



U.S. Fish & Wildlife Service  
Sacramento Fish & Wildlife Office  
FACT SHEET



**The Listing Process**  
*Under the Endangered Species Act of 1973*

In order to list a species as threatened or endangered under the Endangered Species Act of 1973, we follow a strict legal procedure.

The process usually begins when a group or individual sends us a petition. If the petition meets legally established criteria, we accept it and notify the petitioner.

**Contact Us**

Contact our Listing Branch  
at (916) 414-6642 for more  
information.

**90-Day Review**

Within 90 days, we decide whether the requested action is supported by substantial information. The evaluation includes consideration of whether the plant or animal meets the definition of species. We notify the petitioner of our decision and publish a notice in the Federal Register.

When we evaluate a petition, we consider the adequacy and reliability of the information supporting the action advocated by the petition. The analysis is carried out using all readily available information:

- a. Information contained in the petition
- b. Information in Service files
- c. Information that is contained in readily available reference sources

**Status Review**

If our 90-day finding is positive, we proceed with a status review of the species. Within 12 months of receiving the petition, we decide whether listing the species as threatened or endangered is warranted, not warranted, or warranted but precluded by proposals for other, higher-priority listing actions.

Among the most reliable and credible sources of information about a species are papers published in the *peer-reviewed* scientific journals. *Peer-review* means that when a scientist submits a paper to a scientific journal, the editor has other scientists in the same field review it.

Information provided by individuals with demonstrated expertise with the proposed species is also generally considered reliable. Anecdotal information or information from sources without established records of subject matter experience and expertise must be strongly corroborated to be considered substantial.

## **Listing Warranted - Species Advanced to Proposed Status**

If our status review indicates that listing is warranted, we publish a proposed rule in the Federal Register. After a public comment period, we decide whether the rule should be approved, revised or withdrawn. The process takes up to a year, or longer in unusual circumstances. We also sometimes do emergency listings that take effect immediately.

We encourage the participation of all interested parties, including the general public, the scientific community, other government agencies and foreign governments (when the range of the species includes their territory). However, the decision of whether to list the species is based strictly on scientific not economic nor political grounds.

## **Warranted but Precluded - Candidate Status**

If our status review leads to the finding of warranted but precluded by proposals for other, higher-priority listing actions, the species becomes a candidate for listing.

## **Critical Habitat**

When species are listed as threatened or endangered, the habitats or ecosystems upon which they depend are described. The Service must, in most cases, officially designate specific areas as critical habitat for a species when listing it.

## **Regulations.gov**

Regulations.gov is a Federal web site that makes it easier for you to participate in Federal rulemaking. <http://www.regulations.gov/>

On this site, you can find, review, and submit comments on Federal documents that are open for comment and published in the Federal Register, the Government's legal newspaper.

## **Resources**

Find the status of any listed, proposed or candidate species

[http://ecos.fws.gov/tess\\_public/](http://ecos.fws.gov/tess_public/)

Get Federal Register notices related to the Fish & Wildlife Service.

<http://www.fws.gov/policy/frsystem/default.cfm>

Sign up for daily emails about listing notices from the EPA Listserver.

<http://www.epa.gov/fedrgstr/subscribe.htm>

Sacramento Fish and Wildlife Office

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