

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.

Nevarés Spring naucorid bug

LISTING DETERMINATION: Over the past several months, the Service has been evaluating the Nevarés 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.