

**U.S. Fish and Wildlife Service
North Atlantic-Appalachian Region
Endangered Species Act Update
January 27, 2021**

White-Nose Syndrome (WNS) (All States)

In January 2021, Montana Fish Wildlife and Parks announced the detection of Pd in 6 counties in Eastern Montana. The fungus that causes WNS was detected in guano samples collected from beneath bat roosts in May and June, 2020. No additional detection of Pd or WNS has been reported so far this winter. Earlier in 2020 Pd was detected in additional counties in Washington, and WNS was confirmed for the first time in both North Dakota (Little Brown Myotis) and Texas (Cave Myotis). WNS has now been confirmed in 35 states and 7 Canadian provinces, and evidence of Pd without confirmation of WNS in 4 states. A current interactive map of the spread of Pd and WNS in North America is on www.whitenosesyndrome.org

- **WNS Challenge:** In November, the Service announced the winner of a national prize challenge for ideas to combat WNS. A team of six researchers from Oregon State University and University of California, Santa Cruz, led by Emily Dziedzic (OSU), received the prize for their presentation of an idea to genetically silence Pd with a topical application that is harmless to bats and other organisms. Additionally, an honorable mention was awarded to Dr. Jorge Ortega of the National Polytechnic Institute of Mexico for his idea for a novel vaccine to immunize bats against WNS.
- **Bats for the Future Fund:** The Bats for the Future Fund with National Fish and Wildlife Foundation will reopen for proposals in late winter, 2021. Entities seeking funds to implement manage actions for bats affected by WNS are encouraged to consider applying. More information is available at www.nfwf.org/bats

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), 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, or Jonathan Reichard, Assistant National WNS Coordinator, jonathan_reichard@fws.gov, at the Regional Office.

Bats and SARS-CoV-2 (All States)

The USGS and the Service conducted a second round to assess the risks of transmission of SARS-CoV-2 (The COVID-19 virus) from humans to bats, focusing on subterranean work associated with monitoring hibernating bats and conducting surveillance for WNS. The assessment will estimate efficacy of mitigation measures available to reduce risks of transmission. Publication of the findings is expected in late winter, 2021.

Previously, the USGS and the Service and other partners completed a rapid assessment of the risks for transmission of SARS-CoV-2 from humans to bats. The Open File Report, *Assessing the Risks Posed by SARS-CoV-2 in and via North American Bats—Decision Framing and Rapid Risk Assessment*, is available at <https://pubs.er.usgs.gov/publication/ofr20201060>

To reduce the potential risk of people transmitting SARS-CoV-2 to bats, the Director of the Service has stipulated that Service employees, contractors, volunteers, permittees, and fund recipients, and people working with bats on Service lands use COVID-specific protective equipment, including a nonvented N95 mask or respirator, or face covering with similar level of protection, to conduct work involving contact with live, wild bats, or consider alternatives to coming into contact with live, wild bats. Other Federal agencies and state agencies have instituted additional precautions for work within their jurisdictions. The Service's lead biologists for listed bats are the main points of contact about any plans for winter surveys and other work with these species.

5-Year Reviews

- 1) Notice of Initiation of 5-Year Reviews (All States)** – On October 13, 2020, the Northeast Region published a *Federal Register* notice announcing the initiation of 5-year reviews for 10 species: Virginia fringed mountain snail (*Polygyriscus virginianus*) (VA), Plymouth red-bellied cooter (*Pseudemys rubriventris*) (MA), Jesup's milk-vetch (*Astragalus robbinsii* var. *jesupii*) (NH, VT), shale barren rock-cress (*Arabis serotina*) (VA, WV), Maryland darter (*Etheostoma sellare*) (MD), Lee County cave isopod (*Lirceus usdagalun*) (VA), James spinymussel (*Pleurobema collina*) (VA, WV), red knot (*Calidris canutus rufa*) (CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VA, WV), Big Sandy crayfish (*Cambarus callainus*) (VA, WV), and Guyandotte River crayfish (*Cambarus veteranus*) (WV).

The *Federal Register* notice can be found at <https://www.federalregister.gov/documents/2020/10/13/2020-22547/endangered-and-threatened-wildlife-and-plants-initiation-of-5-year-reviews-of-10-northeastern>

For more information, contact Abby Gelb in our Regional Office at abby_gelb@fws.gov.

- 2) **Notice of Initiation of 5-Year Reviews** (ME, NY, PA, VA) – On August 31, 2020, the Service’s Midwest Region published a *Federal Register* notice announcing initiation of 5-year reviews for five species occurring in the Northeast Region: eastern prairie fringed orchid (*Platanthera leucophaea*) (ME, VA), Leedy’s roseroot (*Rhodiola integrifolia* ssp. *Leedyi*) (NY), northern wild monkshood (*Aconitum noveboracense*) (NY), Mitchell’s satyr butterfly (*Neonympha mitchellii mitchellii*) (VA), and eastern massasauga rattlesnake (*Sistrurus catenatus*) (NY, PA).

The *Federal Register* notice can be found at

<https://www.federalregister.gov/documents/2020/08/31/2020-19083/angered-and-threatened-wildlife-and-plants-initiation-of-5-year-status-reviews-of-14-listed>

For more information, contact Laura Ragan in the Midwest Regional Office at laura_ragan@fws.gov.

- 3) **Notice of Initiation of 5-Year Review for Northern Long-eared Bat** (All States) – On December 23, 2020, the Service’s Midwest Region published a *Federal Register* notice announcing initiation of 5-year reviews for the threatened northern long-eared bat (*Myotis septentrionalis*). There is no need to submit information that you submitted previously, including information submitted in response to the data call for Species Status Assessments of northern long-eared bat, little brown bat, and tri-colored bat. To ensure consideration, please send your additional written information by February 22, 2021.

The *Federal Register* notice can be found at

<https://www.federalregister.gov/documents/2020/12/23/2020-28415/angered-and-threatened-wildlife-and-plants-initiation-of-5-year-status-review-for-the-northern>

For more information, contact Jill Utrup in the Midwest Regional Office at jill_utrup@fws.gov.

- 4) **Notice of Initiation of 5-Year Reviews** (CT, DE, ME, MD, MA, NH, NJ, NY, RI, VA) – On March 25, 2020, the Service’s Southeast Region published a *Federal Register* notice announcing initiation 5-year reviews for three species occurring in the Northeast Region: hawksbill sea turtle (*Eretmochelys imbricata*) (CT, DE, ME, MD, MA, NH, NJ, NY, RI), fluted kidneyshell (*Ptychobranchus subtentum*) (VA), and slabside pearl mussel (*Pleuromma dolabellodes*) (VA).

The *Federal Register* notice can be found at

<https://www.federalregister.gov/documents/2020/03/25/2020-06223/angered-and-threatened-wildlife-and-plants-initiation-of-5-year-status-reviews-for-25>

For more information, contact Carrie Straight in the Southeast Regional Office at carrie_straight@fws.gov

- 5) **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 spring 2021 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.
- 6) **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.
- 7) **Atlantic Salmon – 5-year Review** (ME) – On November 22, 2020, the National Marine Fisheries Service and Fish and Wildlife Service completed a 5-year review for the Atlantic salmon (*Salmo salar*) Gulf of Maine Distinct Population Segment concluding that the population should remain listed as endangered.

The 5-year review is available at https://ecos.fws.gov/docs/five_year_review/doc6760.pdf

For more information, contact Peter Lamothe in our Maine Fish and Wildlife Service Complex at peter_lamothe@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 2021.

The draft amendment can be found at https://ecos.fws.gov/docs/recovery_plan/20190313_Draft%20VBEB%20Recovery%20Plan%20Amendment.

For more information, contact Jennifer Norris in our West Virginia Field Office at jennifer_l_norris@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*). In August 2019, we requested that internal and external partners provide any new information, and we invited biologists with knowledge of the species to participate in a series of webinar-based discussions that were held in October 2019. A draft SSA to inform the recovery plan and a technical draft of the recovery plan were circulated for peer and partner review and comment in May 2020. We anticipate announcement (in the *Federal Register*) of a public comment period on the formal draft recovery plan in early 2021. For more information, contact Wendy Walsh in our New Jersey Field Office at wendy_walsh@fws.gov.
- 3) **Candy Darter – Initiation of Recovery Planning** (VA, WV) – The Service will soon initiate recovery planning for the endangered candy darter (*Etheostoma osburni*). We will contact 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 2021. For more information, contact Sarah Nystrom in our Regional Office at sarah_nystrom@fws.gov.
- 4) **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 2021. For more information, contact Jennifer Norris in our West Virginia Field Office at jennifer_l_norris@fws.gov.
- 5) **Northern Riffleshell and Clubshell Mussels – Initiation of Recovery Planning** (NY, PA, WV) – The Service has initiated recovery planning for the endangered northern riffleshell (*Epioblasma touloua 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 2021. For more information, contact Bob Anderson in our Pennsylvania Field Office at robert_m_anderson@fws.gov.
- 6) **Hay’s Spring Amphipod – Recovery Outline** (DC) – The Service has completed a recovery outline for the endangered Hay’s spring amphipod (*Stygobromus hayi*). The Service will soon initiate preparation of a draft recovery plan. We will contact 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 2021.

The recovery outline is available at

https://ecos.fws.gov/docs/recovery_plan/20200916_Recovery%20outline_hays%20spring%20amphipod_signed.pdf

For more information, contact Julie Thompson in our Chesapeake Bay Field Office at julie_thompson@fws.gov.

- 7) **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 can be found at
<https://www.fws.gov/midwest/Endangered/insects/rpbb/>

For more information, contact Mark McCollough in our Maine Field Office at
mark_mccollough@fws.gov.

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

- 1) **Pennsylvania Forestry HCP** (PA) – In December, the Service issued an Incidental Take Permit to the Pennsylvania Game Commission (PGC) and the Department of Conservation and Natural Resources (DCNR) for take of the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) resulting from forest management activities on 3.9 million acres of PGC State Game Lands and DCNR State Forests and State Parks. Copies of the issued permit and all supporting documents are available on the Service’s Environmental Conservation Online System Conservation Plans Database (https://ecos.fws.gov/ecp0/conservationPlan/plan?plan_id=4434). For more information, contact Pamela Shellenberger in our Pennsylvania Field Office at 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.
- 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 2021. For more information, contact Chase Allred in our West Virginia Field Office at chase_allred@fws.gov.

- 4) **Allegheny Wood Products Blackwater Canyon HCP (WV)** – Allegheny Wood Products (AWP) is developing an HCP to cover take of seven 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.
- 5) **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.
- 5) **Nemasket River Northern Red-bellied Cooter HCP (MA)** – The Middleborough-Lakeville Herring Fishery Commission initiated development of an HCP with the Service’s New England Field Office to conserve endangered northern red-bellied cooters (*Pseudemys rubriventris*). The purpose of the proposed project is to facilitate fish passage for native alewife (*Alosa pseudoharengus*) and blueback herring (*Alosa aestivalis*) that are adversely affected by reduced river flows in the Nemasket River caused by the invasive variable leaved watermilfoil (*Myriophyllum heterophyllum*, an aquatic plant). The proposed HCP will minimize and mitigate impacts to northern red-bellied cooters that may occur incidental to management of the invasive aquatic plant. For more information, contact Eliese Dykstra in our New England Field Office at eliese_dykstra@fws.gov.
- 6) **New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) HCP for Piping Plover at Jones Beach State Park, Robert Moses State Park and Hither Hills State Park (NY)** – The NYSOPRHP proposes to address a number of recreational and maintenance activities at three Long Island parks, and their impacts to the federally listed piping plover (*Charadrius melodus*). The Service is working with NYSOPRHP on development of the HCP. For more information, contact Steve Papa in our Long Island Field Office at steve_papa@fws.gov.

LISTING – Candidate Assessment; Petition Findings; Listing, Critical Habitat Designation Rulemakings

- 1) **National Listing Workplan (All States)** – On January 12, 2020, the Service announced a 5-year (FYs 2021 to 2025) 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 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 January 2021, is posted at <https://www.fws.gov/endangered/what-we-do/listing-workplan.html>.

The National Workplan identifies each action's completion date; work on the action will begin approximately 2 years before this date, depending on the species' range, other biological complexities, and staffing considerations. 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 area, we ask that you coordinate with the Field Office in the appropriate state. For some of these species, the Service's lead field office is one located in another Service Region.

For more information, contact Matt Hinderliter in our Regional Office at matthew_hinderliter@fws.gov.

- 2) **Monarch Butterfly – 12-Month Petition Finding** (All States) – On December 17, 2020, the Service published in the *Federal Register* a 12-month finding that listing of the *plexippus* subspecies of the monarch butterfly (*Danaus plexippus*) as an endangered or threatened species is warranted but precluded by higher priority listing actions.

Additional information about the monarch butterfly can be found online at <https://www.govinfo.gov/content/pkg/FR-2020-12-17/pdf/2020-27523.pdf>

For more information, contact Martin Miller in our Regional Office at martin_miller@fws.gov.

- 3) **Tidewater Amphipod - 12-Month Petition Finding** (MD, VA, NC) – On December 3, 2020, the Service published in the *Federal Register* a 12-month finding that a petition to list the Tidewater amphipod (*Stygobromus indentatus*) as an endangered or threatened species is not warranted. For more information, contact Julie Slacum Thompson in our Chesapeake Bay Field Office at julie_thompson@fws.gov.
- 4) **Mountain Doll's Daisy – 12-Month Petition Finding** (PA, VA, NJ) – On December 3, 2020, the Service published in the *Federal Register* a 12-month finding that listing the [Mountain] doll's daisy (*Boltonia montana*) as an endangered or threatened species is not warranted. For more information, contact Ron Popowski in our New Jersey Field Office at ron_popowski@fws.gov.
- 5) **Sickle Darter – Proposed Listing Rule and 4(d) Rule** – (VA) – On November 12, 2020, the Service published in the *Federal Register* a proposed rule to list the sickle darter (*Percina williamsi*) as a threatened species with a 4(d) rule. The proposed rule opened a 60-day public comment period that closed on January 11, 2021. We expect to complete a final decision on the proposal in FY 2021.

The proposed rule can be found at

<https://www.govinfo.gov/content/pkg/FR-2020-11-12/pdf/2020-24471.pdf#page=1>

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

<https://ecos.fws.gov/ServCat/DownloadFile/188184>

For more information, contact Jordan Richard in our Southwest Virginia Field Office at jordan_richard@fws.gov.

- 6) **Longsolid Mussel – Proposed Listing Rule, Critical Habitat Designation Rule, and 4(d) Rule** (AL, AR, GA, IL, IN, KY, NC, NY, OH, PA, TN, VA, WV) – On September 29, 2020, the Service published in the *Federal Register* a proposed rule to list the longsolid mussel (*Fusconaia subrotunda*) as a threatened species, to designate critical habitat, and to identify prohibited take under section 4(d) of the ESA. The public comment period closed on December 28, 2020, and a final Listing, 4(d), and Critical Habitat rule is scheduled to be delivered to the Federal Register in summer 2021.

The proposed rule can be found at

<https://www.govinfo.gov/content/pkg/FR-2020-09-29/pdf/2020-17015.pdf#page=1>

For more information, contact Rose Agbalog in our Southwest Virginia Field Office at rose_agbalog@fws.gov.

- 7) **Round Hickorynut Mussel – Proposed Listing Rule, Critical Habitat Designation Rule, and 4(d) Rule** (AL, AR, GA, IL, IN, KY, MI, MS, OH, PA, TN, WV, Canada) – On September 29, 2020, the Service published in the *Federal Register* a proposed rule to list the round hickorynut (*Obovaria subrotunda*) as a threatened species, to designate critical habitat, and to identify prohibited take under section 4(d) of the ESA. The public comment period closed on December 28, 2020, and a final Listing, 4(d), and Critical Habitat rule is scheduled to be delivered to the Federal Register in summer 2021.

The proposed rule can be found at

<https://www.govinfo.gov/content/pkg/FR-2020-09-29/pdf/2020-17015.pdf#page=1>

For more information, contact Pamela Shellenberger in our Pennsylvania Field Office at pamela_shellenberger@fws.gov.

- 8) **Yellow Lance Mussel – Proposed Critical Habitat Designation** (MD, VA, NC, SC, GA) – On February 6, 2020, the Service published in the *Federal Register* a proposed critical habitat designation rule for the yellow lance (*Elliptio lanceolata*), which was listed as threatened on April 3, 2018. We expect to complete a final decision on the proposed 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>

For more information, contact Jennifer Stanhope in our Virginia Field Office at

jennifer_stanhope@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. Publication of the proposed rule opened a public comment period, which closes on March 30, 2021. We expect to complete a final decision on the proposed 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 Sarah Furtak in our Regional Office at sarah_furtak@fws.gov.

- 10) 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) – On August 15, 2019, the Service published in the *Federal Register* a 90-day finding that a petition to list the lake sturgeon (*Acipenser fulvescens*) presented substantial information indicating that listing the species may be warranted. 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. The listing priority will determine the schedule for initiating a species status assessment (SSA), which will inform a 12-month finding.

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.

- 11) Candy Darter – Proposed Critical Habitat Designation** (VA, WV) – On November 21, 2018, the Service published in the *Federal Register* a proposed critical habitat rule for the candy darter (*Etheostoma osburni*). The 2018 rule proposed to designate a total of approximately 596 stream kilometers (370 stream miles) in Virginia and West Virginia. The

proposed rule opened a 60-day public comment period that ended on January 22, 2019. We expect to complete a final decision on the proposal in FY 2021.

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 under docket # FWS–R5–ES–2018–0050.

For more information, contact Jennifer Norris in our West Virginia Field Office at jennifer_l_norris@fws.gov.

- 12) Black-capped Petrel – Proposed Listing Rule and 4(d) Rule (VA)** – 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. We expect to complete a final decision on the proposal in FY 2021.

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 Emily Argo in our Virginia Field Office at emily_argo@fws.gov.

- 13) 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 has initiated a species status assessment (SSA), which will inform a 12-month finding. We expect to complete the SSA and 12-month finding in FY 2021. For more information, contact Jennifer Stanhope in our Virginia Field Office at jennifer_stanhope@fws.gov.

- 14) Saltmarsh Sharp-tailed Sparrow – SSA to Inform Discretionary Status Review and Conservation Strategy (CT, DE, FL, GA, MA, MD, ME, NC, NH, NJ, NY, PA, RI, SC, VA)** – The listing recommendation 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 recommendation 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. On October 8, 2020, the Service released a report describing the species' current condition and threats to bolster planning and implementation of conservation efforts. The Service established a Federal/State Executive Committee to guide agency and partner 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.

15) Frosted Elfin Butterfly – SSA to Inform Discretionary Status Review and 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 discretionary status review for the frosted elfin (*Callophrys irus*) is scheduled for September 30, 2023. To facilitate coordination among partners and implementation of conservation actions, we prepared a biological report describing the species' current condition and threats to inform 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. We are 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 2024. For more information, contact Robyn Niver in our New York Field Office at robyn_niver@fws.gov.

16) Three Bat Species: Tri-colored Bat, Little Brown Bat, Northern Long-eared Bat – SSA to Inform Status Reviews (All States) – The Service has initiated an SSA for three bat species: for the tri-colored bat (*Perimyotis subflavus*) to inform a 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 the 5-year review. We expect to complete these status determinations in FY 2022. 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. In a letter dated June 15, 2020, the Center for Biological Diversity sent a letter to the states within the range of the species informing them that it intends to file a petition under the ESA to list the little brown bat and designate critical habitat.

Northern Long-eared Bat – The Service’s Midwest Region has initiated 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.

- 17) 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, 2021.

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.

- 18) Three Cave Amphipods: Cooper’s Cave amphipod (WV), Morrison’s Cave amphipod (VA, WV), and Minute Cave amphipod (WV) – SSA to inform 12-Month Petition Finding** – On September 27, 2011, the Service published in the *Federal Register* a 90-day finding that a petition to list three cave amphipod species (Cooper’s Cave amphipod (*Stygobromus cooperi*), Morrison’s Cave amphipod (*S. morrisoni*), and Minute Cave amphipod (*S. parvus*)) presented substantial information indicating that listing the species may be warranted. The Service has completed a species status assessment (SSA), which will inform the 12-month finding. We expect to complete the 12-month finding in FY 2021.

Additional information on the 3 WV cave amphipod species is available at <https://ecos.fws.gov/ecp0/profile/speciesProfile?slId=5908>, <https://ecos.fws.gov/ecp0/profile/speciesProfile?slId=3150>, and <https://ecos.fws.gov/ecp0/profile/speciesProfile?slId=7901>, respectively.

For more information, contact Sarah Furtak in our Northeast Regional Office at sarah_furtak@fws.gov.

- 19) Regal Fritillary Butterfly – SSA to Inform 12-Month Petition Finding** (Records indicate the butterfly occupied ~33 states [AR, CT, DC, DE, IA, IL, IN, IO, KS, KY, OK, OH, MA, MD, ME, MI, MN, MO, MT, NC, ND, NE, NH, NJ, NY, PA, RI, SD, VA, VT, WI, WV,

WY], but the butterfly is currently restricted to tall-grass prairie remnants within its core range in KS, MO, NE, and SD.) – On September 18, 2015, the Service published in the *Federal Register* a 90-day finding that a petition to list the regal fritillary butterfly (*Speyeria idalia*) provided substantial information indicating that listing the species may be warranted. The Service is initiating a species status assessment (SSA), which will inform the 12-month finding. The Service expects to complete the SSA in FY 2021 and the 12-month finding FY 2022.

Additional information about the regal fritillary butterfly can be found online at <https://www.fws.gov/midwest/es/soc/Batch90daySept2015.html>.

For more information, contact Pam Shellenberger in our Pennsylvania Field Office at pamela_shellenberger@fws.gov.

20) 17 Cave Beetles – SSA to Inform 12-Month Petition Finding (VA, WV) – On April 20, 2010, the Service published in the *Federal Register* a 90-day finding that a petition to list 17 cave beetles (Vernus [*Pseudanophthalmus avernus*], Crossroad's [*P. intersectus*], Cudjo's [Cumberland Gap; *P. hirsutus*], Holsinger's [*P. holsingeri*], Hubbard's [*P. hubbardi*], Hubricht's [*P. hubrichti*], Little Kennedy [*P. cordicollis*], Maiden spring [*P. virginicus*], Narrows [New River Valley; *P. egberti*], Natural Bridge [*P. pontis*], overlooked [*P. praetermissus*], St. Paul [*P. sanctipauli*], Shenandoah [Madden's; *P. limicola*], Silken Cave [*P. sericus*], South Branch Valley [*P. potomaca*], Thin-necked [*P. parvicollis*], Thomas' [*P. thomasi*]) provided substantial information indicating that listing the species may be warranted. The Service is initiating a Species Status Assessment (SSA), which will inform the 12-month finding. The Service expects to complete the SSA and the 12-month finding in FY 2023. For more information, contact Kim Maison in our Southwest Virginia Field Office at kimberly_maison@fws.gov.

30) Three Stoneflies – SSA to Inform 12-Month Petition Finding (VA) – On April 20, 2010, the Service published in the *Federal Register* a 90-day finding that a petition to list 3 stoneflies (Blueridge springfly [*Remenus kirchneri*], Virginia stonefly [*Acroneuria kosztarabi*], and lobed roachfly [*Tallaperla lobata*]) provided substantial information indicating that listing the species may be warranted. The Service is initiating a Species Status Assessment (SSA), which will inform the 12-month finding. The Service expects to complete the SSA and the 12-month finding in FY 2023. For more information, contact Kim Maison in our Southwest Virginia Field Office at kimberly_maison@fws.gov.

21) 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 the Northeast 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 2021. For more information, contact Jordan Richard in our Southwest Virginia Field Office at jordan_richard@fws.gov.

- 22) Miscellaneous Species – Technical Correction** (CT, DE, MA, MD, NH, NJ, NY, PA, VA, VT) – The Service is preparing a technical correction rule to update the taxonomy and nomenclature of five species in the Northeast Region. We propose to revise the scientific names of these species as follows:

Species name as currently listed	Corrected species name
Jesup’s milk-vetch (<i>Astragalus robbinsii</i> var. <i>jesupi</i>)	Jesup’s milk-vetch (<i>Astragalus robbinsii</i> var. <i>jesupii</i>)
Northeastern beach tiger beetle (<i>Cicindela dorsalis dorsalis</i>)	Northeastern beach tiger beetle (<i>Habroscelimorpha dorsalis dorsalis</i>)
Puritan tiger beetle (<i>Cicindela puritana</i>)	Puritan tiger beetle (<i>Ellipsoptera puritana</i>)
Bog turtle (<i>Clemmys muhlenbergii</i>)	Bog Turtle (<i>Glyptemys muhlenbergii</i>)
Chittenango ovate amber snail (<i>Succinea chittenangoensis</i>)	Chittenango ovate amber snail (<i>Novisuccinea chittenangoensis</i>)

The direct final rule making will effect these changes, and is expected to be published in FY 2021. For more information, contact Sarah Nystrom in our Regional Office at sarah_nystrom@fws.gov.

Delisting and Downlisting Rulemakings

- 1) Delisting/Downlisting Workplan** (All States) – In May 2020, the Service announced a 3-year (FYs 2020 to 2022) plan to address our ESA delisting and downlisting workload.

The National Delisting/Downlisting Workplan, updated as of May 2020, is posted at https://www.fws.gov/endangered/esa-library/pdf/3-Year_Downlisting_Delisting_Workplan.pdf

For more information, contact Matt Hinderliter in our Regional Office at matthew_hinderliter@fws.gov.

- 2) Furbish’s Lousewort – Proposed Downlisting Rule and Proposed 4(d) Rule** (ME) – On January 15, 2021, the Service published in the Federal Register a proposed rule to downlist the Furbish’s lousewort (*Pedicularis furbishiae*) from endangered to threatened. The 60-day public comment period ends on March 16, 2021.

The proposed rule can be found at <https://www.federalregister.gov/d/2020-28978>.

For more information, contact Mark McCollough in our Maine Field Office at mark_mccollough@fws.gov.

- 3) Gray Wolf – Final Delisting Rule** – (All States) – On November 3, 2020, the Service published in the *Federal Register* a final rule delisting the gray wolf (*Canis lupus*).

The final rule can be found at

<https://www.govinfo.gov/content/pkg/FR-2020-11-03/pdf/2020-24171.pdf#page=1>

For more information, contact Martin Miller in our Regional Office at martin_miller@fws.gov.

- 4) Red-cockaded Woodpecker – Proposed Rule to Downlist and Proposed 4d Rule (VA)** – On October 8, 2020, the Service published in the Federal Register a proposed rule to downlist the red-cockaded woodpecker (*Picoides borealis*) from endangered to threatened with a 4d rule. The proposed rule opened a 60-day public comment period that closed on December 7, 2020. We expect to complete a final decision on the proposal in FY 2021.

The proposed rule can be found at

<https://www.govinfo.gov/content/pkg/FR-2020-09-01/pdf/2020-17093.pdf>

For more information, contact Sumalee Hoskin in our Virginia Field Office at sumalee_hoskin@fws.gov.

- 5) American Hart’s-Tongue Fern – Proposed Delisting Rule and Draft Post-delisting Monitoring Plan (NY)** – On July 29, 2020, the Service completed a 5-year review concluding that the American hart’s-tongue fern (*Asplenium scolopendrium* var. *americanum*) is recovered and no longer meets the definition of threatened or endangered. The review was based on a species status assessment (SSA). A post-delisting monitoring plan is under development, and publication of a proposed rule to delist the species is expected in 2021.

The 5-year review is available at https://ecos.fws.gov/docs/five_year_review/doc6488.pdf

For more information, contact John Wiley in our New York Field Office at john_wiley@fws.gov.

- 6) Virginia Sneezeweed – Proposed Delisting Rule and Draft Post-delisting Monitoring Plan (VA)** – On April 23, 2020, the Service completed a 5-year review for the threatened Virginia sneezeweed (*Helenium virginicum*), which recommends that the species be delisted due to recovery. The Service is preparing a proposed delisting rule, and, in cooperation with the states, a post-delisting monitoring plan. In December 2020, state agency experts were requested to provide review and comment on a draft post-delisting monitoring plan. We expect to publish in the *Federal Register* the proposed delisting rule and notice announcing availability of a post-delisting monitoring plan in FY21.

The 5-year review is available at https://ecos.fws.gov/docs/five_year_review/doc6388.pdf

For more information, contact Kimberly Maison in our Southwestern Virginia Field Office at kimberly_maison@fws.gov

- 7) **Northeastern Bulrush – Proposed Delisting Rule and Draft Post-delisting Monitoring Plan** (MD, MA, NH, NY, PA, VT, VA, WV) – On August 28, 2019, the Service completed a 5-year review for the Northeastern bulrush (*Scirpus ancistrochaetus*), which recommends that the species be delisted due to recovery. The Service is preparing a proposed delisting rule, and, in cooperation with the states, a post-delisting monitoring plan. We expect to publish in the *Federal Register* the proposed delisting rule and notice announcing availability of a post-delisting monitoring plan in FY21.

The 5-year review can be found at https://ecos.fws.gov/docs/five_year_review/doc6123.pdf.

For more information, contact Maria Tur in our New England Field Office at maria_tur@fws.gov.

- 8) **Sandplain Gerardia – Proposed Rule to Delist and SSA to Inform Status Determination for Revised Taxon** (AL, CT, GA, KY, MA, MD, NY, NC, PA, RI, SC, TN, VA) – 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*). We are preparing a proposed rule to delist the species. We are also working with the states to plan additional surveys of the new larger taxon. We will initiate a species status assessment (SSA) to inform a listing determination for the revised taxon to be published in FY 2022.

The 5-year review can be found at 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.

- 9) **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 FY 2021.

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

For more information, contact Peter Lamothe in our Maine Field Office at peter_lamothe@fws.gov.