

Candidate Conservation Agreements with Assurances

U.S. Fish & Wildlife Service, Northeast Region
Maine Department of Inland Fisheries and Wildlife
New England Cottontail

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What is a candidate species?

Candidate species are plants and animals that the U.S. Fish & Wildlife Service has sufficient information on their biological status and threats to propose them as endangered or threatened under the Endangered Species Act (ESA), but development of a proposed listing rule is precluded by other higher priority listing activities.

What are Candidate Conservation Agreements with Assurances (CCAA)?

Candidate Conservation Agreements with Assurances are formal agreements between the Service and non-Federal landowners to address the conservation needs of proposed or candidate species, or species likely to become candidates, before they become listed as endangered or threatened.

The participants voluntarily commit to implementing specific actions that, combined with conservation actions on other necessary properties, will remove or reduce the threats to these species and contribute to stabilizing or restoring the species so that listing is no longer necessary. In return, the landowners receive assurances that should the species become listed, the Service will not require additional conservation measures above what was specified in the CCAA. The landowners also receive assurances that their CCAA-specific activities are covered by the CCAA's take authorization permit.

What is "take"?

The ESA defines "take" as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. The ESA prohibits anyone from "taking" endangered or threatened wildlife unless they receive a specific permit or a certain activity is exempted in a section 4(d) rule for threatened species. Future "take" associated with implementation of conservation measures in a CCAA is permitted under a section 10(a)(1)(A) enhancement of survival permit.

In a CCAA, what benefits must the species receive?

The goal of these agreements is to remove enough threats to the species to eliminate the need for ESA protection. Before entering into a CCAA and providing regulatory assurances, the Service must reasonably expect and find that the conservation benefit will be sufficient to do that if similar actions were implemented throughout the species' range.

How can a property owner enter into this agreement?

The State of Maine is a cooperator in this New England cottontail (NEC) CCAA and will work with property owners in the state who volunteer to be a part of this agreement. The Maine Department of Inland Fisheries and Wildlife (MDIFW) proposes to establish the program for individual property owners in York, Cumberland, Androscoggin, Sagadahoc, Lincoln, Knox,

Oxford, Kennebec and Waldo counties to voluntarily enroll in the CCAA through site-specific management plans for the enrolled lands. MDIFW seeks up to 12,000 acres of private and state-owned lands for NEC habitat management.

Interested property owners should contact Wally Jakubas at 207-941-4471.

What must the agreement between the state and the property owner include?

Property owners that enter into the agreement may protect and enhance existing populations and habitats, restore degraded habitat, connect and create new habitat, enhance existing populations, reduce habitat fragmentation rates, restore historic populations or undertake other activities on their lands to improve the status of the NEC.

Activities may include cutting vegetation to promote shrub land development, maintaining existing habitat, planting seeds and seedlings, controlling invasive plant species, removing competing and non-native eastern cottontails, and translocation of NEC to newly created habitats.

The agreements are expected to include descriptions of:

- the conservation measures the owner is willing to undertake;
- the expected conservation benefits of those measures and the conditions that the owner agrees to maintain;
- assurances that the Service will not require additional conservation measures or “take” restrictions beyond those agreed to if the species is listed;
- a monitoring provision of the progress of conservation measures;
- and a notification requirement to provide the Service or Maine with reasonable opportunity to rescue individuals before any authorized take occurs.

What if a property owner sells his or her land?

The Service may regard the new property owner as having the same rights as the original property owner if the new owner agrees to become part of the original agreement.

What threats does the NEC face?

The NEC requires thicket habitat and is often found in young forests disturbed by activities including fire or insect outbreak. Though natural forest maturation affects its habitat, the NEC is further impacted by habitat destruction and modification resulting from human population growth. The range of the rabbit has declined by 86 percent during the past 50 years, primarily as a result of habitat loss.

The species is state-listed as endangered in Maine and New Hampshire. It is also a species of concern for all other states in its range.

What else is the Service doing to benefit NEC?

The Service and its partners are taking many steps to conserve and increase NEC habitat through conservation agreements; wildlife grants for conservation programs; management of Service-owned, state-owned, and tribal lands for NEC; research to better understand the species biology; and status reviews for updated species information. Across its six-state range, federal, state,

academic, local and private partners are implementing a strategic plan and working together to increase the number of rabbits by creating more young forests and shrublands. The strategy is strengthened by the cooperation and commitment of private landowners in communities across the region, since much of the land targeted for habitat restoration is privately owned.

Management actions for this species will benefit other wildlife of conservation concern that are dependent on shrub land, including American woodcock, ruffed grouse, eastern towhees, yellow breasted chats and whip-poor-wills.