



U. S. Fish & Wildlife Service

Nevada Fish and Wildlife Office

Conserving the Biological Diversity of the Great Basin, Eastern Sierra, and Mojave Desert

Questions & Answers

90-day finding for three subspecies of Spring Mountains butterflies

August 6, 2012

Q. What are the three subspecies of butterflies included in the 90-day finding?

A. The three species of Spring Mountains butterflies included in the 90-day finding are: two Spring Mountains dark blue butterflies (*Euphilotes ancilla purpura* and *Euphilotes ancilla cryptica*) and the Morand's checkerspot butterfly (*Euphydryas anicia morandi*).

Q. Why did the Service complete a 90-day finding for the three subspecies of butterflies?

A. The 90-day finding was prepared in response to two petitions. The Service received a petition on October 6, 2011, from Wild Earth Guardians, asking the agency to list the two Spring Mountains dark blue butterflies as endangered or threatened species under the Endangered Species Act of 1973, as amended (ESA). The second petition was received by the Service on November 1, 2011, from Bruce M. Boyd asking the agency to list the Morand's checkerspot butterfly as endangered or threatened.

Q. What were the results of the 90-day finding?

A. The Service determined that the information in the petition or in Service files indicates a potential for declines in population numbers of both subspecies of Spring Mountains dark blue butterflies. In-depth status reviews of both subspecies will be conducted to determine whether either or both warrant protection under the ESA.

Additionally, the Service determined the petition for the Morand's checkerspot butterfly did not present substantial information to indicate that listing the butterfly may be warranted.

Q. How did the Service determine that listing may be warranted for the two Spring Mountains dark blue butterflies?

A. The Service determined that there is substantial information to indicate a potential for declines in population numbers of both dark blue butterflies. Listing the butterflies may be warranted due to other natural or manmade factors, which will be determined during the 12-month status review.

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Q. Where do these three subspecies of Spring Mountains butterflies occur?

- A. The two Spring Mountains dark blue butterflies are known only to occur in the Spring Mountains; *Euphilotes ancilla purpura* is known to occur in Clark County in the northeast part of the Spring Mountains. The butterfly has been found at elevations from approximately 2,500 to 6,400 feet above sea level. Its larval host plant is juniper buckwheat. The other petitioned dark blue butterfly, *Euphilotes ancilla cryptica*, is known to occur in Clark and Nye counties in several spots throughout the Spring Mountains at elevations from approximately 5,900 to 9,900 feet above sea level. Its larval host plant is sulphur-flower buckwheat.

The Morand's checkerspot butterfly, which will not undergo a 12-month status review, is endemic to the Spring Mountains in Clark County. It is common in higher elevations; generally occurring above 6,600 feet. The Morand's checkerspot will not undergo a 12-month status review; the petition did not present substantial information to indicate that listing the butterfly may be warranted.

Q. What is the 12-month status review intended to accomplish?

- A. Based on the in-depth status review, the Service will issue a 12-month finding on the petition, making one of three possible determinations:
- 1) Listing is not warranted, in which case no further action will be taken.
 - 2) Listing as threatened or endangered is warranted. In this case, the Service will prepare a proposal to list, solicit independent scientific peer review of the proposal, seek input from the public, and consider the input before a final decision about listing the subspecies is made. In general, there is a one-year period between the time a listing is proposed and the final decision.
 - 3) Listing is warranted but precluded by other, higher priority activities. This means one or both of the butterflies are added to the federal list of candidate species, and the proposal to list is deferred while the Service works on listing proposals for other species that are at greater risk. A warranted but precluded finding requires subsequent annual reviews of the finding until such time as either a listing proposal is published, or a not warranted finding is made based on new information.

Q. Is the Service looking for information from the public during the 12-month status review?

- A. Yes. To ensure the 12-month status review is comprehensive, the Service is soliciting information from the public, as well as, other concerned governmental agencies, Native American Tribes, the scientific community, industry, or any other interested parties concerning the status of the two Spring Mountains dark blue butterflies. Details on specific information the Service is seeking are included in the finding.

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Q. What kind of information is the Service looking for from the public during the 12-month status review?

A. The Service is seeking information on:

- (1) The subspecies' biology, range, and population trends, including:
 - (a) Habitat requirements for feeding, breeding, and sheltering;
 - (b) Genetics and taxonomy;
 - (c) Historical and current range including distribution patterns;
 - (d) Historical and current population levels, and current and projected trends; and
 - (e) Past and ongoing conservation measures for the subspecies, its habitat or both.
- (2) The factors that are the basis for making a listing/delisting/downlisting determination for a species/subspecies under section 4(a) of the ESA, which are:
 - (a) The present or threatened destruction, modification, or curtailment of its habitat or range;
 - (b) Overutilization for commercial, recreational, scientific, or educational purposes;
 - (c) Disease or predation;
 - (d) The inadequacy of existing regulatory mechanisms; or
 - (e) Other natural or manmade factors affecting its continued existence.

Q. How does the public or any interested party provide information?

A. Anyone wishing to submit information regarding the Spring Mountains dark blue butterflies may do so by the following methods:

- Federal eRulemaking Portal: www.regulations.gov. Follow the instructions for submitting comments.
- U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS-R8-ES-2012-0041; *Division of Policy and Directives Management*; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

Emails and faxes will not be accepted, and all information received on www.regulations.gov will be posted. This generally means the Service will post any personal information provided. Comments must be received by October 9, 2012.

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