

NEWS RELEASE

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**U.S. Fish and Wildlife Service Lists the Elfin-Woods Warbler as a
Threatened Species with Exemptions for Shade Coffee
-- Also Proposes Critical Habitat and Releases Economic Analysis --**

Faced with fewer suitable habitat areas, coupled with a declining population, the elfin-woods warbler is now listed as a threatened species under the Endangered Species Act (ESA), the U.S. Fish and Wildlife Service announced today. This action takes effect July 22, 2016, 30 days after its publication in the [Federal Register](#).

Under the law, a threatened listing means the species is likely to become in danger of extinction within the foreseeable future. It allows for more flexibility in how the ESA's protections are implemented by allowing exemptions for some activities that provide conservation benefits to the warbler, reflecting work with foresters and landowners over the past five years.

A proposal to designate critical habitat for the elfin-woods warbler, which is only found in Puerto Rico, was released today with a 60-day public comment period. The public comment period for the proposed critical habitat designation will close on August 22, 2016 and a final decision on it is expected next year.

At the same time, the Service announced the availability of the draft economic analysis that considers the impacts of the proposed critical habitat designation. The evaluation of economic impacts found the proposed critical habitat designation will not result in a significant economic impact in any given year, or result in greater economic impacts to any particular economic sector because almost all of the proposed designation is public land.

The proposed critical habitat encompasses about 27,125 acres in three units. Two of the units are currently occupied habitat and one is currently unoccupied habitat. The unoccupied unit in the Carite Commonwealth Forest contains habitat suitable for the reintroduction of the elfin-woods warbler. Land ownership within the proposed critical habitat area consists of 42 percent federal lands, 43 percent Commonwealth lands, and about 15 percent private lands adjacent to the Maricao Commonwealth Forest.

Currently, the bird only exists in El Yunque National Forest in eastern Puerto Rico; and in Maricao Commonwealth Forest and adjacent private lands in western Puerto Rico. It once had a wider distribution across Puerto Rico. During the early 1970s, there was a single report of a warbler in the Toro Negro Commonwealth Forest in the central mountain range of the island. The warbler also once occurred in the Carite Commonwealth Forest in east-central Puerto Rico; but, it has been more than 15 years since the bird was last seen there.

There are already many other protected species that share elfin-woods warbler habitat, including the Puerto Rican sharp-shinned hawk, Puerto Rican boa, Puerto Rican parrot, and the Puerto Rican broad-winged hawk, as well as 15 plant species.

The elfin-woods warbler is about 4.9 inches in length. The adult's upper body is predominantly black and white, with conspicuous white patches on ear-covers and neck, incomplete eye ring, and black crown. Immature elfin-woods warblers are similar to adults, but their black is replaced by grayish-green on the back, and yellowish-green on the head and underparts.

The warbler's threatened status allows the Service to include exemptions permitted under Section 4(d) of the ESA allowing certain types of agriculture and forestry work that are beneficial to the bird and its habitat. These include planting native shade and coffee trees, establishing buffers along river banks, using fertilizers within shade grown coffee plantations, and other sustainable agricultural practices that enhance the forest habitat this bird requires to survive.

For landowners, the exemptions allow more management flexibility and promote activities that make the most sense for conserving and recovering the warbler. There is no requirement to follow these voluntary exemptions. Landowners who prefer not to use the exemptions may still consult with the Service on other activities that may impact the bird.

"We look forward to continuing our work with landowners, the Commonwealth, federal land managers, and others to conserve the mountainsides the elfin-woods warbler needs," said Edwin Muñiz, the Service's Caribbean Ecological Services Field Office supervisor. "Actions that benefit this bird and its habitat, such as shade grown coffee plantations, will have additional benefits to other native wildlife including other endangered species in the area."

"We greatly appreciate all the help from landowners and governmental land managers working cooperatively towards that goal," Muñiz said.

In 2014, the Service, the Puerto Rico Department of Natural and Environmental Resources and the U.S. Forest Service signed a Candidate Conservation Agreement to work together to proactively conserve the warbler and restore suitable habitat in the El Yunque National Forest and Maricao Commonwealth Forest. With this agreement, the parties agreed to implement best management practices to avoid any potential threat to suitable and occupied elfin-woods warbler habitat and populations. This agreement provided additional conservation measures to help reduce the threats facing the bird and its status.

The agencies will reforest crucial areas and enhance habitat within degraded portions of their forests. Outreach and education programs also will encourage warbler habitat conservation and restoration by private landowners near these forests.

Shade-grown coffee plantations provide habitat for the warbler that is not available in sun-grown coffee plantations. The rise in sun-grown coffee plantations, coupled with small residential development and livestock-related activities, is a threat to the warbler. Fires, hurricanes, and climate change also are affecting the warbler's chances for survival.

The Service published a proposal in the *Federal Register* to list the elfin-woods warbler on September 30, 2015. At that time, the Service opened a 60-day public comment period and requested information on distribution, status, population size or trends, life history, and threats to this species. Comments received were reviewed, addressed, and incorporated into the final listing rule. With the species listed under the ESA, the Service will continue to work cooperatively with partners to develop a recovery plan and conserve its habitat.

The listing decision is part of the Service's efforts to implement a court-approved work plan under a Multi-District Listing agreement aimed at addressing a series of lawsuits concerning the agency's ESA listing program. The intent of the agreement is to recover species and significantly reduce a litigation-driven workload. For more information, please see <http://www.fws.gov/southeast/candidateconservation/>.

The Service offers willing landowners a number of voluntary and non-regulatory conservation programs to help this species survive as landowners live and work on their lands. Landowners who are interested in helping the Service conserve the elfin-woods warbler, or who are seeking more information about the potential implications of the listing, may contact the Service's Caribbean Ecological Field Office at Post Office Box 491, Boquerón, Puerto Rico, 00622, or contact Deputy Field Supervisor Marelisa Rivera at (787) 851-7297, or marelisa_rivera@fws.gov.

Critical habitat refers to specific geographic areas that are essential to the conservation of a threatened or endangered species and which may require special management considerations or protection. The designation of critical habitat will help ensure that federal agencies and the public are aware of the elfin-woods warbler areas important to the conservation of the bird, and proper consultation is conducted by federal agencies when required by law. In addition, identifying this habitat also helps focus the conservation efforts of other conservation partners, such as Commonwealth and local governments, non-governmental organizations, and individuals.

Designation of critical habitat does not affect land ownership or the establishment of a refuge, reserve, preserve, or other conservation area. Activities on lands proposed for critical habitat designation will not be affected, unless such activities are authorized, funded, or carried out by a federal agency. If federal funds are to be used in a project in an area where the elfin-woods warbler is known to occur, or an area designated as critical habitat for this species, the government agency involved will need to consult with the Service to develop conservation measures to avoid, reduce, or mitigate potential impacts to the elfin-woods warbler and/or its designated critical habitat.

Requests for a public hearing for the critical habitat designation must be made within 45 days by August 8, 2016 in writing to the U.S. Fish and Wildlife Service, Caribbean Ecological Services Field Office.

Written comments concerning the proposed critical habitat rule and the draft economic analysis for the elfin-woods warbler under the ESA should be submitted through August 22, 2016 by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments on Attn: FWS–R4–ES–2016–0002, for the proposed critical habitat designation.
- **U.S. mail or hand-delivery:** Public Comments Processing, Attn: FWS-R4-ES-2016-0002, for the proposed critical habitat designation, Division of Policy, Performance and Management; U.S. Fish and Wildlife Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

For more information on this designation, [read our questions and answers](#).

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. For more information on our work and the people who make it happen, visit www.fws.gov/southeast. Connect with us on Facebook at www.facebook.com/usfwssoutheast, follow our tweets at www.twitter.com/usfwssoutheast, watch our YouTube Channel at <http://www.youtube.com/usfws>, and download photos from our Flickr page at <http://www.flickr.com/photos/usfwssoutheast>.

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