

**U.S. Fish and Wildlife Service  
North Atlantic-Appalachian Region  
Endangered Species Act Update  
April 13, 2020**

**White-Nose Syndrome (WNS)** (All States)

The FWS is working with USGS and other partners to conduct a rapid assessment of the risks for transmission of SARS-CoV-2 (the COVID-19 virus) from humans to bats. FWS and other state and Federal agencies have recommended temporary postponement of field work that involves direct capture and handling of bats until more is clear about this potential risk and how it can be mitigated. We anticipate preliminary results from the risk assessment by late April and will update the community as soon as information is available.

In winter 2020, white-nose syndrome was confirmed for the first time in Texas, in multiple Cave Myotis in the central part of the State. WNS has now been confirmed in 34 states and 7 Canadian provinces. Additionally, the disease-causing fungus has been detected or is suspected to be present in Mississippi, Wyoming, North Dakota, and California without confirmation of disease. The disease has been confirmed in at least 12 species of North American hibernating bats.

**WNS Grants:**

- The FWS is finalizing its decision on the WNS Prize Challenge that will reward up to five submitters for ideas that will enhance our toolbox for fighting WNS.
- This quarter, FWS will post notice for the WNS Grants to States and Tribes for 2020 on [www.Grants.gov](http://www.Grants.gov). These funds will support states and tribes in implementing conservation actions for bats, fulfilling information needs of management entities, and implementing the North American Bat Monitoring Program (NABat).
- FWS and state partners working with NABat are preparing a manuscript to summarize impacts of WNS to hibernating bat colonies across eastern North America. We continue to coordinate actions to facilitate bat monitoring efforts within FWS and by non-FWS partners using a combination of acoustic monitoring and counting of bats at summer and winter roosts.
- Monthly Conference Calls: The Service continues to host two monthly WNS conference calls, held on the first and third Thursdays of each month, to discuss WNS-related topics with state, Federal, tribal, and nongovernmental partners in the United States and Canada. Please contact Jeremy Coleman, National WNS Coordinator ([jeremy\\_coleman@fws.gov](mailto:jeremy_coleman@fws.gov)), with requests to be added to the email list.

More information on the national response to WNS can be found at <https://www.whitenosesyndrome.org/>.

For more information, contact Jeremy Coleman, [jeremy\\_coleman@fws.gov](mailto:jeremy_coleman@fws.gov), or Jonathan Reichard, [jonathan\\_reichard@fws.gov](mailto:jonathan_reichard@fws.gov), at the Regional Office.

### **Monarch Butterfly – Candidate Conservation Agreement with Assurances** (All States)

On April 2, 2020, the Service issued a permit for the Nationwide Candidate Conservation Agreement for Monarch Butterflies on Energy and Transportation lands: an integrated candidate conservation agreement with assurances (CCAA) and candidate conservation agreement (CCA), referred to as the Monarch Rights-of-Way CCAA. This historic agreement for the monarch butterfly (*Danaus plexippus*) on privately owned agricultural lands, in which the energy and transportation industry hold rights-of-way across 48 states, will potentially conserve millions of acres of monarch habitat and pollinators across the country. Monarch butterflies and other pollinators are declining in numbers due to multiple factors, including habitat loss. This agreement encourages the creation of new monarch habitat, as well as the maintenance of existing habitat across enrolled lands. CCAAs and CCAs are formal, voluntary agreements between the Service and landowners to conserve habitats that benefit at-risk species. A CCAA is for non-Federal partners only and provides assurances to participants (in the form of an “enhancement of survival permit”) that no additional conservation measures will be required of them if the covered species is listed under the ESA. A CCA can be entered into by any partner, whether a Federal, state, or local authority, NGO, or private individual/corporation, and memorializes the conservation commitment of the landowners, but, unlike a CCAA, does not provide assurances. The monarch agreement integrates both CCA and CCAA programs so energy and transportation partners can provide conservation seamlessly throughout their properties, where there may be a mix of non-Federal and Federal lands.

Additional information about the monarch butterfly can be found online at <https://www.fws.gov/savethemonarch/>.

For more information, contact Kevin Connally in our Regional Office at [kevin\\_connally@fws.gov](mailto:kevin_connally@fws.gov).

### **5-Year Reviews**

**1) Notices of Initiation of 5-Year Reviews** – The northeast Region published a *Federal Register* notice announcing the initiation of 5-year reviews for seven species on September 4, 2019: Appalachian monkeyface (*Quadrula sparsa*) (VA), Hay’s spring amphipod (*Stygobromus hayi*) (DC), Atlantic salmon (*Salmo salar*) (ME), diamond darter (*Crystallaria cincotta*) (WV), Virginia round-leaf birch (*Betula uber*) (VA), Virginia spiraea (*Spiraea virginiana*) (VA, WV), and swamp pink (*Helonius bullata*) (DE, MD, NJ, VA).

The *Federal Register* notice can be found at <https://www.govinfo.gov/content/pkg/FR-2019-09-04/pdf/2019-19056.pdf>.

For more information, contact Abby Gelb in our Regional Office at [abby\\_gelb@fws.gov](mailto:abby_gelb@fws.gov).

The Service's Midwest Region has initiated 5-year reviews for three species occurring in the northeast Region: gray bat (*Myotis grisescens*) (VA, WV), sheepsnose mussel (*Plethobasus cyphus*) (PA, VA, WV), and Houghton's goldenrod (*Salidago houghtonii*) (NY). For more information, contact Laura Ragan in the Midwest Regional Office at [laura\\_ragan@fws.gov](mailto:laura_ragan@fws.gov).

The Service's Southeast Region has initiated 5-year reviews for three species occurring in the northeast Region: slabside pearlymussel (*Pleuonaia dolabelloides*) (VA), fluted kidneyshell (*Ptychobranchus subtenum*) (VA), and hawksbill sea turtle (*Eretmochelys imbricate*) (CT, DE, MA, MD, ME, NH, NJ, RI, VA). For more information, contact Aaron Valenta in the Southeast Regional Office at [aaron\\_valenta@fws.gov](mailto:aaron_valenta@fws.gov).

- 2) **Bog Turtle – SSA to Inform 5-year Review** (CT, DE, MA, MD, NY, NJ, PA) – A species status assessment (SSA) is underway for the northern population of the bog turtle (*Clemmys [=Glyptemys] muhlenbergii*). We expect to complete a draft of the SSA by September 2020 and the 5-year review in FY 2021. For more information, contact Noelle Rayman-Metcalf in our New York Field Office at [noelle\\_rayman@fws.gov](mailto:noelle_rayman@fws.gov).
- 3) **American Hart's-Tongue Fern – SSA to Inform 5-year Review** (AL, MI, NY, TN, and Canada) – A species status assessment (SSA) has been completed for the threatened American hart's-tongue fern (*Asplenium scolopendrium var. americanum*). The SSA core team consisted of state representatives and other experts. The results of the SSA will inform a 5-year review recommendation whether to retain this species as threatened or delist it on the basis of recovery. We expect to complete the 5-year review this spring. For more information, contact John Wiley in our New York Field Office at [john\\_wiley@fws.gov](mailto:john_wiley@fws.gov).
- 4) **Northern Red-bellied Cooter – SSA to Inform 5-year Review** (MA) – A species status assessment (SSA) is underway for the endangered northern red-bellied cooter (*Pseudemys rubriventris*). The SSA core team consists of Service and state biologists. The results of the SSA will inform a 5-year review recommendation whether to retain this species as endangered, downlist it to threatened, or delist it on the basis of recovery. We expect to complete a draft of the SSA in spring 2021 and the 5-year review shortly thereafter. For more information, contact Eliese Dykstra in our New England Field Office at [eliese\\_dykstra@fws.gov](mailto:eliese_dykstra@fws.gov).
- 5) **Piping Plover – 5-year Review** (CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VA) – In March 2020, the Michigan Field Office completed a rangewide 5-year review for the piping plover (*Charadrius melodus*). The review recommends no change in listing status, but recommends a revision to the listing language for the Great Lakes population extending its endangered status throughout its range.

The 5-year review can be found at

[https://ecos.fws.gov/docs/five\\_year\\_review/doc6378.pdf](https://ecos.fws.gov/docs/five_year_review/doc6378.pdf).

For more information about portions of the document pertaining to piping plovers in the Northeast, contact Anne Hecht in our Regional Office at [anne\\_hecht@fws.gov](mailto:anne_hecht@fws.gov).

## **Recovery Planning**

- 1) Virginia Big-Eared Bat – Recovery Plan Amendment (VA, WV)** – The Service has prepared a draft recovery plan amendment for the endangered Virginia big-eared bat (*Corynorhinus (=Plecotus) townsendii virginianus*). The Service’s West Virginia Field Office coordinated these efforts with state natural resource agency and Service field office personnel in West Virginia, Virginia, North Carolina, Tennessee, and Kentucky. A Notice of Availability of the draft plan amendment was published in the *Federal Register* on August 6, 2019, for public comment; the comment period ended on September 5, 2019. The Service expects to issue a final plan amendment in FY 2020.

The draft amendment can be found at

[https://ecos.fws.gov/docs/recovery\\_plan/20190313\\_Draft%20VBEB%20Recovery%20Plan%20Amendment](https://ecos.fws.gov/docs/recovery_plan/20190313_Draft%20VBEB%20Recovery%20Plan%20Amendment).

For more information, contact Barbara Douglas in our West Virginia Field Office at [barbara\\_douglas@fws.gov](mailto:barbara_douglas@fws.gov).

- 2) Red Knot – Initiation of Recovery Planning (All States)** – The Service has initiated recovery planning for the threatened rufa red knot (*Calidris canutus rufa*). We have requested that internal and external partners provide any new information and invited biologists with knowledge of the species to participate in a series of webinar-based discussions. A draft SSA to inform the recovery plan will be circulated for peer and partner review this spring. We anticipate announcement (in the *Federal Register*) of a public comment period on the draft recovery plan in late 2020 or early 2021. For more information, contact Wendy Walsh in our New Jersey Field Office at [wendy\\_walsh@fws.gov](mailto:wendy_walsh@fws.gov).
- 3) Diamond Darter – Initiation of Recovery Planning (WV)** – The Service has initiated recovery planning for the endangered diamond darter (*Crystallaria cincotta*). We have contacted internal and external partners to request any new information and to invite them to participate in recovery planning. We anticipate announcement (in the *Federal Register*) of a public comment period on the draft recovery plan in 2020. For more information, contact Barbara Douglas in our West Virginia Field Office at [barbara\\_douglas@fws.gov](mailto:barbara_douglas@fws.gov).
- 4) Northern Riffleshell and Clubshell Mussels – Initiation of Recovery Planning (NY, PA, WV)** – The Service has initiated preparation of a recovery planning for the endangered northern riffleshell (*Epioblasma toulousa rangiana*) and clubshell (*Pleurobema clava*). We have requested that internal and external partners provide any new information that may inform recovery planning. We anticipate announcement (in the *Federal Register*) of a public comment period on the draft recovery plan in 2020. For more information, contact Bob Anderson in our Pennsylvania Field Office at [robert\\_m\\_anderson@fws.gov](mailto:robert_m_anderson@fws.gov).

- 5) **Hay's Spring Amphipod – Initiation of Recovery Outline (DC)** – The Service has initiated preparation of a recovery outline for the endangered Hay's spring amphipod (*Stygobromus hayi*). We have requested that internal and external partners provide any new information that may inform recovery planning. We expect to complete the recovery outline in FY 2020. For more information, contact Julie Thompson in our Chesapeake Bay Field Office at [julie\\_thompson@fws.gov](mailto:julie_thompson@fws.gov).
- 6) **Rusty Patched Bumble Bee – Draft Recovery Plan (MA, MD, ME, NJ, PA, VA, WV)** – The Service's Midwest Region has prepared a draft recovery plan for the endangered rusty patched bumble bee (*Bombus affinis*). A Notice of Availability of the draft plan was published in the *Federal Register* on January 24, 2020, for public comment; the comment period ended on February 24, 2020.

The draft recovery plan and instructions for submitting comments can be found at <https://www.fws.gov/midwest/Endangered/insects/rpbb/>

For more information, contact Mark McCollough in our Maine Office at [mark\\_mccollough@fws.gov](mailto:mark_mccollough@fws.gov).

## **Section 10 Incidental Take Permits - Habitat Conservation Plans (HCPs)**

- 1) **Pennsylvania Forestry HCP (PA)** – The Pennsylvania Game Commission (PGC) and the Department of Conservation and Natural Resources (DCNR) developed an HCP for take of the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) resulting from forest management activities on 1.4 million acres of PGC State Game Lands, 2.2 million acres of DCNR State Forests, and 295,000 acres of DCNR State Parks. The State Agencies and the Service are finalizing a Programmatic Agreement with the Advisory Council on Historic Preservation and the Pennsylvania State Historic Preservation Officer that will facilitate compliance with section 106 of the National Historic Preservation Act. Once complete, the Service will publish in the *Federal Register* a Notice of Availability of the HCP and NEPA analysis (including the Programmatic Agreement) for public comment. For more information, contact Pamela Shellenberger in our Pennsylvania Field Office at [pamela\\_shellenberger@fws.gov](mailto:pamela_shellenberger@fws.gov).
- 2) **Oil and Gas Coalition Multi-State HCP (OH, PA, WV)** – A coalition of oil and gas companies is developing an HCP to cover midstream and upstream oil and gas exploration, production, and maintenance activities in Ohio, Pennsylvania, and West Virginia over a 35-year period. The Coalition indicated that it intends to request ITP coverage for four bat species: the endangered Indiana bat (*Myotis sodalis*), the threatened northern long-eared bat (*Myotis septentrionalis*), the little brown bat (*Myotis lucifugus*), and the tricolored bat (*Perimyotis subflavus*). The Service is working with the Coalition on development of the HCP. For more information, contact Pamela Shellenberger in our Pennsylvania Field Office at [pamela\\_shellenberger@fws.gov](mailto:pamela_shellenberger@fws.gov).

- 3) **Laurel Mountain Wind HCP (WV)** – The Service received an incidental take permit application from AES Laurel Mountain, LLC, who owns and operates the Laurel Mountain Wind Facility, for take of the Indiana bat (*Myotis sodalis*) and Virginia big-eared bat (*Corynorhinus (=Plecotus) townsendii virginianus*) resulting from operation of its 65-turbine wind facility in Randolph County, West Virginia. The Service is developing an environmental assessment (EA) for the project and expects to publish in the *Federal Register* a Notice of Availability of the HCP and EA for public comment in spring 2020. For more information, contact Chase Allred in our West Virginia Field Office at [chase\\_allred@fws.gov](mailto:chase_allred@fws.gov).
- 4) **Copenhagen Wind HCP (NY)** – The Service received an incidental take permit application from Copenhagen Wind Farm, LLC, who owns and operates the Copenhagen Wind Facility, for take of the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) resulting from operation of its 40-turbine wind facility in Lewis and Jefferson Counties, New York. The Service published a Notice of Availability of the HCP and EA in the *Federal Register* on December 10, 2019, and accepted public comments through January 9, 2020. The Service anticipates concluding final review and making a permit decision this spring. For more information, contact Robyn Niver in our New York Field Office at [robyn\\_niver@fws.gov](mailto:robyn_niver@fws.gov).
- 5) **Albany Pine Bush Preserve HCP (NY)** – The Albany Pine Bush Preserve Commission has applied for an incidental take permit for take of the Karner blue butterfly (*Lycaeides melissa samuelis*; KBB) (and frosted elfin (*Callophrys irus*), should it be listed in the future) resulting from development of a recreation trail and general/emergency maintenance on 1.94 acres of occupied habitat within its Discovery Center grounds in Albany County, New York. The applicant's draft HCP and the Service's NEPA Environmental Action Statement are undergoing internal review. The Service expects to publish in the *Federal Register* a Notice of Availability of the HCP and NEPA document for public review comment within the next several weeks. For more information, contact Noelle Rayman-Metcalf in our New York Field Office at [noelle\\_rayman@fws.gov](mailto:noelle_rayman@fws.gov).
- 6) **Allegheny Wood Products Blackwater Canyon HCP (WV)** – Allegheny Wood Products (AWP) is developing an HCP to cover take of nine listed and nonlisted species resulting from timber harvest and residential development activities on its Blackwater Canyon property in Tucker County, WV. The Service is working with AWP on development of the HCP. For more information, contact Chase Allred in our West Virginia Field Office at [chase\\_allred@fws.gov](mailto:chase_allred@fws.gov).
- 7) **General Conservation Plan for the Indiana Bat and the Northern long-eared bat (NY, PA, WV, possibly others)** – The Service's northeast Regional Office, New York, Pennsylvania, and West Virginia Field Offices are collaborating on the development of a General Conservation Plan (GCP) for certain recurring project types that could result in incidental take of the Indiana bat and the northern long-eared bat. If approved, the GCP could be adopted by eligible applicants as part of their applications for incidental take permits. Applicants that satisfy requirements outlined within the GCP and meet statutory and

regulatory issuance criteria may be issued individual incidental take permits. For more information, contact Kevin Connally in our Regional Office at [kevin\\_connally@fws.gov](mailto:kevin_connally@fws.gov).

**Classification – Candidate Assessment; Petition Findings; Listing, Delisting, Reclassification, Critical Habitat Designation Rulemakings**

- 1) **National Listing Workplan** (All States) – On September 1, 2016, the Service announced a 7-year (FYs 2017 to 2023) plan to address our ESA listing workload. The National Workplan is based on the July 2016 final ESA Status Review Prioritization Methodology (<https://www.gpo.gov/fdsys/pkg/FR-2016-07-27/pdf/2016-17818.pdf>). The Prioritization Methodology and resulting Workplan allow us to address our current status review backlog in an efficient, predictable, and transparent manner. Under this approach, each status review is assigned to one of five priority categories, according to the imminence of threats, availability of relevant information, and ongoing conservation efforts by states and other stakeholders.

The National Workplan, updated as of May 2019, is posted at <https://www.fws.gov/endangered/what-we-do/listing-workplan.html>.

There are two documents:

- a FY 2019 plan that shows ongoing carryover actions from FY 2018 as well as new actions; this is a more complete picture of the Service’s listing work and helps explain why, due to workload capacity and conservation priority, there are actions scheduled for other years; and
- a FY 2018 to FY 2023 plan that shows only new actions scheduled according to workload capacity and conservation priority.

The National Workplan identifies each action’s completion date; work on the action will begin at least a year or two before this date, depending on the species’ range, other biological complexities, and staffing consideration. In initiating each scheduled Species Status Assessment (SSA), the Service will coordinate with State Directors and biological staff. If you have information or questions about the species that occur in your areas, we ask that you coordinate with the Field Office Supervisor in the appropriate state. For some of these species, the Service’s lead field office is one located in another Service Region. As of FY 2019, the National Workplan addresses status reviews for 101 species occurring in the Northeast (65 lead; 36 non-lead).

For more information, contact Martin Miller in our North Atlantic-Appalachian Regional Office at [martin\\_miller@fws.gov](mailto:martin_miller@fws.gov).

- 2) **Candy Darter – Final Critical Habitat Designation** (VA, WV) – The Service is working on finalizing the proposed critical habitat rule for the candy darter (*Etheostoma osburni*) that was published in the *Federal Register* on November 21, 2018. The 2018 rule proposed to designate a total of approximately 596 stream kilometers (370 stream miles), in Virginia and West Virginia, of occupied habitat fall within the boundaries of the proposed critical habitat

designation. The proposed rule opened a 60-day public comment period that ended on January 22, 2019. A final decision on the proposal is expected to be published in FY 2020.

The proposed rule can be found at <https://www.govinfo.gov/content/pkg/FR-2018-11-21/pdf/2018-25315.pdf>.

Supporting documents can be viewed through [www.regulations.gov](http://www.regulations.gov) under docket # FWS–R5–ES–2018–0050.

For more information, contact Keith Hastie in our Regional Office at [keith\\_hastie@fws.gov](mailto:keith_hastie@fws.gov).

- 3) American Burying Beetle – Proposed Rule to Downlist and Proposed 4(d) Rule** (AR, KS, OK, MA, NE, OH, RI, SD, TX) – On May 3, 2019, the Service published in the *Federal Register* a proposed rule to reclassify the American burying beetle (*Nicrophorus americanus*) from endangered to threatened and a proposed section 4(d) rule identifying activities that would be prohibited unless authorized. The proposed rules opened a 60-day public comment period that ended on July 2, 2019. At the request of the Center for Biological Diversity, a public hearing was scheduled for September 24, 2019, and the comment period was reopened for 30 days starting September 9, 2019, and closing October 9, 2019. A final decision on the proposal is expected to be published in FY 2020.

The proposed rule can be found at <https://www.govinfo.gov/content/pkg/FR-2019-05-03/pdf/2019-09035.pdf>.

The *Federal Register* notice announcing the public hearing can be found at <https://www.govinfo.gov/content/pkg/FR-2019-09-09/pdf/2019-19245.pdf>.

Information can be sent to Kevin Stubbs in the Oklahoma Field Office at [kevin\\_stubbs@fws.gov](mailto:kevin_stubbs@fws.gov).

- 4) Black-capped Petrel – Proposed Rule to List** (offshore areas of VA, NC, SC, GA, FL; and Cuba, Bahamas, Dominican Republic, Haiti, and other Caribbean Islands) – On October 9, 2018, the Service published in the *Federal Register* a proposed rule to list the black-capped petrel (*Pterodroma hasitata*) as a threatened species with a 4(d) rule. This pelagic seabird breeds on the Caribbean Islands and migrates long distances to foraging areas in the western Atlantic and southern Caribbean basins. The Service has determined that designating critical habitat for the black-capped petrel is not prudent at this time, but is seeking public comment on that determination. The proposed rule opened a 60-day public comment period that ended on December 10, 2018. A final decision on the proposal is expected to be published in FY 2020.

The proposed rule can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2018-10-09/pdf/2018-21793.pdf>.

Additional information about the species, including the species status assessment (SSA) report and other supporting material, can be found at

<https://www.fws.gov/southeast/wildlife/birds/black-capped-petrel/>.

For more information, contact Tom White in our Puerto Rico Field Office at [thomas\\_white@fws.gov](mailto:thomas_white@fws.gov).

- 5) **Eastern Black Rail – Proposed Rule to List** (AL, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MS, MI, NE, NH, NJ, NY, NC, OH, OK, PA, Puerto Rico, RI, SC, TN, TX, VA, Virgin Islands, WV) – On October 9, 2018, the Service published in the *Federal Register* a proposed rule to list the eastern black rail (*Laterallus jamaicensis jamaicensis*) as a threatened species with a 4(d) rule. Partially migratory, the eastern black rail is known to appear in as many as 36 states plus multiple territories and countries in the Caribbean and Central and South America. One of four subspecies of black rail, the eastern black rail, though rare, is broadly distributed but highly localized, and lives in salt, brackish, and freshwater marshes. The Service is not designating critical habitat for the eastern black rail at this time due to concerns that identifying such areas may attract birders seeking out these shy and elusive birds, placing additional stress on the bird. The proposed rule opened a 60-day public comment period that ended on December 10, 2018. A final decision on the proposal is expected to be published in FY 2020.

The proposed rule can be found at:

<https://www.gpo.gov/fdsys/pkg/FR-2018-10-09/pdf/2018-21799.pdf>.

Additional information about the species, including the species status assessment (SSA) report and other supporting material, can be found at

<https://www.fws.gov/southeast/wildlife/birds/eastern-black-rail/>.

For more information, contact Whitney Wiest in our South Carolina Field Office at [whitney\\_wiest@fws.gov](mailto:whitney_wiest@fws.gov).

- 6) **Yellow Lance Mussel – Final Critical Habitat Designation** (MD, VA, NC, SC, GA) – On April 3, 2018, the Service published in the *Federal Register* a final rule listing the yellow lance (*Elliptio lanceolata*) as a threatened species and, on February 6, 2020, published in the *Federal Register* a proposed critical habitat designation. The Service anticipates making a final decision on the critical habitat designation in FY 2021.

The final listing rule can be found at

<https://www.gpo.gov/fdsys/pkg/FR-2018-04-03/pdf/2018-06735.pdf>.

The proposed critical habitat rule can be found at

<https://www.govinfo.gov/content/pkg/FR-2020-02-06/pdf/2020-02294.pdf#page=1>

Supporting documents can be viewed through [www.regulations.gov](http://www.regulations.gov) under docket # FWS–R4–ES–2017–0017.

For more information, contact Sarah McRae in our Raleigh North Carolina Field Office at [sarah\\_mcr@fws.gov](mailto:sarah_mcr@fws.gov).

- 7) **Elk River Crayfish – SSA to Inform 12-Month Petition Finding (WV)** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a petition to list the Elk River crayfish (*Cambarus elkensis*) presented substantial information indicating that listing the species may be warranted. The Service has completed a species status assessment (SSA) report, which will support a 12-month finding. On April 18, 2019, the Center for Biological Diversity filed a complaint that the Service had missed the statutory deadline for completing the 12-month finding. We expect to complete the 12-month finding this spring.

The *Federal Register* notice for the 90-day finding can be found at <https://www.gpo.gov/fdsys/pkg/FR-2011-09-27/pdf/2011-24633.pdf>.

For more information, contact Barbara Douglas in our West Virginia Field Office at [barbara\\_douglas@fws.gov](mailto:barbara_douglas@fws.gov).

- 8) **Northern Virginia Well Amphipod – SSA to Inform a Discretionary Status Review (VA)** – Originally scheduled for FY 2023, the Service has reprioritized the species status assessment and listing recommendation for the Northern Virginia well amphipod (*Stygobromus phreaticus*) to be completed in FY 2020. The change in prioritization will be reflected in the forthcoming update to the National Listing Workplan (see item above). The species is currently known to occur on Fort Belvoir in Fairfax County, Virginia. For more information, contact Sumalee Hoskin in our Virginia Field Office at [sumalee\\_hoskin@fws.gov](mailto:sumalee_hoskin@fws.gov).

- 9) **Big Sandy Crayfish and Guyandotte River Crayfish – Proposed Critical Habitat Designation (VA, WV, KY)** – On January 28, 2020, the Service published in the *Federal Register* a proposed critical habitat designation rule for the Big Sandy crayfish (*Cambarus callainus*) and the Guyandotte River crayfish (*C. veteranus*), which were listed as threatened and endangered, respectively, on April 7, 2016. We expect to make a final decision on the critical habitat designation in FY 2021.

The proposed critical habitat designation rule can be found at <https://www.govinfo.gov/content/pkg/FR-2020-01-28/pdf/2020-01012.pdf>

Documents pertaining to the listing can be found at the following links:

- Final rule: <https://www.gpo.gov/fdsys/pkg/FR-2016-04-07/pdf/2016-07744.pdf>
- Big Sandy and Guyandotte River Crayfishes website: <http://www.fws.gov/northeast/crayfish/>

For more information, contact Keith Hastie in our Regional Office at [keith\\_hastie@fws.gov](mailto:keith_hastie@fws.gov).

- 10) **Longsolid Mussel – SSA to Inform 12-Month Petition Finding (AL, AR, GA, IL, IN, KY, NC, NY, OH, PA, TN, VA, WV)** – On September 27, 2011, the Service published in the

*Federal Register* a 90-day finding that a petition to list the longsolid mussel (*Fusconaia subrotunda*) presented substantial information indicating that listing the species may be warranted. The Service has initiated a species status review and will prepare a species status assessment (SSA) report, which will support a 12-month finding. We expect to complete the SSA and resulting 12-month finding in FY 2020. For more information, contact Andrew Henderson in the Asheville North Carolina Field Office at [andrew\\_henderson@fws.gov](mailto:andrew_henderson@fws.gov).

**11) Purple Lilliput Mussel – SSA to Inform 12-Month Petition Finding (AL, AR, IL, MI, MO, IN, TN, VA)** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a petition to list the purple lilliput (*Toxolasma lividus*) presented substantial information indicating that listing the species may be warranted. The Service has initiated a species status review and will prepare a species status assessment (SSA) report, which will support a 12-month finding. We expect to complete the SSA and resulting 12-month finding in FY 2020. For more information, contact Andrew Henderson in the Asheville North Carolina Field Office at [andrew\\_henderson@fws.gov](mailto:andrew_henderson@fws.gov).

**12) Round Hickorynut Mussel – SSA to Inform 12-Month Petition Finding (AL, AR, GA, IL, IN, KY, MI, MS, OH, PA, TN, WV, Canada)** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a petition to list the round hickorynut (*Obovaria subrotunda*) presented substantial information indicating that listing the species may be warranted. The Service has initiated a species status review and will prepare a species status assessment (SSA) report, which will support a 12-month finding. We expect to complete the SSA and resulting 12-month finding in FY 2020. For more information, contact Andrew Henderson in the Asheville North Carolina Field Office at [andrew\\_henderson@fws.gov](mailto:andrew_henderson@fws.gov).

**13) Tidewater Amphipod - SSA to Inform 12-Month Petition Finding (MD, VA, NC)** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a petition to list the Tidewater amphipod (*Stygobromus indentatus*) presented substantial information indicating that listing the species may be warranted. The Service initiated a species status review and will prepare a species status assessment (SSA) report that will support a 12-month finding. We anticipate completing the SSA report and listing determination in late FY 2020. For more information, contact Julie Slacum Thompson in our Chesapeake Bay Field Office at [julie\\_thompson@fws.gov](mailto:julie_thompson@fws.gov).

**14) Chowanoke Crayfish - SSA to Inform 12-Month Petition Finding (VA, NC)** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a petition to list the Chowanoke crayfish (*Faxonius [Orconectes] virginianus*) presented substantial information indicating that listing the species may be warranted. The Service initiated a species status review and will prepare a species status assessment (SSA) report that will support a 12-month finding. We anticipate completing the SSA report and listing determination in late FY 2020. For more information, contact Jennifer Stanhope in our Virginia Field Office at [jennifer\\_stanhope@fws.gov](mailto:jennifer_stanhope@fws.gov).

**15) Mountain Doll's Daisy – SSA to Inform 12-Month Petition Finding (PA, VA, NC)** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a

petition to list the [Mountain] doll's daisy (*Boltonia montana*) presented substantial information indicating that listing the species may be warranted. The Service initiated a species status review and will prepare a species status assessment (SSA) report that will support a 12-month finding. We anticipate completing the SSA report and listing determination in late FY 2020. For more information, contact Keith Hastie in our Regional Office at [keith\\_hastie@fws.gov](mailto:keith_hastie@fws.gov).

- 16) Monarch Butterfly – SSA to Inform 12-Month Petition Finding (All States) –** On December 31, 2014, the Service published in the *Federal Register* a 90-day finding that a petition to list the *plexippus* subspecies of the monarch butterfly (*Danaus plexippus*) presented substantial information indicating that listing the species may be warranted. The Service conducted a species status review and prepared a species status assessment (SSA) report, which will support a 12-month finding. A court-approved settlement agreement with the petitioners originally required the Service to complete the status review and publish a listing determination for the monarch butterfly in the *Federal Register* no later than June 30, 2019. The Service and plaintiffs have agreed to extend this deadline to December 15, 2020, to allow us to analyze data from the 2018-2019 overwintering survey and the 2019-2020 overwintering survey and incorporate these analyses into the status review. Additional information about the monarch butterfly can be found online at <https://www.fws.gov/savethemonarch/>.

For more information, contact Barbara Hosler in the Midwest Regional Office at [barbara\\_hosler@fws.gov](mailto:barbara_hosler@fws.gov).

- 17) Lake Sturgeon – SSA to Inform 12-Month Petition Finding (AL, AR, GA, IA, IL, KS, KY, MI, MN, MO, NC, ND, NE, NY, OH, PA, SD, TN, VT, WI, WV) –** In May 2018, the Center for Biological Diversity petitioned the Service to list the lake sturgeon (*Acipenser fulvescens*). On August 15, 2019, the Service published a 90-day finding indicating the petition to list the species presented substantial information. The Service will initiate a status review and write a species status assessment (SSA) report to support the listing determination. The Service's Midwest Region, the lead for the species, is gathering information to inform the determination of a listing priority (Bin #) for the species. More information on when the listing determination will be scheduled is forthcoming.

The 90-day finding can be found at <https://www.govinfo.gov/content/pkg/FR-2019-08-15/pdf/2019-17569.pdf#page=1>.

For more information, contact Barbara Hosler in the Midwest Regional Office at [barbara\\_hosler@fws.gov](mailto:barbara_hosler@fws.gov).

- 18) Saltmarsh Sharp-tailed Sparrow – SSA to Inform Discretionary Status Review (CT, DE, FL, GA, MA, MD, ME, NC, NH, NJ, NY, PA, RI, SC, VA) –** The discretionary listing determination for the saltmarsh sharp-tailed sparrow (or saltmarsh sparrow for short) (*Ammodramus caudacutus*), originally scheduled for FY 2019, has been rescheduled for FY 2023. Rescheduling the listing determination will allow us to focus on the immediate conservation needs of the species and to fully incorporate into the species status assessment

additional information about conservation efforts by our agency and partners, particularly through the Atlantic Coast Joint Venture. The Service will soon release a report describing the species' current condition and threats to bolster planning and implementation of conservation efforts.

Additional information about the saltmarsh sparrow can be found at <http://acjv.org/coordinated-conservation-for-saltmarsh-sparrow/>.

For more information, contact Suzanne Paton in our Southern New England Coastal Program office at [suzanne\\_paton@fws.gov](mailto:suzanne_paton@fws.gov).

**19) Frosted Elfin Butterfly – SSA to Inform Conservation Strategy** (AL, AR, CT, DC, DE, FL, GA, IL, IN, KY, KS, LA, MA, MD, MI, NC, NH, NJ, NY, OH, OK, PA, RI, SC, TN, TX, VA, VT, WI, WV; Canada (Ontario)) – The Service is proactively assessing the conservation status of the frosted elfin (*Callophrys irus*), including whether the species may warrant listing under the ESA. The Service has prioritized the frosted elfin's status review, using the July 2016 Methodology for Assessing Status Reviews, as a Bin 4 (species for which proactive conservation efforts by states, landowners, and stakeholders are underway or being developed). As such, making a recommendation on the frosted elfin's status is scheduled for September 30, 2023, in our National Listing Workplan. To facilitate coordination among partners and implementation of conservation actions, we prepared a biological report describing the species' current condition and threats to support development of a conservation strategy. To reduce species distribution data gaps, we drafted pilot rangewide survey protocols and coordinated surveys, primarily in the northeast Region, in spring 2019. The Service recently reached out to states to coordinate spring 2020 surveys; we are currently re-evaluating our survey plans in light of the coronavirus pandemic. We will complete an SSA before making a recommendation on its status in FY 2023. For more information, contact Robyn Niver in our New York Field Office at [robyn\\_niver@fws.gov](mailto:robyn_niver@fws.gov).

**20) Initiation of SSA for Three Bat Species: Tri-colored Bat, Little Brown Bat, Northern Long-eared Bat** (All States) – The Service is initiating an SSA for three bat species: for the tri-colored bat (*Perimyotis subflavus*) to inform 12-month petition finding; for the little brown bat (*Myotis lucifugus*) for a discretionary status review; and for the northern long-eared bat (*Myotis septentrionalis*) to inform 5-year review. Here is some additional information for each species:

Tri-colored Bat – On December 20, 2017, the Service published in the *Federal Register* a substantial 90-day finding on a petition to list the tri-colored bat as an endangered or threatened species. A substantial finding means that the petition presented substantial information indicating that ESA listing of the species may be warranted. The SSA will inform the 12-month finding on the petition. The Northeast Region has lead for this species. The tricolored bat's 90-day finding, batched with findings for other species, can be found at <https://www.federalregister.gov/documents/2017/12/20/2017-27389/endangered-and-threatened-wildlife-and-plants-90-day-findings-for-five-species>.

Little Brown bat – The Service’s Midwest Region is initiating a discretionary status review for the little brown bat.

Northern Long-eared Bat – The Service’s Midwest Region is initiating a 5-year review for the threatened northern long-eared bat to determine whether the species should retain its current status or be delisted or reclassified from threatened to endangered. The SSA will inform the 5-year review. On January 28, 2020, the U.S. District Court for the District of Columbia ruled on a lawsuit filed by the Center for Biological Diversity and Defenders of Wildlife. The court remanded to the Service its decision to list the species as threatened rather than endangered. The 5-year review for the species will serve to satisfy the court’s required reconsideration of the species’ listing status.

For more information, contact Melinda Turner in our Pennsylvania Field Office at [melinda\\_turner@fws.gov](mailto:melinda_turner@fws.gov) or Jonathan JaKa at [jonathan\\_jaka@fws.gov](mailto:jonathan_jaka@fws.gov).

**21) Rufa Red Knot – Proposed Critical Habitat Designation (All States)** – The Service is developing a proposed critical habitat designation rule for the red knot (*Calidris canutus rufa*), which was listed as a threatened species on December 11, 2014. On June 22, 2018, Defenders of Wildlife filed a lawsuit against the Service for failure to meet the statutory timeline for designating critical habitat for the *rufa* subspecies of red knot. The Service has a litigation deadline to send a proposed critical habitat rule to the *Federal Register* by June 30, 2022.

Documents pertaining to the listing rulemaking can be found at <http://www.fws.gov/northeast/redknot/>.

For more information, contact Wendy Walsh in our New Jersey Field Office at [wendy\\_walsh@fws.gov](mailto:wendy_walsh@fws.gov).

**22) Canada Lynx – SSA , 5-Year Review, Proposed Delisting Rule, and Proposed Post-delisting Monitoring Plan (ME, NH, VT)** – On January 11, 2018, the Service announced that it has completed a species status assessment (SSA) for the U.S. Distinct Population Segment (DPS) of Canada lynx (*Lynx canadensis*) and a 5-year review recommendation based on results of the assessment. The Service’s recommendation is that the DPS no longer warrants threatened status and should be considered for delisting due to recovery. The Service is developing a proposed delisting rule and post-delisting monitoring plan, which are expected to be made available for public comment in FY2020.

Documents pertaining to the Canada lynx can be found at <https://www.fws.gov/mountain-prairie/es/canadaLynx.php>.

For more information, contact Anna Harris in our Maine Field Office at [anna\\_harris@fws.gov](mailto:anna_harris@fws.gov).

**23) Furbish’s Lousewort – SSA, 5-year Review, and Proposed Downlisting Rule (ME)** – In September 2018, the Service completed a species status assessment for the Furbish’s

lousewort (*Pedicularis furbishiae*) to inform a 5-year review recommendation whether to retain this species as endangered, reclassify it to threatened, or delist it on the basis of recovery. The Service's Maine Field Office coordinated this effort with Maine natural resource agency personnel. On February 21, 2019, the Service completed the 5-year review, which recommends that the species be reclassified to threatened; the Service is now preparing a draft proposed downlisting rule and expects to publish the rule in the *Federal Register* for public comment in FY 2020.

The 5-year review can be found at [https://ecos.fws.gov/docs/five\\_year\\_review/doc5965.pdf](https://ecos.fws.gov/docs/five_year_review/doc5965.pdf).

For more information, contact Mark McCollough in our Maine Field Office at [mark\\_mccollough@fws.gov](mailto:mark_mccollough@fws.gov).

- 24) Sandplain Gerardia – Proposed Delisting Rule** (MA, RI, CT, NY, MD) – On June 19, 2019, the Service completed a 5-year review for the sandplain gerardia (*Agalinis acuta*). The review recommends that the species be delisted due to a change in taxonomy. The review is based on a review of the results of genetics analyses indicating that the sandplain gerardia is part of a more widespread *Agalinis* species (*A. decemloba*). The timeline for acting on the 5-year review recommendation is being re-evaluated.

The 5-year review can be found at [https://ecos.fws.gov/docs/five\\_year\\_review/doc6037.pdf](https://ecos.fws.gov/docs/five_year_review/doc6037.pdf).

For more information, contact Steve Sinkevich in our Long Island Field Office at [steve\\_sinkevich@fws.gov](mailto:steve_sinkevich@fws.gov).

- 25) Mussels – Technical Correction** (AL, AR, IL, IA, KS, KY, MI, MN, MO, TN, VA, WI, WV) – The Service's Midwest Region is preparing a technical corrections rule to update the taxonomy of freshwater mussels based on Williams et al.'s (2017) "A Revised List of the Freshwater Mussels (Mollusca: Bivalvia: Unionida) of the United States and Canada." Within our Region, this includes changes in genus nomenclature for the Cumberland monkeyface (*Quadrula intermedia*), Appalachian monkeyface (*Quadrula sparsa*), spectaclecase (*Cumberlandia monodonta*), slabside pearlymussel (*Pleuronaia dolabelloides*), and James spinymussel (*Pleurobema collina*) and changes in species nomenclature for the fluted kidneyshell (*Ptychobranthus subtentum*). The direct final rulemaking will effect these changes, and is expected to be published in FY 2020. For more information, contact Jordan Richard in our Southwest Virginia Field Office at [jordan\\_richard@fws.gov](mailto:jordan_richard@fws.gov).