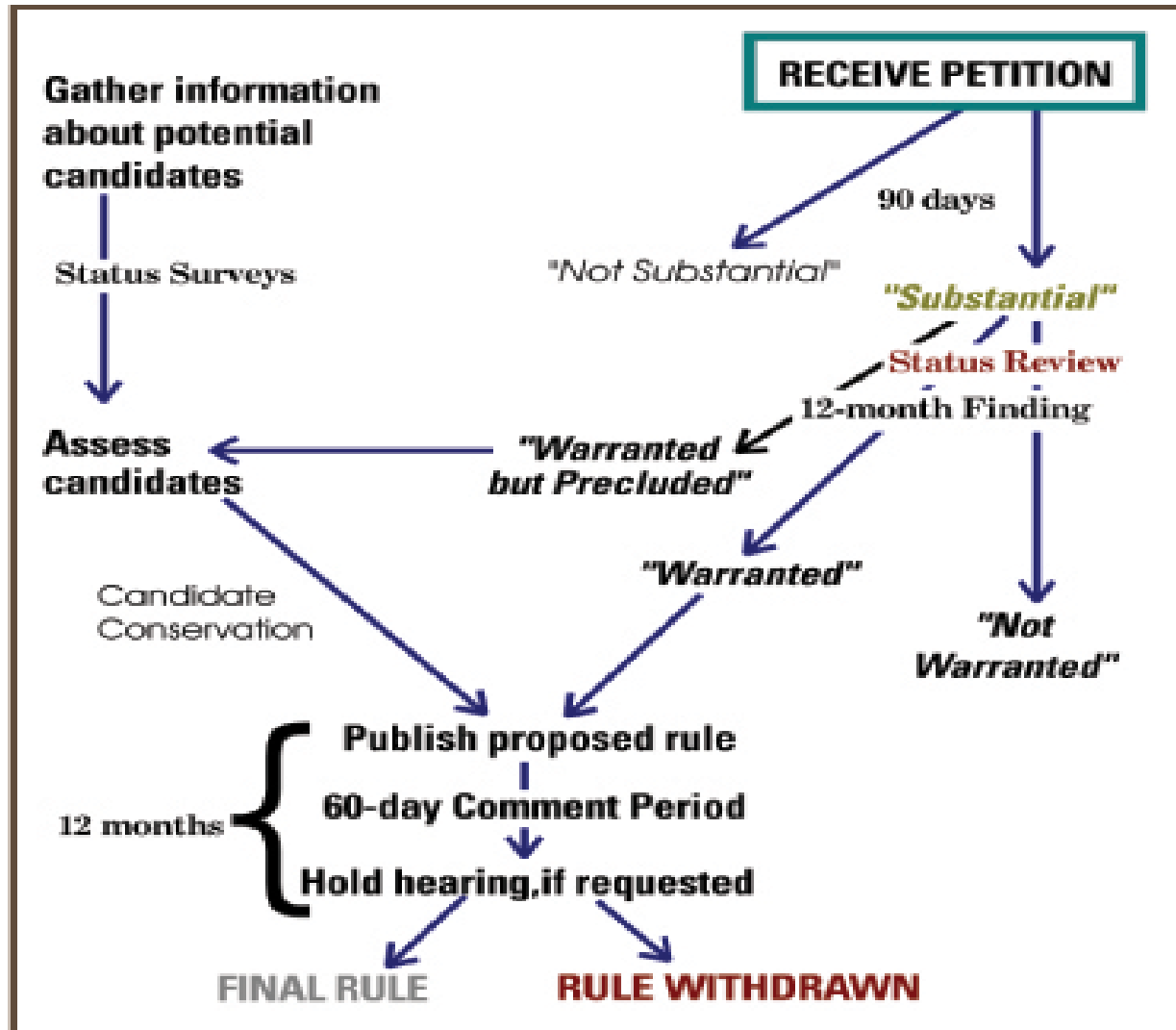
**Final Listing with
Proposed Critical Habitat**

**3 years
(Day 1,095)**

**Every five years after
-Five Year Review**

Final Critical Habitat

How is a Species Listed...?



What is your Role in the Listing Process ?

- **What role does the public, landowners, fish and wildlife agencies, federal partners and academia play in the process?**
- **How can you help us make the best decisions?**



What is your Role in the Listing Process ?

Provide Information!

- **Management**
- **Beneficial Actions**
- **Biology, surveys, scientific expertise**

Stay alert for public comment periods and comment!

What is your Role in the Listing Process ?

Tracking on-going status reviews...

- Read Press Releases and notifications
- Watch the Federal Register
- FWS internet sites, national/regional
<http://www.fws.gov>
- Early warning - Candidate Notice of Review
- Reach out to FWS



Status Updates

Sage Grouse 2020

Conservation Assessment

-Multi-agency effort

- Evaluate progress of agency commitments
- Assess
 - sage grouse populations numbers and trends
 - sagebrush status and changes
- Consider new science
- Recognize conservation efforts by private, state, and federal landowners

Status Updates

MT Candidate Conservation Agreement for Sage Grouse & 4 Grassland Songbirds

- Voluntary Agreement designed to maintain and enhance habitats for these birds on ranching and ag lands in MT
- Participating landowners voluntarily agree to address threats on property enrolled in CCAA

Status Updates

MT Candidate Conservation Agreement for Sage Grouse & 4 Grassland Songbirds

- For their efforts, landowners receive assurances that NO ADDITIONAL conservation measures or use restrictions would be required should the named species be listed.
- CCAA covers sage grouse, Baird's sparrow, chestnut-collared longspur, McCown's longspur, and Sprague's pipit

Status Updates

MT Candidate Conservation Agreement for Sage Grouse & 4 Grassland Songbirds

Activities covered include:

- General farm operations, ranching and livestock operations
- Recreation
- Rangeland treatments
- Species and habitat monitoring

Status Updates

MT Candidate Conservation Agreement for Sage Grouse & 4 Grassland Songbirds

- Cooperative effort between TNC & FWS-PFW and ES programs
- Finalized in late 2018
- Currently covering 3 landowners and 30,000 acres
- 2 additional landowners expected to join CCAA by mid-summer

Questions?



(the end...)