



NEWS RELEASE

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THIS NEWS RELEASE ORIGINALLY WAS PRODUCED BY AND RELEASED FROM THE SERVICE'S WASHINGTON, D.C. OFFICE

November 22, 2000

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FLOOD OF COURT ORDERS PRECLUDE NEW LISTINGS OF THREATENED AND ENDANGERED SPECIES IN FY 2001

U.S. Fish and Wildlife Service announced today that it will be unable to consider adding any new species to the Endangered Species List, except on an emergency basis, for the remainder of the 2001 Fiscal Year because all available funding must be allocated to conduct critical habitat designations required by court orders or settlement agreements.

"We have reached the point where the staff time and funding needed to list species have been consumed by the requirement to do court-ordered critical habitat designations stemming from a flood of lawsuits," said Service Jamie Rappaport Clark. "Unfortunately many species that should be listed in the coming year won't be listed."

Other than court-ordered critical habitat designations, the only listing actions the Service will take will be emergency listings, where a species is in imminent danger of extinction, and those either in the final stages of approval or funded by leftover appropriations from Fiscal Year 2000, Clark said.

"We won't be able to complete the listings of species we already proposed as needing protection such as the Chiricahua leopard frog in Arizona, the Mississippi gopher frog in Mississippi, the Mountain yellow-legged frog in California, the Vermilion darter in the Southeast, the coastal cutthroat trout in the Pacific Northwest, and the Buena Vista Lake Shrew in California," Clark said.

In addition, the Service will not be able to consider the 245 species currently on the candidate list--or any other species which are petitioned by the public--for Endangered Species Act protection, Clark said. Candidates are species which the Service believes are already in sufficiently dire condition to be listed, but for which the Service lacks the resources (in funding and staff) to develop proposed listing rules.

"When we look at what we can do to pull plants and animals back from the brink of extinction, we believe that getting them protected under the Act is the highest priority," Clark said. "The lawsuits are forcing us to use our resources do something that will provide much less benefit to threatened and endangered species."

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President Clinton requested \$7.2 million for the Service's listing budget for FY 2001, which includes the funding both for listing new species and designating critical habitat for already listed species. Congress ultimately appropriated \$6.35 million, up from \$6.2 million in FY 2000.

Virtually all of the funding will be used to issue 57 critical habitat proposals or final rules that will cover about 300 species, as a result of court orders and legal settlements of lawsuits. FY 2001 began October 1, 2000 and will end September 30, 2001.

The Endangered Species Act requires the Service to designate critical habitat for species at the time they are listed. Critical habitat identifies geographic areas that are essential for the conservation of a threatened or endangered species and which may require special management considerations. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands and does not close areas to all access or use. Rather, its impact is that Federal agencies must consult with the Service on activities they undertake, fund, or permit that may affect critical habitat.

For most of the history of the Act, the Service has made designating critical habitat for species a low priority because the agency believed it was more important to devote limited resources to listing threatened and endangered species. As a result, the Service has designated critical habitat for only 134 of 1,234 U.S. species listed to date.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 93-million-acre National Wildlife Refuge System which encompasses more than 530 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 66 national fish hatcheries, 64 fishery resource offices and 78 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.