

**Reinstatement of Endangered Species Act Protections for the  
Preble's Meadow Jumping Mouse in Wyoming  
Questions and Answers  
August 5, 2011**

The U.S. Fish and Wildlife Service (Service) is issuing a final rule to comply with a court order that reinstates regulatory protections under the Endangered Species Act (ESA) for the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) in Wyoming.

***Why is the Service taking this action?***

On July 7, 2011, the United States District Court for the District of Colorado vacated and remanded the Service's 2008 final rule which removed ESA protections for the Preble's meadow jumping mouse in Wyoming. In doing so, the Court reinstated the 1998 final rule listing the Preble's meadow jumping mouse as threatened throughout its range in Colorado and Wyoming.

***What is the basis for the Court's decision?***

The Service had asked the judge to remand and vacate the 2008 decision to continue to protect the mouse in Colorado but not in Wyoming. The 2008 decision was based on an interpretation of the law that allowed the agency to apply ESA protections to those portions of a species' range where the Service believed it was most threatened, rather than in all the places where it is found. This interpretation rested on a policy definition of the meaning of "in danger of extinction throughout all or a significant portion of the range" (SPR) that was subsequently invalidated by two court rulings. As a result of those rulings, the Service began developing a revised policy regarding the interpretation and implementation of the SPR Language.

***How does this action affect the State of Wyoming's petition to delist Preble's populations in Wyoming?***

The Service will conduct a new status review and make a new finding on petitions from the State of Wyoming and Coloradans for Water Conservation and Development seeking to delist Preble's populations in Wyoming by June 2013. The revised finding will be informed by the policy on SPR language, and both the finding and policy will be made available for notice and comment.

***What happens in the interim? Does this rule affect the status of Preble's in Colorado?***

The Preble's meadow jumping mouse will continue to be protected under the Endangered Species Act throughout its range in Colorado and Wyoming.

The special rule will remain in place which allows rodent control around buildings, existing agricultural operations, landscape maintenance, noxious weed control, ditch maintenance, and other specified activities to occur provided they are conducted in accordance with the requirements of the special rule.

The Service will be working closely with the State of Wyoming and private landowners to minimize the disruption of this action through streamlined ESA consultation and by providing feasible avoidance and minimization measures.

***Will critical habitat protections also be reinstated in Wyoming?***

No.

***Where are Preble's meadow jumping mice found?***

Preble's populations are found in heavily vegetated streamside areas and in adjacent grassland cover in southeastern Wyoming, southward along the eastern edge of the Front Range of Colorado to Colorado Springs in El Paso County, Colorado.

***What are the primary threats to the Preble's meadow jumping mouse?***

Habitat alteration, degradation, loss, and fragmentation resulting from urban development, flood control, water development, agriculture, and other human land uses have adversely impacted Preble's populations.

***What do Preble's meadow jumping mice look like?***

The Preble's is a relatively small rodent with an extremely long tail, large hind feet and long hind legs. The tail is bicolored, lightly furred and typically twice as long as the body. The large hind feet can be one third again as large as those of other mice of similar size. The Preble's has a distinct dark broad stripe on its back that runs from head to tail and is bordered on either side by gray to orange-brown fur. The hair on the back of all jumping mice appears coarse compared to other mice. The underside is white and much finer in texture. Total length of an adult Preble's mouse is approximately 8-10 inches long and more than 60 percent of length is its tail.

***Where can I get more information?***

Information regarding the Preble's meadow jumping mouse is available at <http://www.fws.gov/mountain-prairie/species/mammals/preble/> or by contacting the U.S. Fish and Wildlife Service, Wyoming Field Office, 5353 Yellowstone Rd, Suite 308A, Cheyenne, WY 82009, or by phone at: 307-772-2374.