

## **Withdrawal of Listing Proposal – Mountain Plover Questions and Answers**

### **What is a mountain plover?**

The mountain plover is a small, migratory shorebird about the size of a robin. It is light brown above, with a lighter-colored breast, but lacks the contrasting dark breastbelt common to many other plovers, including the common killdeer. During the breeding season, it has a white forehead and a dark line between the beak and eye, which contrasts with the dark crown.

### **What is the mountain plover's habitat?**

While the mountain plover is classified as a shorebird, it is rarely found along edges of lakes or in wetlands. It may best be described as a species of disturbed prairie or semi-desert habitat. It is found on open, flat lands including shortgrass prairie, dry shrublands, barren agricultural fields, and other sparsely vegetated areas. On grasslands, they often inhabit areas with a history of disturbance by burrowing rodents such as prairie dogs, native grazers, or domestic livestock. It feeds mostly on insects.

### **Where is the mountain plover found?**

Mountain plovers breed in the western Great Plains and Rocky Mountain States from extreme southern Canada to northern Mexico. They are not distributed continuously across their range. Within the United States, most breeding occurs in Montana, Wyoming, and Colorado; fewer breeding birds occur in Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Utah.

Mountain plovers winter mostly in California, southern Arizona, Texas, and Mexico. While California's Sacramento, San Joaquin, and Imperial valleys support the greatest known number of wintering mountain plovers, relatively little is known about their winter range use in other areas.

### **When did the Service propose the mountain plover for listing under the Endangered Species Act?**

The Service originally proposed the listing of the mountain plover in February 1999 and amended that proposal in December 2002. Subsequently, we withdrew the listing proposal in September 2003 based on the conclusion that information available at that time did not indicate the threats to the mountain plover and its habitat were likely to endanger the species in the foreseeable future.

In November 2006, the Forest Guardians (now WildEarth Guardians) and the Biological Conservation Alliance filed a complaint challenging the withdrawal of the proposal to list the mountain plover. As part of the settlement agreement, the Service agreed to vacate

the 2003 withdrawal of the listing proposal and reopen a comment period on the 2002 proposal. The Service also agreed to submit a final listing decision to the Federal Register by May 1, 2011. In June 2010, the Service published a notice vacating the 2003 withdrawal, reinstating the December 2002 proposed rule to list the mountain plover as threatened, and inviting public comments.

### **What is the U.S. Fish and Wildlife Service's determination regarding the status of the mountain plover?**

After a thorough review of all available scientific and commercial information, the Service has determined that the mountain plover does not warrant protection as an endangered or threatened species. We estimate the current mountain plover breeding population to be over 20,000 birds, more than double the estimate cited in our 2002 proposal to list the mountain plover as a threatened species. An analysis of the potential threats to the mountain plover does not indicate the species is in danger of extinction or likely to become endangered within the foreseeable future.

### **Why did the Service make this decision?**

The mountain plover's geographically widespread breeding and wintering distribution and ability to use a variety of habitats contribute to its security. During breeding, mountain plover use short- and mixed-grass prairie, prairie dog colonies, agricultural lands, and semi-desert habitats. Threats affecting one habitat type may not appreciably affect others or substantially increase the mountain plover's vulnerability to extinction. Mountain plover have proven to be adaptable to many human activities, using crop fields for breeding and wintering, and often benefitting from cattle grazing. Therefore, the Service concluded that the listing off the mountain plover is not warranted at this time.

The following is a summary of the status review:

#### ***Factor A. The present or threatened destruction, modification, or curtailment of its habitat or range***

Loss or degradation of mountain plover habitat has generally been identified as the greatest potential threat to the species. The mountain plover occupies a wide geographic range in breeding, migration, and wintering. The extensive and diverse habitats it uses are subject to a number of changes that could represent potential threats.

Black-tailed prairie dogs create favorable breeding habitat for the mountain plover in several states including Colorado, Montana, and Wyoming. Black-tailed prairie dog numbers have increased by a factor of six since 1961 in states where they are present, and associated mountain plover habitat has likewise increased. The Service does not anticipate loss of black-tailed prairie dog numbers or the mountain plover habitat they maintain in the foreseeable future.

Current conversion of prairie and grasslands to other land uses within mountain plover breeding habitat has local impacts, but appears negligible when viewed from a range-wide perspective. Cattle grazing practices seldom create ideal breeding habitat for mountain plover. Specific range management to benefit mountain plover could be employed, but overall the Service expects current cattle grazing to continue relatively unchanged in the foreseeable future.

A number of governmental and private conservation efforts target the prairie ecosystems and prairie birds, including the mountain plover. Many of these initiatives include conservation of the black-tailed prairie dog. Efforts to maintain and expand prairie dog colonies and the prairie ecosystem they support would in turn benefit the mountain plover.

Suggestions that cropland use by breeding mountain plover is detrimental to populations have not been substantiated. While farming practices may inadvertently destroy some nests, nest success on farmlands has been found to be similar to that on other habitats.

Energy and mineral development alter landscapes and some activities can adversely impact mountain plover habitat, at least locally. The mountain plover often benefits from ground disturbance and may tolerate or benefit from human development that reduces existing vegetation. Overall, energy and mineral development has not been shown to have significant adverse impacts to the mountain plover.

Changes to mountain plover habitat in their wintering range, most notably in California, are ongoing. But wintering mountain plover are mobile and seek out a variety of grassland, rangeland, crop fields, and semi-desert landscapes from the Gulf Coast to the Pacific Ocean. Favorable agricultural habitats on which they are largely dependent in winter will likely vary as agricultural patterns change, and solar development in California will impact some known wintering areas, but appreciable loss of wintering habitat range wide is not anticipated.

***Factor B. Overutilization for commercial, recreational, scientific, or educational purposes.***

The Service did not find any evidence of risks to mountain plover from overutilization for commercial, recreational, scientific, or educational purposes, and has no reason to believe that these will become a threat to the species in the future.

***Factor C. Disease or predation.***

The Service did not find evidence that disease is currently impacting the mountain plover, or any information to indicate that disease outbreaks will increase in the future. While the level of predation on mountain plover nests and chicks is high, it is not inconsistent with that found in other ground nesting bird species. Fragmentation of habitats, including that associated with energy development, could increase predation, but evidence to date

does not suggest any increase is occurring. The Service found no evidence to indicate that predation is impacting the mountain plover at a level that threatens the species.

***Factor D. The inadequacy of existing regulatory mechanisms***

While mountain plover conservation has been addressed in some state, Federal, and international plans, laws, regulations, and policies, none of these have applicability throughout the range of the mountain plover sufficient to provide effective population-level conservation. However, since the Service found in the analysis of the other threat factors that no activities rise to the level of a threat to the mountain plover, existing regulatory mechanisms do not appear to be inadequate to protect the mountain plover.

***Factor E. Other natural or manmade factors affecting its continued existence***

The Service examined potential threats related to genetic diversity, site fidelity, life span, exposure to pesticides, selenium toxicity, weather, climate change, human disturbance, and cumulative impacts of multiple factors, and concluded none of these issues are impacting the mountain plover at a level that threatens the species.

**Where can more information on the Service's withdrawal of the listing proposal be found?**

For information about the mountain plover and this finding, see the Service's web site at <http://www.fws.gov/mountain-prairie/species/birds/mountainplover/INDEX.html> or contact the Colorado Ecological Services Field Office at (303) 236-4773.