



## Questions and Answers: Roundtail Chub “Warranted but Precluded” Finding

Arizona Ecological Services Field Office

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**Q: What is the roundtail chub and where is it found?**

**A:** The 9- to 14-inch roundtail chub (*Gila robusta*) is an olive-gray to silver minnow with a lighter belly. The species was historically considered common in deep pools and eddies of large streams throughout its range in the upper and lower Colorado River basins in Wyoming, Utah, Colorado, New Mexico and Arizona. The petition and the 12-month finding single out the lower basin – Arizona and New Mexico – (basin below Glen Canyon Dam) population for protection. This population today occupies about 18 to 32 percent of its historical range and is limited to Arizona’s Little Colorado, Bill Williams, Salt and Verde river drainages, Eagle and Aravaipa creeks, and New Mexico’s upper Gila River.

**Q: What is a status review and 12-month finding?**

**A:** Under the Endangered Species Act (ESA), citizens or groups can petition the U.S. Fish and Wildlife Service (Service) and National Marine Fisheries Service to consider adding a species to the Federal List of Endangered and Threatened Species. The ESA requires that, for any petition to revise the List of Threatened and Endangered Species that contains substantial scientific and commercial information that listing may be warranted, the Service must make a finding within 12 months of the date of receipt of the petition on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but that the immediate proposal of a regulation implementing the petitioned action is precluded by other pending proposals to determine whether any species is threatened or endangered. A status review includes requesting and gathering the best available scientific and commercial information relevant to a species and threats to it, and evaluation of all available information. This becomes the basis of the 12-month finding.

**Q: What is the result of the Service’s status review and 12-month finding for the roundtail chub?**

**A:** Following a thorough review of the roundtail chub’s status in the lower Colorado River basin, the Service finds that the desert fish warrants protection under the ESA. The species will be added to the federal list of candidate species while the Service works on listing proposals for other species that are at greater risk of extinction. The Service will annually review the finding until a listing proposal is published, or a not warranted finding is made based on new information.

**Q: Only a portion of the roundtail chub’s range was petitioned for listing; under what authority is this permitted and how was it evaluated?**

**A:** In the petition to list these species, the petitioners asked the Service to consider designating a Distinct Vertebrate Population Segment (DPS) for the roundtail chub in the lower Colorado River

basin. Under the ESA, the Service must consider listing any species, subspecies, or, for vertebrates, DPSs of these taxa, if warranted. To implement the measures prescribed by the ESA and its Congressional guidance, the Services (U.S. Fish and Wildlife Service and National Marine Fisheries Service) developed a DPS policy to clarify interpretation of the phrase “distinct population segment of any species of vertebrate fish or wildlife” for the purposes of listing, delisting, and reclassifying species under the ESA. Under the DPS policy, three elements are considered in a decision regarding the status of a possible DPS as endangered or threatened. The elements are: (1) the population segment’s discreteness from the remainder of the taxon to which it belongs; (2) the population segment’s significance to the taxon to which it belongs; and (3) the population segment’s conservation status in relation to the ESA’s standards for listing (i.e., when treated as if it were a species, is the population segment endangered or threatened?).

The 2009 status review determined that the lower Colorado River population of roundtail chub meets our definition of a DPS. Historical collection records and the scientific literature indicate that there are two population centers, one each in the upper and lower Colorado River basin; for this reason, the lower Colorado River population is discrete. The loss of the lower Colorado River population would amount to the loss of roughly half of the species range, and loss from 2 of 5 states. This would be a loss of a significant gap in the range of the species, thus the lower Colorado River segment is significant under our DPS policy.

**Q: Didn’t the Service previously conduct a status review and 12-month finding for the roundtail and headwater chubs? If so, why is the roundtail chub status review done again?**

**A:** Yes. In 2006, after review of all available scientific and commercial information, the Service found that the roundtail chub in the lower Colorado River basin was not discernable from the upper basin population and therefore did not qualify as a Distinct Population Segment (DPS) under the Endangered Species Act and Distinct Population Segment Policy. The Service did find that listing the headwater chub, a related species, was warranted but precluded by higher priority listing actions. The Center for Biological Diversity challenged our decision to not list the lower Colorado River basin population of the roundtail chub as an endangered or threatened species. We entered into a stipulated settlement agreement to commence a new status review of the lower Colorado River basin population of the roundtail chub by October 1, 2008, and to submit a 12-month finding to the Federal Register by June 30, 2009.

**Q: What threatens the roundtail chub?**

**A:** Roundtail chub experience threats primarily from predation and competition with nonnative fishes, and also habitat destruction due to dewatering, impoundment, channelization, and channel changes caused by alteration of riparian vegetation and watershed degradation. The threat of habitat loss is likely to not only continue in the future but increase in severity given the environmental changes resulting from climate change and increasing human populations. The widespread, imminent, and serious threat to the long-term sustainability of roundtail chub in the lower Colorado River basin from the presence of nonnative aquatic species, especially nonnative fishes, compounds the threat of habitat loss.

Livestock grazing, roads, logging, recreation, mining, land uses such as improper and urban development can cause habitat loss. Other threats include wildfire and habitat fragmentation.

**Q: Are there efforts to conserve the roundtail chub?**

**A:** The State of New Mexico lists the roundtail chub and headwater chub as endangered under its Wildlife Conservation Act. Unlike the federal Act, however, habitat is not protected under New

Mexico's law. Recently, New Mexico Department of Game and Fish (NMDGF) completed a recovery plan for the roundtail chub and headwater chub. NMDGF recently created a refuge population at The Nature Conservancy's Gila River Preserve refuge pond near the Gila River.

The Arizona Game and Fish Department (AGFD) has developed an agreement and strategy for several native fish species, including the roundtail chub; this document was completed in December 2006 and has broad support from a number of state and federal cooperators. AGFD and its cooperators have stocked roundtail chub into two new nonnative-free habitats Roundtree Canyon and Ash Creek and plans to establish another population in Houston Creek. AGFD has also created a refuge at the Southwest Academy pond on Wet Beaver Creek near Camp Verde, Arizona, and maintains a broodstock population at its Bubbling Ponds fish hatchery.

Additionally, Salt River Project is implementing numerous roundtail chub conservation efforts under its Habitat Conservation Plan for Horseshoe and Bartlett Reservoirs and also works with AGFD to salvage roundtail chub from its canals during canal maintenance. The Nature Conservancy was instrumental in acquiring land and instream flow rights on the upper Verde River, and riparian and river habitat in the Gila-Cliff Valley for the benefit of native fishes, including the roundtail chub.

**Q: Were conservation efforts considered in the status review and determination that the roundtail chub warrants protection under the Endangered Species Act?**

**A:** Yes, the Service evaluated such efforts under its Policy for Evaluation of Conservation Efforts when Making Listing Decisions. The Service is working with both states to ensure that these efforts will be as effective as possible. While we recognize the importance of working with our partners in conserving the roundtail chub through the implementation of these state plans and efforts, which, when fully implemented, will greatly assist in the conservation of roundtail chub, these agreements and plans have only recently been completed, and are only in the early stages of implementation.

**Q: Can roundtail chub populations be restored?**

**A:** In Fossil Creek, a restoration effort in 2004 created a nonnative fish barrier and renovated 9.5 mi of stream, removing all nonnative fish species, which were previously abundant. Roundtail chub abundance increased dramatically after the restoration effort. Roundtail chub are expected to benefit from a similar restoration to be implemented at Stillman Lake on the upper Verde River. Construction of a fish barrier that limits nonnatives in Aravaipa Creek contributes to the persistence of roundtail chub in the creek.

**Q: What does "warranted but precluded" mean?**

**A:** The resources (personnel and funding) available for listing actions are determined through the annual Congressional appropriations process. Congress and court orders have in effect determined the amount of money available for other listing activities. Therefore, the funds in the Congressional appropriation for listing, other than those needed to address court-mandated critical habitat for already listed species, set the limits on our determinations of preclusion and expeditious progress.

In light of this, the roundtail chub will be added to the federal list of candidate species while the Service works on listing proposals for other species that are at greater risk of extinction. The Service will annually review the roundtail chub finding until a listing proposal is published, or a not warranted finding is made based on new information.

**Q: Does adding the roundtail chub to the list of candidate species provide any conservation benefit?**

**A:** The roundtail chub will be added to the list of candidate species eligible for Endangered Species Act protection. While candidate species receive no statutory protection under the ESA, inclusion on the candidate list promotes cooperative conservation efforts for these species. The Service's ultimate goal, which is shared by many state wildlife agencies, private organizations and individuals, is to intervene and successfully address the needs of candidate species so that listing is no longer needed.

For example, the Service provides technical assistance and competitive matching grants to private landowners, states and territories undertaking conservation efforts on behalf of candidate species. The Service also works with interested landowners to develop Candidate Conservation Agreements. These voluntary agreements allow citizens to manage their property in ways that benefit candidate species, in some cases precluding the need to list the species. These agreements can also be developed to provide regulatory certainty for landowners should the species become listed under the ESA.

Addressing the needs of candidate species before the regulatory requirements of the Endangered Species Act come into play often allows greater management flexibility to stabilize or restore these species and their habitats. In addition, as threats are reduced and populations are increased or stabilized, attention can be shifted to those candidate species in greatest need of the ESA's protective measures.

**Q: Will the Fish and Wildlife Service follow up on the status review and precluded listing?**

**A:** Yes, the Service will annually review the finding until a listing proposal is published, or a not warranted finding is made based on new information.

**Q: How do I submit information for annual status reviews?**

**A:** Information regarding the status of, and any potential threat to, the roundtail chub may be submitted by mail to Steve Spangle, Field Supervisor, Arizona Ecological Services Office, 2321 West Royal Palm Road, Suite 103, Phoenix, AZ 85021-4951 or by email to Glen Knowles at [glen\\_knowles@fws.gov](mailto:glen_knowles@fws.gov).