



NEWS RELEASE

U.S. FISH AND WILDLIFE SERVICE - IDAHO

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FOR IMMEDIATE RELEASE
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Service Reaffirms Proposed ESA Listing, Revises Proposed Critical Habitat for Slickspot Peppergrass

Agency Requests Public Input, Looks Forward to Collaborative Conservation of Idaho's Rangeland

After addressing outstanding issues relating to a U.S. District Court ruling, the U.S. Fish and Wildlife Service has concluded that threats to slickspot peppergrass (*Lepidium papilliferum*), a flowering plant found only in the sagebrush steppe ecosystem of southwestern Idaho, are likely to result in the species becoming endangered within the foreseeable future. As a result, the Service is reaffirming its proposal to list the species as threatened under the Endangered Species Act (ESA) and is seeking public comment.

On October 8, 2009, the Service listed slickspot peppergrass as a threatened species throughout its range. In August 2012, the U.S. District Court for the District of Idaho vacated the listing, ruling that that the Service's definition of "foreseeable future" was vague, necessitating a species-specific definition in order to proceed with the listing. In response, the Service considered the period of time over which threats to the species could reasonably be predicted. Based on rates of habitat impacts from modified wildfire regime, effects of invasive nonnative plants and other threats, the Service determined that the "foreseeable future" for slickspot peppergrass is at least 50 years, and the plant is likely to become endangered within that timeframe. The Service is therefore proposing threatened status for the plant.

"The Service has addressed the U.S. District Court's concern about the definition of 'foreseeable future,' and we are seeking public comment on our revised definition," said Dennis Mackey, Acting Idaho State Supervisor for the Service. "We look forward to moving beyond litigation to collaborative conservation of Idaho's rangelands and management of threats that will provide long-term benefit to this and other species such as sage-grouse, as well as Idaho's economy."

Recent surveys within the known range of slickspot peppergrass have revealed additional occupied sites since the Service's 2011 proposal to designate critical habitat. Based on this new information, the Service is amending its proposal to designate a total of 61,301 acres of critical habitat in Idaho's Ada, Elmore, Gem, Owyhee and Payette Counties. The additional proposed critical habitat includes 3,926 acres of U.S. Bureau of Land Management land, 58 acres of U.S. Bureau of Reclamation land, 87 acres of state land, and 188 acres of private land.

The Service is requesting public comment concerning the interpretation of “foreseeable future” as it pertains to slickspot peppergrass as well as information about the plant and its habitat that has become available since the 2009 status review, including population status, trends or threats. Public comment is also requested on the revised proposed critical habitat. Previous comments on critical habitat do not need to be resubmitted.

The public comment period will remain open for 30 days. The Service requests submittal of comments by close of business, March 14, 2014. Comments may be submitted electronically through the Federal eRulemaking Portal: <http://www.regulations.gov>, enter docket number FWS–R1–ES–2013–0117 for reconsideration of the listing, and FWS–R1–ES–2010–0071 for critical habitat action.

For more information about slickspot peppergrass conservation, the proposed rule and the Federal Register notice, please visit the Service’s website at <http://www.fws.gov/idaho>.

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