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News Release



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Two Spring Mountains butterflies warrant review for possible protection under the Endangered Species Act

LAS VEGAS — The U.S. Fish and Wildlife Service (Service) will conduct in-depth status reviews of two Spring Mountains dark blue butterflies (*Euphilotes ancilla purpura* and *Euphilotes ancilla cryptica*) to determine whether the two species warrant protection under the Endangered Species Act of 1973, as amended (ESA). Additionally, the Service will not conduct an in-depth status review of the Morand's checkerspot butterfly (*Euphydryas anicia morandi*).

The decision, known as a 90-day finding, was published in today's edition of the *Federal Register*. Publication of the finding opens a 60-day public comment period and signals the beginning of 12-month status reviews of the two Spring Mountains dark blue butterflies.

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. The Service determined that the petition contained substantial information indicating the butterflies might warrant protection under the 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. The Service determined the petition did not present substantial information to indicate that listing the butterfly may be warranted.

"We encourage all interested parties to provide any information they have about these two butterfly subspecies to ensure the 12-month review is comprehensive," said Ted Koch, the Service's state supervisor. "Additionally, even though we will not review the status of the Morand's checkerspot butterfly at this time, interested parties are encouraged to continue to gather data that will assist with the conservation of the subspecies."

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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 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.

The Morand's checkerspot butterfly 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, as the petition did not present substantial information to indicate that listing the butterfly may be warranted.

To ensure the 12-month status review is comprehensive, the Service is soliciting information from the public, 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.

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.

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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.

This finding is available on the internet at www.regulations.gov — Docket Number FWS-R8-ES-2012-0041. The supporting documentation used in preparing this finding is available for public inspection, by appointment, during normal business hours at the Service's Nevada Fish and Wildlife Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130. Please submit any new information on threats to the butterflies, materials, comments, or questions concerning this finding to the above street address.

For more information, contact Edward D. Koch, State Supervisor, Nevada Fish and Wildlife Office, by mail to 4701 N. Torrey Pines Drive, Las Vegas, NV 89130; by telephone at 775-861-6300; or by facsimile at 775-861-6301. Those using a telecommunications device for the deaf (TDD) can call the Federal Information Relay Service (FIRS) at 800-877-8339.

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