

February 12, 2015

U.S. Fish and Wildlife Service Tribal Coordination Meeting with Southern California Indian Tribes and Bureau of Indians Affairs, Southern California and Palm Springs Agencies

Hosted by the U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 2177 Salk Avenue, Suite 250, Carlsbad, California 92008

Welcome and Introductions

Mendel Stewart, Field Supervisor, Carlsbad Fish and Wildlife Office

Listing/critical habitat updates (see handouts) – Scott Sobiech, Carlsbad Fish and Wildlife Office

Recovery Planning – Scott Sobiech, Carlsbad Fish and Wildlife Office

Update on the Desert Renewable Energy Conservation Plan – Ken Corey, Palm Springs Fish and Wildlife Office

Proposed Revised Rules to Improve Implementation of the Endangered Species Act – Michael Long, Chief Listing and Recovery, Region 8, Sacramento, CA

Bald and Golden Eagle Protection Act: Eagle Permits - Amedee Brickey, Deputy Chief, Migratory Birds and Habitats, Migratory Birds Program, Region 8, Sacramento, CA

Tribal Wildlife Grants – Jonathan Snapp-Cook, Carlsbad Fish and Wildlife Office

Feral Pigs in San Diego County – Update Handout. Contact Clark Winchell, Carlsbad Fish and Wildlife Office

Other fish and wildlife resource management issues/concerns

Next meeting date and location – anyone want to host?

Potential topics/presentations – cultural resources/NHPA; climate change,

Listing/critical habitat - updates of interest

### **Yellow-billed cuckoo**

LISTING: We, the U.S. Fish and Wildlife Service (Service), determined threatened status under the Endangered Species Act of 1973 (Act), as amended, for the western distinct population segment (DPS) of the yellow-billed cuckoo (*Coccyzus americanus*), a species located from the western portions of the United States, Canada, and Mexico. The final rule published in the Federal Register on Friday, October 3, 2014; 79 FR 59995. For additional information on previous Federal actions for the western yellow-billed cuckoo, please see the 12-month petition finding (66 FR 38611; July 25, 2001) and proposed listing rule (78 FR 61621; October 3, 2013).

CRITICAL HABITAT: We proposed critical habitat for the western DPS of the yellow-billed cuckoo on August 15, 2014 (79 FR 48547). The comment period for the proposed rule was reopened until January 12, 2015. A revised proposed rule will publish with draft NEPA documents this spring. The final critical habitat rule is scheduled to publish in August 2015.

We have no occurrence or nesting records on tribal lands.

### **Arroyo Toad**

12-Month Finding on a Petition To Downlist the Arroyo Toad (*Anaxyrus californicus*), and a Proposed Rule To Reclassify the Arroyo Toad as Threatened published in the Federal Register on March 27, 2014; 79 FR 17106. On Friday, October 17, 2014; 79 FR 62408, we announced the reopening of the public comment period until November 17, 2014. We anticipate publishing a final determination in early 2015.

### **Coastal California gnatcatcher**

On December 31, 2014, the Service announced a 90-day finding on a petition to delist the coastal California gnatcatcher (*Polioptila californica californica*) (gnatcatcher) (79 FR 78775). The petition, from the Pacific Legal Foundation, requested that the gnatcatcher be removed from the List of Endangered and Threatened Wildlife due to error. The petition claims that the gnatcatcher is not a valid subspecies and thus does not meet the definition of "species" under the Act.

Based on our review, we found that the petition presented substantial scientific or commercial information indicating that the petitioned action may be warranted. We are initiating a review of the status of this species and have requested scientific and commercial data and other information regarding the gnatcatcher. The comment period closes March 2, 2015. Based on the status review, we will issue a 12-month finding on the petition, which will address whether the petitioned action is warranted, as provided in the Act. Additional information regarding our review of the petition for the gnatcatcher can be found as an appendix at <http://www.regulations.gov> under Docket No. FWS-R8-ES-2014-0058 under the Supporting Documents section in the document labeled Appendix.

February 12, 2015

U.S. Fish and Wildlife Service Tribal Coordination Meeting

### **Nevares Spring naucorid bug**

LISTING DETERMINATION: Over the past several months, the Service has been evaluating the Nevares Spring naucorid bug (*Ambrysus funebris*) for proposed listing/[proposed critical habitat under the Act, as part of a Multi-District Litigation settlement for 251 candidate species. The naucorid bug is found within aquatic habitat in the Furnace Creek Springs and Furnace Creek Wash areas of Death Valley National Park. There are no known occurrences of the species on tribal lands.

A team of Service biologists has prepared a final draft of the Species Report that describes the species biology and potential stressors including the loss of habitat due to water diversion, nonnative and invasive plants, predation, fire, and climate change. A copy of the Species Report was sent (letter dated January 23, 2015) to the Timbi-sha Shoshone Tribe [with cc: to BIA] for review and comment. A final decision on this listing determination is expected before the end of the fiscal year 2016.

### **San Bernardino flying squirrel**

In March 2015, the Service will be initiating a 12-month finding for the San Bernardino flying squirrel (*Glaucomys sabrinus californicus*) (squirrel) as part of a settlement agreement. On February 1, 2012, we issued a 90-day finding for the squirrel (77 FR 4973) after receiving a petition from the Center for Biological Diversity, requesting that the squirrel be listed as endangered or threatened and to designate critical habitat concurrent with listing under the Act. In our 90-day finding, we found that the petition and other information in our files presented substantial information indicating that environmental impacts resulting from climate change, forest fuel-reduction practices, and urban development may be threats to the habitat or range of the squirrel. The 12-month listing determination is due to the Federal Register by April 29, 2016.

### **Recovery Planning**

#### **Santa Ana sucker**

The draft Recovery Plan for the Santa Ana sucker was released on Nov. 24, 2014. Comments were accepted until Jan. 23, 2015. A final plan should be released early 2016.

**Carlsbad Fish and Wildlife Office Recent and Pending Listing Actions**  
**Includes Palm Springs Fish and Wildlife Office**

Species	Listing Action	Publication Date	Citation
arroyo toad (Ventura)	Final revised critical habitat Warranted 90-day petition finding; reclassification as threatened Warranted 12-month petition finding; Proposed downlisting to threatened Reopening of comment period; proposed reclassification as threatened	February 9, 2011 June 4, 2012 March 27, 2014 October 17, 2014	76 FR 7246 77 FR 32922 79 FR 17106 79 FR 62408
Brand's phacelia	Removed as Candidate for Listing	November 22, 2013	78 FR 70104
Casey's June beetle	Final endangered listing and critical habitat	September 22, 2011	76 FR 58954
coastal California gnatcatcher	Delisting petition (received April 12, 2010) Not substantial 90-day petition finding Delisting petition (received May 29, 2014) Substantial 90-day petition finding; initiation of status review	-- October 26, 2011 -- December 31, 2014	-- 76 FR 66255 -- 79 FR 78775
Coachella Valley milk-vetch	Final revised critical habitat	February 13, 2013	78 FR 10450
Eureka Dune grass	Warranted 12 month petition finding; Proposed Delisting	February 27, 2014	79 FR 11053
Eureka Valley evening-primrose	Warranted 12 month petition finding; Proposed Delisting	February 27, 2014	79 FR 11053
flat-tailed horned lizard	Notice reinstating proposed threatened status Withdrawal of threatened status proposal State Petition to List under California Endangered Species Act (filed June 9, 2014)	March 2, 2010 March 15, 2011 --	75 FR 9377 76 FR 14210 --
Hermes copper butterfly	Warranted but precluded 12-month petition finding	April 14, 2011	76 FR 20918
Inyo California towhee	12-month finding/proposed rule to delist; draft post-delisting monitoring plan (November 2013)	November 4, 2013	78 FR 65938
island night lizard	Final rule; removal from Federal list of endangered or threatened	April 1, 2014 (Effective May 1, 2014)	79 FR 18190
mountain yellow-legged frog (southern California pop.)	Final critical habitat Active litigation; completion of Recovery Plan	September 14, 2006 --	71 FR 54344 --
Munz's onion	Final revised critical habitat	April 16, 2013	78 FR 22626
Nevares Spring naucorid bug	Listing determination	Post-MDL settlement (FY 2016 completion)	--
Orcutt's hazardia	Removed as Candidate for Listing	November 22, 2013	78 FR 70104
Riverside fairy shrimp	Final revised critical habitat Pending court ruling on critical habitat issue	December 4, 2012 --	77 FR 72070 --
San Bernardino flying squirrel	Listing petition (received August 25, 2010) Substantial 90-day Petition Finding 12-month listing petition finding (completion date 2016)	-- February 1, 2012 --	-- 77 FR 4973 --
San Bernardino kangaroo rat	Final critical habitat Final revised critical habitat vacated and remanded, and 2002 final critical habitat reinstated by Eastern Division of Central District of California on January 8, 2011	October 17, 2008 --	73 FR 61936 --
San Clemente Island bush mallow (Ventura/Carlsbad)	Not warranted 12-month downlisting petition finding	May 16, 2012	77 FR 29078
San Clemente Island lotus (Ventura/Carlsbad)	Final rule; reclassification as threatened	July 26, 2013	78 FR 45406
San Clemente Island paintbrush (Ventura/Carlsbad)	Final rule; reclassification as threatened	July 26, 2013	78 FR 45406
San Diego ambrosia	Final critical habitat	November 30, 2010	75 FR 74546
San Jacinto crownscale	Final revised critical habitat	April 16, 2013	78 FR 22626
Santa Ana sucker	Final revised critical habitat Recovery Outline completed March 2012 Active litigation (completion of Recovery Plan; NEPA requirement re critical habitat) Notice of Availability for Draft Recovery Plan (comment period closed January 23, 2015)	December 14, 2010 -- November 24, 2014	75 FR 77962 -- 79 FR 69880

Species	Listing Action	Publication Date	Citation
southwestern willow flycatcher (Region 2)	Final revised critical habitat	January 3, 2013	78 FR 344
spreading navarretia	Final revised critical habitat	October 7, 2010	75 FR 62192
Stephens' kangaroo rat	Negative 12-month delisting petition finding	August 19, 2010	75 FR 51204
Thorne's hairstreak butterfly	Not warranted 12-month petition finding	February 23, 2011	76 FR 9991
thread-leaved brodiaea	Final revised critical habitat	February 8, 2011	76 FR 6848
tidewater goby (Ventura)	Final revised critical habitat Proposed rule and 12-month finding; reclassification as threatened	February 6, 2013 March 13, 2014	78 FR 8746 79 FR 14340
van Rossem's gull-billed tern	Not warranted 12-month petition finding	September 21, 2011	76 FR 58650
western snowy plover (Pacific Coast pop.) (Arcata)	Final revised critical habitat	June 19, 2012	77 FR 36728
western snowy plover (Pacific Coast pop.) (Arcata)	Not warranted 12-month delisting petition finding/5-year review determination	April 21, 2006	71 FR 20607
western snowy plover (Pacific Coast pop.) (Arcata)	Proposed section 4(d) rule	April 21, 2006	71 FR 20625
willow monardella	Final revised critical habitat and delisting of Jennifer's monardella	March 6, 2012	77 FR 13394
yellow-billed cuckoo (western U.S. pop.) (Sacramento)	Proposed listing (distinct population segment); threatened Proposed listing; reopening of comment period Proposed listing; reopening of comment period Proposed critical habitat Final listing as threatened Proposed critical habitat (reopening of comment period)	October 3, 2013 December 26, 2013 April 10, 2014 August 15, 2014 October 3, 2014 November 12, 2014	78 FR 61622 78 FR 78321 79 FR 19860 79 FR 48548 79 FR 59992 79 FR 67154
North American wild horses (distinct population segment, public lands)	Listing petition (received June 10, 2014)	--	--
53 species of amphibians and reptiles [relevant species for CFWO/PSFWO include: western pond turtle, southern rubber boa, western spadefoot, foothill yellow-legged frog, Arizona toad, Colorado Desert fringe-toed lizard, panamint alligator lizard, sandstone night lizard]	Listing petition (received July 11, 2012)	--	--
Monarch butterfly	Listing petition (filed August 26, 2014) Substantial 90-day finding; initiation of status review	December 31, 2014	79 FR 78775

## FERAL PIGS IN SANDIEGO COUNTY

- Two separate efforts have joined forces to eradicate pigs from San Diego County.
  - Section 6 Funds
    - Supplied by the US Fish and Wildlife Service
    - Amount: \$160,000
    - Objective is to radio collar pigs to define distribution and movement patterns. This information will assist eradication efforts being conducted by USDA/APHIS/Wildlife Services.
    - California Department of Fish and Wildlife will be directing the project.
      - Hired a full time technician to work on project
    - San Diego State University is subcontracted to CDF&W, and will be collecting and analyzing data.
    - Wildlife Service will be trapping pigs for collaring.
    - Collaring pigs should begin by the end of March.
    - First efforts will be south of Lake Morena.
    - Objective is to collar 30 pigs
  - Eradication Funds
    - \$700,000 supplied by the US Forest Service/Cleveland National Forest
    - \$200,000 supplied by SANDAG
    - \$140,000 supplied by US Department of Agriculture
    - Objective is to eradicate pigs county-wide.
    - USDA/APHIS/Wildlife Services is doing all the work.
    - Project is in the 6<sup>th</sup> month of work.
    - Four focus areas (includes private lands)
      - Mt. Palomar
      - San Diego River Valley
      - Descanso
      - Hauser Canyon
    - Main method for detection is motion sensor camera
      - 150 cameras currently deployed
      - Wildlife Service has loaned 5 cameras to Barona
    - To date, Wildlife Services has removed 38 pigs
    - Estimate 30 to 100 pigs remain
      - Majority of pigs are on County Parks land
        - Cannot discharge firearms
  - San Diego Museum of Natural History is maintaining a geospatial database to monitor feral pig occurrences. Contact Scott Tremor, San Diego Museum of Natural History. He presented at the previous meeting.