

Species Background and Questions and Answers on the 90-Day Finding on a Petition to List the Tehachapi Slender Salamander

The Tehachapi slender salamander is in the lungless salamander family. It is distinguished from other members of the lungless salamander family by having a relatively broader head, long legs, shorter tail and broader feet. The species lacks lungs and breathes through its smooth, thin skin. It may be dark or brick red, or brown with light tan patches or blotches in a band-like pattern. When threatened, it can coil its body much like a snake.

The salamanders live out most of their lives underground, emerging only when it rains. The population in Caliente Canyon is found at elevations between 1,660 and 3,000 feet. The population found in the Tehachapi range is found between 3,350 and 4,600 feet. They occur on north-facing slopes within canyons or ravines, beneath rocks, fallen logs, talus, or leaf litter. The salamander feeds on small arthropods and other invertebrates.

The Tehachapi slender salamander breeds on land, though nothing is known about its breeding season, breeding behavior or specific habitat requirements for breeding. Research suggests, however, that the salamanders' mating and egg production may vary with seasonal climate patterns. Although its nests have not been found, it is likely that eggs are deposited deep within talus or leaf litter. Young salamanders hatch fully formed.

Q. When did the Service receive the petition to list the species?

A. The Service received the petition from Jeremy Nichols of Denver, Colorado, a private citizen, in February 2006.

Q. What is a 90-day finding on a petition to list?

A. Section 4 of the Endangered Species Act requires that the Fish and Wildlife Service make a finding on whether a petition to list, delist, or reclassify a species contains substantial information to indicate that the requested action may be warranted. That finding is to be made within 90 days, to the maximum extent practicable, after receipt of the petition and is to be published in the *Federal Register*. Findings are based on information contained in the petition, supporting information submitted with the petition, and other information available to the Service at the time.

Q. Why did it take the Service so long to publish the 90-day petition finding?

The Service's work activity is determined by the availability of funding and the priority of responding to court orders and settlement agreements. Funding recently became available which allowed the Service to respond to the petition. In a letter to the petitioners in April 2006, the Service concluded that emergency listing of the Tehachapi slender salamander was not necessary.

Q. What is meant by substantial information?

A. When the Service evaluates a petition for substantiality, it considers the adequacy and reliability of the information supporting the action advocated by the petition. A "substantial" finding indicates the Service has determined that adequate and reliable information has been

presented or is available that would lead a reasonable person to believe the petitioned action may be warranted.

Q. What kinds of information are considered reliable?

A. Among the most reliable and credible sources are papers published in peer-reviewed scientific literature. Information provided by individuals with demonstrated expertise in the relevant subject area is also generally considered reliable. Anecdotal information or information from sources without established records of subject matter experience and expertise must be strongly corroborated to be considered substantial.

Q. What happens now?

A. Once a positive 90-day finding is made, the Service proceeds with a status review of the species. Within 12 months of receipt of the petition, the Service decides whether the petitioned action is warranted, not warranted or warranted but precluded by proposals for other, higher-priority listing actions. If a warranted finding is made, the Service must promptly publish a proposed rule to pursue the petitioned action.

If a warranted but precluded finding is made for a petition to list, the Service classifies the petitioned species as a candidate for listing. The Service must document that it is making progress in listing, reclassifying or delisting species, and that the Service's decisions follow its listing priority system. The Service annually reviews warranted but precluded species for possible listing action.

If a not-warranted finding is made for a petition to list, the species is not assigned to candidate status.