



## Federal Protections for the Sierra Nevada Red Fox May Be Warranted *Questions and Answers on the Positive 90-day finding*

Prepared by the Sacramento Fish and Wildlife Office, December 2011

### **Q: What is a Sierra Nevada red fox?**

**A:** The Sierra Nevada red fox is one of 10 subspecies of red fox in North America. They can be distinguished from other red fox subspecies based on morphology (form and structure), coloration, and habitat use.

The Sierra Nevada red fox is typically red, but can occur in black or silver phases. With an elongated snout, large ears, slender legs and body, and a bushy tail with a white tip, the Sierra Nevada red fox is generally smaller than other red fox subspecies in North America.

Current population levels of Sierra Nevada red fox are unknown, but the subspecies is believed to occur at very low density where they are found.



Photo Credit: USFWS

### **Q: Where does the fox live?**

**A:** The Sierra Nevada red fox can be found in two small and isolated populations in California, one in the vicinity of Lassen Peak and the other in the Sonora Pass area. Historically, the subspecies occupied the high elevation areas of the Sierra Nevada and Cascade mountain ranges from Tulare County, California, north to the Columbia River in Oregon.

### **Q: What does the fox need to thrive?**

**A:** While the Sierra Nevada red fox is one of the most studied carnivores, little is known about the fox's ecology. The subspecies is one of three high-elevation mountain foxes. They are found in alpine and subalpine habitats typically above 5,000 feet elevation.

A study in the vicinity of Lassen Peak suggests that the subspecies requires large home ranges averaging 5,740 acres, with individual home ranges ranging from 647 to 17,250 acres. Habitat use by the subspecies varies seasonally. During summer and fall (June – November), they prefer barren, high elevation habitats with shrub and conifer communities. During winter and spring (November - June), they are found in mature closed-canopy forests, which they prefer forested for travel, possibly to avoid deep snow.

Sierra Nevada red fox, like other red fox in North America, appear to be opportunistic predators and foragers, with a diet primarily composed of small rodents.

**Q: Why is the fox being considered for listing?**

**A:** The two known populations of Sierra Nevada red fox are small and isolated to limited areas of the Sierra Nevada. Since 1980, the Sierra Nevada red fox has been listed as a threatened species under the California Endangered Species Act. On April 27, 2011, we received a petition from the Center for Biological Diversity, requesting that Sierra Nevada red fox be listed as endangered or threatened, and that critical habitat be designated under the Act.

**Q. The Sierra Nevada red fox is a subspecies. Are protections under the ESA different for subspecies?**

**A.** No., Subspecies and distinct population segments are accorded the same protections as any other animal species.

**Q. What did the petition cite as reasons that the subspecies should be listed?**

**A.** The petition asserts that Sierra Nevada red fox habitat is threatened by logging, fire suppression, domestic livestock grazing, and recreation, including the use of over-snow vehicles, such as snowmobiles, and off-road vehicles.

The petition states that Sierra Nevada red fox is threatened by SPD, disease transmission by domestic dogs, and increased coyote predation in logged forests. It also states that the structural changes associated with logging and fire suppression activities could facilitate invasion by coyotes and nonnative red fox, resulting in increased competition, predation, and possible interbreeding with nonnative red fox.

**Q: What is the U.S. Fish and Wildlife Service's determination regarding the status of the Sierra Nevada red fox?**

**A:** We determined that the petition (and our files) did not present substantial information on the following threats: logging, fire suppression, and domestic livestock grazing. However, we determined that there is substantial information to indicate that listing the fox may be warranted based on the following threats:

- Disease transmission from domestic dogs, the potential for contraction of salmon poisoning disease from stocked and wild salmonids, attack by dogs, and predation by coyotes.
- Use of over-snow and off-road vehicles within the foxes range; competition with coyotes; and the small population size of the fox exacerbating the magnitude of the other threats.

**Q. What happens now?**

**A.** With the publication of the positive 90-day finding, the Service is initiating a review of the status of the subspecies to determine if listing Sierra Nevada red fox under the Act is warranted. To ensure that this status review is comprehensive, we are requesting

scientific and commercial data and other information regarding this subspecies. Based on the status review, we will issue a 12-month finding on the petition, which will address whether the petitioned action is warranted.

**Q. What is the difference between a 90-day finding and a 12-month finding?**

**A.** The “substantial information” standard for a 90-day finding differs from the ESA’s “best scientific and commercial data” standard that applies to a status review to determine whether a petitioned action is warranted. A 90-day finding does not constitute a status review under the ESA.

A 12-month finding is conducted following a substantial 90-day finding. In a 12-month finding, the Service determines whether a petitioned action is warranted after completing a thorough status review of the species. Because the ESA’s standards for 90-day and 12-month findings are different, as described above, a substantial 90-day finding does not mean that the 12-month finding will result in a warranted finding.

**Q. Where can I find more information about the Sierra Nevada red fox and the 90-Day Finding?**

**A.** Visit [www.fws.gov/sacramento](http://www.fws.gov/sacramento) to download a copy of the finding, news release and more.

**Q. How can I submit relevant information?**

**A.** Anyone wishing to submit information regarding this species may do so in one of the following two ways:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Search docket FWS-R8-ES-2011-0103 and follow instructions for submitting comments.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: FWS-R8-ES-2011-0103, Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

Comments must be received within March 29, 2012. We will not accept e-mail or faxes. We will post all information we receive on <http://www.regulations.gov>.

**More questions? Write or call:**

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