



DEPARTMENT of the INTERIOR

news release

Fish and Wildlife Service

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PUBLIC COMMENT SOUGHT ON DRAFT ENDANGERED SPECIES GUIDELINES

The Interior Department's U.S. Fish and Wildlife Service and the Commerce Department's National Marine Fisheries Service are seeking public comments on a series of draft guidelines designed to ensure consistency in administration of the Endangered Species Act.

The draft documents provide guidance to agency staff on developing habitat conservation plans, managing petitions, conserving species that are "candidates" for listing, consulting with other Federal agencies, and defining "populations" of vertebrate species eligible for listing under the act.

The documents were published in the December 21, 1994, Federal Register. Public comments will be accepted for 60 days.

The two agencies have developed a draft Handbook for Habitat Conservation Planning to provide consistent and simplified procedures for agency personnel as they work with private landowners who apply for permits for "incidental take" of endangered species. Section 10(a) of the act allows development projects to proceed in endangered species habitat if an approved habitat conservation plan is in place. Such a plan must not reduce the species' chances of survival and recovery.

Newly proposed guidelines on petition management more rigorously define those species and actions that may be petitioned under the Endangered Species Act. The act allows any individual to petition the Fish and Wildlife Service or the National Marine Fisheries Service to list, delist, or reclassify (change from endangered to threatened, for example) a species. The draft document also provides guidance on timeframes for responding to petitions and notification of petitioners.

Draft guidelines were also proposed on conserving species that are candidates for listing. The guidelines provide information on how to identify species as candidates and provide direction for monitoring candidates to ensure they do not become extinct while awaiting a decision on whether to go forward with listing. The new guidance also sets out standards for prioritizing candidate species and mechanisms for taking actions benefitting candidates to avoid listing.

A draft handbook developed by the two services would provide consistent procedures for consultation with other Federal agencies on endangered species issues. The act, under Section 7, requires that all Federal agencies consult with the services when their actions may affect listed species. Proposed guidelines would outline standardized document language and format and provide assistance to other agencies during consultation.

Under the new draft policy for vertebrate populations, guidance is provided to ensure rigorous and consistent identification of those populations of vertebrate species that may qualify for listing under the Endangered Species Act. The act currently allows the services to list as endangered or threatened any species, subspecies, or vertebrate population but does not clearly define what vertebrate populations are eligible for listing. The draft policy would set standards to be used when determining whether a particular animal population may be eligible for listing. Elements to be considered include the extent to which the population is discrete in relation to the remainder of its species, how significant the population segment is to its species, and the population's status with regard to the Endangered Species Act's criteria for listing. The new policy would guide the evaluation of distinct vertebrate populations for listing, delisting, and reclassifying under the act.

For detailed information on the draft guidance documents or to submit written comments, write Chief--Endangered Species, U.S. Fish and Wildlife Service, ARLSQ-452, 1849 C Street NW., Washington, DC 20240; or Chief--Endangered Species Division, NOAA/NMFS, OPR 13342, 1335 East-West Highway, Silver Spring, MD 20910.