



# ESA Success:

## *A joint At-Risk effort of conservation action and recovery across the Southeast Region*

- Reducing Regulatory Burden
- Keeping Working Lands Working and Protecting a Way of Life
- Focused Conservation & Recovery Work

## 111 Wildlife Wins and Counting



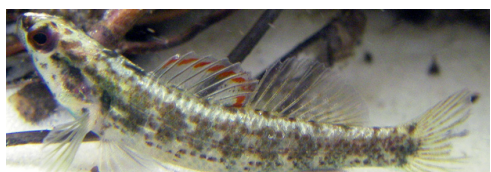
Alligator snapping turtle, one of 17 southeastern species on the 2012 CBD petition; credit USFWS/Garry Tucker



Georgia aster; credit TNC/Michele Elmore



Magazine Mountain shagreen; credit Dr. Ron Caldwell



Okaloosa darter; USFWS



Louisiana black bear; Pam McIlhenny

### The Challenge

More than three petitions beginning in 2010. One legal settlement. Together they covered 496 species.

The first 61 of those 496 species were already designated as candidates for protection, and a settlement laid out a schedule for final decisions on their status. A petition from the Center for Biological Diversity added 404 aquatic species. And in 2012, the U.S. Fish and Wildlife Service (Service) received an additional petition to evaluate 53 reptiles and amphibians. The agency continues to receive petitions seeking action on additional species.

In 2017, the Service's Southeast Region has roughly 60 percent of the agency-wide workload to evaluate these species.

### Results of Conservation Action

In 2011, recognizing the overwhelming number of evaluations in front of the Region, the Service began working even more closely with the Southeastern Association of Fish and Wildlife Agencies (SEAFWA) and a host of other partners and private landowners to implement a bold at-risk effort utilizing the flexibility within the Endangered Species Act (ESA) to do more and ultimately prevent the need to add species to the ESA's list of protected species.

Since 2011, the Service's biologists, working with state partners, have determined that 97 species did not need federal protection as a result of one or more of the following:

- conservation actions;
- additional information such as updated survey data;
- a lack of substantial information;
- reevaluation of threats to their survival.

Another 13 species protected by the ESA now require less protection or no protection at all as a result of recovery actions.

### Leading the Way

The 15 SEAFWA states are now leading the effort and using State Wildlife Grant (SWG) money to support additional surveys, research coordinated status assessments, and restoration projects to conserve at-risk species before they need protection under the ESA. For example, states are using SWG funding to support work to prioritize sandhill habitat restoration to benefit gopher tortoises and roughly 300 other species that use their burrows. Other states are using SWG money to support statewide surveys and restoration work benefitting the eastern hellbender.

The Southeast At-Risk Species (SEARS) Program focuses on collaborative conservation of species at-risk. Implemented by the SEAFWA's Wildlife Diversity Committee in cooperation with the Service, the goal is to preclude the need to list species under the ESA. SEARS establishes a mechanism through which States can collaborate on range-wide surveys and conservation projects for at-risk species.

States within SEAFWA have pooled State Wildlife Grant Funds and other funds to support coordinated status assessments and conservation projects for at-risk species. This information will inform status assessments and conservation programs for these species.

### Voluntary, Locally Led and Incentive-based

This at-risk work is a broad effort with states, private landowners, business and industry like ALCOA and Southern Company, Timber Investment Management Organizations and other conservation partners to protect a way of life and create more opportunity for voluntary conservation actions to occur across the landscape.

Biologists from the states and the Service are working with as many of those partners and stakeholders as they can across the Southeast to gather the best available science and undertake voluntary actions to put conservation on the ground



## The Challenge

January 2010: **61** candidate species published in Candidate Notice of Review, which became part of the Multi-District Listing Settlement Agreement.

April 20, 2010: CBD submits petition to list **404\*** southeastern aquatics.

(\*18 of these species were already designated by FWS as candidates.)

April 30, 2010 - January 2012: **12** species petitioned.

July 11, 2012: CBD submits petition to list a total of **53** reptiles and amphibians. The Southeast Region has the lead for **17**.

(Another 3 of the 53 occur in the Southeast, but other Regions have the lead for them.)

January 31, 2013 - now: **17** more species petitioned.

**496** southeastern species require evaluation.

The Southeast Region is responsible for **374** species listed as either threatened or endangered at this time.

## The Success So Far

- 26** not warranted 12-month findings
- 26** not substantial 90-day findings
- 45** species withdrawn by petitioner
- 97** **species do not require protection as a result of conservation actions, updated surveys and reevaluations of threats to their survival, or lack of substantial information**
- 5** listed or proposed for listing as threatened rather than endangered
- 5** species down-listed as a result of recovery actions\*
- 4** species delisted entirely as a result of recovery actions
- 14** **species require less protection or are recovered and no longer need protection at all**
- 111** **species in good shape or doing better**

(\*One proposed downlisting included here is not yet final.)



*Barrens topminnow, one of the 404 southeastern aquatics on the CBD petition; credit JR Shute, Conservation Fisheries, Inc.*



*Pigeon Mountain salamander; credit John Clare, Creative Commons*

in the right places to keep working lands working, reduce regulatory burden, increase regulatory predictability, and conserve fish, wildlife, and their habitats.

One example of this collaboration is the Longleaf Stewardship Fund – a partnership among Southern Company, the National Fish and Wildlife Foundation (NFWF), the Service and others that is conserving and restoring the longleaf pine ecosystem. Through this effort federal agencies and corporate partners combine resources to enhance the longleaf pine ecosystem, benefiting at-risk species that depend on the

ecosystem, such as the gopher tortoise, indigo snake, black pinesnake and the endangered red-cockaded woodpecker (RCW).

In addition, Southern Company and NFWF's Power of Flight program have accelerated the recovery of the RCW by expanding the range and populations through translocations so that downlisting decades ahead of schedule could be a reality. These types of collaboration have helped protect wildlife and wetland resources and become a model for other groups interested in species recovery.



*Tennessee purple coneflower was delisted due to recovery, credit Michael Hodge*

## Recovery

The Service uses a number of tools to support voluntary, locally led and incentive-based conservation to deliver conservation on the ground. One such tool is being finalized now. The Service is finalizing new flexibility to provide landowners, government agencies and others incentives to carry out voluntary conservation actions for non-listed species before they are listed. The new policy allows the benefits to species by such actions to mitigate or serve as a compensatory measure for the detrimental effects of another action undertaken after a species is listed.

## Results

Beyond that, this way of working led to five species being listed as threatened rather than endangered because of positive conservation actions taken by partners. The threatened status made additional exemptions possible for certain activities under the ESA's Section 4(d).

Another eight species were down-listed to threatened from endangered or proposed for removal from the list as a result of recovery actions taken by the Service and its partners since these species were listed. The at-risk effort benefits from the voluntary, innovative work that makes these recovery actions possible by aggressively looking for opportunities to accomplish this conservation before species need protection. The work also provides benefits for other species on the landscape.

So far, the effort and the vision behind it has enabled the Service to determine 110 southeastern species either didn't need the ESA's protection, could be listed as threatened rather than endangered, or could be down-listed or removed altogether from the list as a result of people working together.

For more information, please visit [www.fws.gov/southeast/candidateconservation](http://www.fws.gov/southeast/candidateconservation), or contact Mike Harris, At-Risk Species Coordinator, at 404/679 7066.