

12-Month Finding on Whitebark pine Outreach Plan

Issues:

The U.S. Fish and Wildlife Service (Service) is announcing a 12-month finding for whitebark pine (*Pinus albicaulis*) and has determined the species warrants protection under the Endangered Species Act (ESA), but that adding the species to the Federal List of Endangered and Threatened Wildlife and Plants is precluded by the need to address other listing actions of a higher priority.

Facts About the Issue:

Petition History:

- On December 9, 2008, the Service received a petition dated December 8, 2008, from the Natural Resources Defense Council (NRDC) requesting the Service list the whitebark pine (*Pinus albicaulis*) as endangered throughout its range and designate critical habitat.
- On December 23, 2009, the Service received NRDC's December 11, 2009, Notice of Intent to sue over the agency's failure to respond to the petition to list whitebark pine and designate critical habitat.
- The Service responded in a letter dated January 12, 2010, indicating preceding listing actions had priority, but the agency expected to complete the 90-day finding during the 2010 fiscal year.
- On February 24, 2010, the Service received a formal complaint from NRDC for failure to comply with issuing a 90-day finding on the petition.
- On May 7, 2010, the Service responded to the formal complaint. A notice of substantial finding was published in the *Federal Register* on July 20, 2010, constituting the Service's 90-day finding (75 FR 42033).
- The 12-month finding for this species must be submitted to the *Federal Register* by July 15, 2011.

Description and Range:

- Whitebark pine is a slow-growing, long-lived conifer with a life span of up to 500 years and sometimes over 1,000 years. It is considered a keystone species because it increases biodiversity and contributes to critical ecosystem functions. Whitebark pine is frequently the first conifer to become established after disturbances like wildfires and subsequently stabilizes soils and regulates runoff. Snow will drift around whitebark pine, thereby increasing soil moisture, modifying soil temperatures, and holding soil moisture later into the season. Whitebark pine also provides important, highly nutritious seeds for numerous birds and mammals.
- Because whitebark pine seeds cannot be wind-disseminated, primary seed dispersal occurs almost exclusively by Clark's nutcrackers (*Nucifraga columbiana*) in the avian family Corvidae (whose members include ravens, crows, and jays). Consequently, Clark's nutcrackers

facilitate whitebark pine regeneration and influence its distribution and population structure through their seed caching activities.

- Roughly 44 percent of the species' range occurs in the United States in Wyoming, Montana, Idaho, Nevada, California, Oregon, and Washington. The remaining 56 percent of the species range occurs in British Columbia and Alberta, Canada. Whitebark pine is a non-commercial conifer occurring primarily on federally owned or managed lands in the United States and mainly on privately owned lands in Canada.

Threats:

- From the Service's review, the agency determined threats to whitebark pine include habitat loss and mortality from white pine blister rust, mountain pine beetle, catastrophic fire and fire suppression, environmental effects resulting from climate change, and the inadequacy of existing regulatory mechanisms. Whitebark pine is experiencing an overall long-term pattern of decline, even in areas originally thought to be mostly immune from the above threats.
- Recent surveys and model predictions indicate a continuing downward trend within the majority of its range. While individual trees may persist on the landscape, given current trends the Service anticipates whitebark pine forests will likely become extirpated and their ecosystem functions will be lost in the foreseeable future.
- On a landscape scale, the species appears to be in danger of extinction, potentially within as few as two to three generations. The generation time of whitebark pine is approximately 60 years. The majority of whitebark pine occurs on U.S. Forest Service managed lands and protective measures implemented by the Forest Service have focused on restoration through development and planting of white pine blister rust-resistant seedlings.
- The Service finds the magnitude and imminence of threats indicate whitebark pine is in danger of extinction or is likely to become endangered within the foreseeable future throughout all of its range. The Service will make a determination on the status of whitebark pine as threatened or endangered when the agency does a proposed listing determination. Currently, listing of whitebark pine is precluded by higher listing priorities. The Service has assigned a Listing Priority Number of 2 to whitebark pine based on the Service's finding the species faces threats that are of high magnitude and are imminent.

Communication Goals:

- Inform the general public, legislators (federal and state), state and federal agencies, and other interested parties of the results of this 12-month status review.
- Encourage interested parties to continue to provide any new information as it becomes available.

Messages:

- After a thorough review of the best available scientific and commercial information, the Service has determined the whitebark pine warrants protection as a threatened or endangered species, but is precluded by higher listing priorities. Whitebark pine will be classified as a

candidate species until time and funding allow a listing proposal to be prepared.

- The U.S. Forest Service has, in cooperation with university researchers, the National Park Service, and others, made important strides in understanding the white pine blister rust ecology and mountain pine beetle life history.
- Importantly, research on the propagation of rust-resistant whitebark pine seeds and seedlings is underway and strategic conservation plans are being developed. However, there is no known way stop mortality caused by white pine blister rust and mountain pine beetle, two of the primary threats to the species.

Interested Parties:

- Petitioner: Natural Resources Defense Council
- Federal agencies: Bureau of Land Management, U.S. Forest Service, National Park Service, U.S. Fish and Wildlife Service programs
- Environmental organizations
- Media

Congressional districts:

Wyoming:

Senators John Barrasso, Michael Enzi; Representative Cynthia Lummis (AL);

Montana:

Senators Max Baucus, John Tester; Representative Denny Rehberg (AL)

Idaho:

Senators Michael Crapo, James Risch; Representatives Raul R. Labrador (1), Michael Simpson (2)

Oregon:

Senators Jeff Merkley, Ron Wyden; Representatives David Wu (1), Greg Walden (2), Earl Blumenauer (3), Peter DeFazio (4), Kurt Schrader (5)

Washington:

Senators Maria Cantwell, Patty Murray; Representatives Jay Inslee (1), Rick Larsen (2), Jaime Herrera Beutler (3), Doc Hastings (4), Cathy McMorris Rodgers (5), Norman Dicks (6), James McDermott (7), Dave Reichert (8), Adam Smith

Nevada:

Senator Harry Reid; Representative Dean Heller (2)

California:

Walter Herger (2), Daniel Lungren (3), Jeff Denham (19), Devin Nunes (21), Howard McKeon (25)

Key Dates:

- The action was sent to the *Federal Register* on July 12, 2011.
- The action will go on file in the *Federal Register* on July 18, 2011.
- The action will publish in the *Federal Register* on July 19, 2011.

Materials

- Press Release
- Q&As
- Outreach Plan

Day of action goes on file in the *Federal Register* reading room (July 18, 2011):

July 18: 8am

- FWS CLA-WO, in coordination with DOI, will distribute the press release to Congressional Offices on the Hill.
- RO or FO will provide courtesy phone calls to Congressional District Offices.
- Field Supervisors will contact Governor's office and counterparts in affected federal agencies including Regional Foresters (see above)
- Regional Directors will contact Directors of State Fish and Wildlife agencies
- **11am:**
- Press release will be distributed to congressional offices, media, and Tribes.
- Press release will be posted to R6 webpage and Wyoming Field Office webpage.
- Final rule will be posted to R6 webpage and Wyoming Field Office webpage.
- Key staff will be available for press calls.