
From: Drake, Madeline K </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=A702EEE74C25489280BA08B17D91A406-MADELINE_DR>
To: Hull, Josh
Sent: 3/12/2020 1:39:52 PM
Subject: Example Endangered Rules

Hi Josh,

Below are the two most recent endangered rules and examples of the "Available Conservation Measures" section.

1) Barrens Topminnow (published on 10/21/2019)

"It is our policy, as published in the Federal Register on July 1, 1994 (59 FR 34272), to identify to the maximum extent practicable at the time a species is listed, those activities that would or would not constitute a violation of section 9 of the Act. The intent of this policy is to increase public awareness of the effect of a final listing on proposed and ongoing activities within the range of a listed species. Based on the best available information, the following actions are unlikely to result in a violation of section 9, if these activities are carried out in accordance with existing regulations and permit requirements; this list is not comprehensive:

- (1) Normal agricultural practices, including herbicide and pesticide use, which are carried out in accordance with any existing regulations, permit and label requirements, and best management practices; and
- (2) Normal residential landscaping activities.

Based on the best available information, the following activities may potentially result in a violation of section 9 of the Act; this list is not comprehensive:

- (1) Collection or handling of the Barrens topminnow;
- (2) Introduction of nonnative species that compete with or prey upon the Barrens topminnow, including western mosquitofish and other species in the mosquitofish genus *Gambusia*;
- (3) Removal or destruction of native aquatic vegetation in any body of water in which the Barrens topminnow is known to occur; and
- (4) Discharge of chemicals or fill material into any waters in which the Barrens topminnow is known to occur.

Questions regarding whether specific activities would constitute a violation of section 9 of the Act should be directed to the Tennessee Ecological Services Field Office (see FOR FURTHER INFORMATION CONTACT)"

2) So Mtn Caribou DPS (published on 10/02/2019)

"It is our policy, as published in the Federal Register on July 1, 1994 (59 FR 34272), to identify to the maximum extent practicable at the time a species is listed, those activities that would or would not constitute a violation of section 9 of the Act. The intent of this policy is to increase public awareness of the effect of a listing on proposed and ongoing activities within the range of listed species. The following activities could potentially result in a violation of section 9 of the Act; this list is not comprehensive:

1. Introduction of nonnative species that compete with or prey upon individuals of the southern mountain caribou DPS; and
2. Unauthorized modification of the old growth, coniferous forest landscape within the southern mountain caribou DPS.

At this time, we are unable to identify specific activities that would not be considered to result in a violation of section 9 of the Act due to the variety and nature of activities that may occur within caribou habitat across the range of the

DPS. Depending on the implementation timing, intensity, and duration of such activities, it is likely that site-specific conservation measures may be needed for specific activities that may directly or indirectly affect the species.

Questions regarding whether specific activities would constitute a violation of section 9 of the Act should be directed to the Idaho Fish and Wildlife Office (see FOR FURTHER INFORMATION CONTACT)."

Madeline Drake
Senior Fish and Wildlife Biologist
Sacramento Fish and Wildlife Office
2800 Cottage Way, W-2605
Sacramento, CA 95825

916-414-6685