

Opening Remarks
Cindy Dohner
Media, Congressional, Stakeholder Conference Calls
Announcement of the status of the Gopher Tortoise

Good morning. Thank you all for joining us for today's call to discuss the future status of the gopher tortoise in the eastern portion of its range.

As Jeff noted, I'm Cindy Dohner, Regional Director for the Service's Southeast Region.

We want to let you know that after careful review of the status of the gopher tortoise, the Service will announce tomorrow in a 12-month finding that its protection under the Endangered Species Act is warranted. However, at this time such action is precluded by higher priority actions, court ordered actions, and current budget constraints.

In making this determination, the Service completed a comprehensive review and found sufficient scientific and commercial data to propose listing the species as threatened or endangered under the Act throughout its range.

One point I want to make clear regarding this finding is there will be no land use changes for anyone as a result of this announcement.

The determination means we believe the gopher tortoise needs to be listed, but we do not have the resources to pursue the listing process at this time.

After careful review, we believe the gopher tortoise east of Mobile Bay and the Tombigbee Waterway is facing many of the same problems and challenges as the western population, which is already listed as threatened.

As such, Gopher tortoises east of Mobile Bay will be added to the list of candidate species eligible for ESA protection. While candidate species receive no statutory protection under the ESA, inclusion on the candidate list promotes cooperative conservation efforts for these species.

We have been working hard to conserve this species and its habitat with our partners. I want to acknowledge and thank our state, federal, tribal, and military partners as well as some private organizations and landowners who are doing a great deal of work to protect these tortoises and meet their habitat needs on the lands they manage.

That said, 88 percent of the gopher tortoise's range is made up of private land.

Building on the work already taking place, we hope increased conservation efforts in the next few years by private landowners and state and federal agencies in Alabama Florida, Georgia, Louisiana, Mississippi and South Carolina can reduce those threats.

We know the gopher tortoise's population is in trouble.

Already, the States of Georgia and Florida consider the tortoise threatened under state law. South Carolina considers it endangered under its law.

And in the western portion of its range, Mississippi and Louisiana have determined the population in their states to be threatened under state law. Alabama protects it as a non-game species.

The Service listed the gopher tortoise as threatened under federal law west of the Tombigbee and Mobile Rivers in Alabama, and in Mississippi and Louisiana.

Our work leading up to today's announcement made clear a few points I want to emphasize here.

First, we never know as much as we'd like to know, but we know the tortoise's habitat conditions are deteriorating. Its habitat is more and more fragmented.

It depends heavily upon prescribed fire as a management tool, and while we've had plenty of fire in parts of the Southeast this year, it's not occurring in all the places it is needed nor is it happening in a controlled way.

Most troubling is the fact that colonies are aging and not reproducing at sustainable rates for the long term. So we've got our work cut out for us to improve the outlook for the tortoise.

Here is what the decision means for us.

- The 12-month finding does not result in new regulations for gopher tortoises. The ESA does not explicitly protect candidate species.
- As I mentioned earlier, there will be no land use changes as a result of today's announcement. The finding does not affect public or private landowners with new regulations in

this area. Landowners can continue with management actions.

- The protective measures of the ESA will remain in place and unchanged for gopher tortoises west of the Tombigbee Waterway in the western portion of the range where they are now federally listed as threatened.
- While this finding places no federal restrictions land use in the eastern portion of its range, all state regulations continue to apply. It does not change existing federal regulations in the western portion of the gopher tortoises' range where it remains listed as a threatened species.
- Any future proposal to place the gopher tortoise on the federal list of threatened and endangered species in the eastern portion of its range will include a proposed rulemaking process with ample opportunity for public review and comment before a final rule is complete.

The real challenge for us now is to fine-tune on-the-ground management moving forward with some programs that provide greater flexibility and assurances about what the future holds.

Today's decision provides an opportunity for us to take some important steps to do just that.

The Service can now provide technical assistance and competitive matching grants to private landowners and states to undertake conservation efforts on behalf of the tortoise given its

new status as a candidate species. We can do this through what we call our Section 6 program.

In addition, we can work more closely with our partners to develop Candidate Conservation Agreements with Assurances – voluntary agreements through which the Service can provide funding and technical assistance for conservation management practices to be implemented on the ground to improve habitat conditions. These agreements are developed to provide regulatory certainty for landowners should the species ever become listed under the ESA.

We want to reach out more aggressively to private landowners across the range of this tortoise because they can have a profound impact on the stabilization and improvement of its population status.

We look forward to working with our partners in local, state, and federal conservation agencies as well as private landowners and conservation groups across the gopher tortoise's range to build on ongoing conservation work to improve its habitats and ultimately its population's health.

Thank you very much. Dave Hankla, Janet Mizzi, and I can take your questions now.