



# Five-Year Status Reviews

## *under the Endangered Species Act*

### What is a five-year review?

A five-year review is a periodic review of the status of species listed under the Endangered Species Act of 1973, as amended (ESA), that is conducted at least once every five years. The purpose of a five-year review is to ensure that listed species have the appropriate level of protection under the ESA. The reviews assess each threatened and endangered species to determine whether its status has changed since the time of its listing or its last status review, and whether it should be classified differently or delisted. Per the regulations at 50 CFR 424.21, the U.S. Fish and Wildlife Service (Service) publishes notices in the *Federal Register* announcing the species under review.

### Why do we conduct five-year reviews?

Under the ESA, we maintain Lists of Endangered and Threatened Wildlife and Plants in the Code of Federal Regulations (CFR) at 50 CFR 17.11 (for animals) and 17.12 (for plants), which we collectively refer to as the “List.” Section 4(c)(2) of the ESA requires us to review the status of each species on the List at least once every five years and determine whether any species should be removed from the List (delisted), reclassified from an endangered to a threatened species (downlisted), or reclassified from a threatened to an endangered species (uplisted). Any change in federal status requires a separate rulemaking process, which is open to public comment.

### What happens during a five-year review?

#### What do we consider in our review?

A five-year review begins with gathering the best available scientific and commercial data regarding the species. To facilitate this process, we publish a notice in the *Federal Register* notifying the public that a species is under review and requesting any relevant information we should consider, in particular, any information that has become available since the original listing determination or most recent status review. Such information includes:

- species biology, including but not limited to population trends, distribution, abundance,



Photos by Gary Peoples/USFWS

*Service biologist Sue Cameron searches for the endangered spruce-fir moss spider among moss mats on Mount Craig in North Carolina. The tiny tarantula is known only from the tallest mountain peaks in the southern Appalachian Mountains. Cameron’s effort was met with success as she logged the first known occurrence of the spider on the mountain.*

- demographics, and genetics;
- habitat conditions, including but not limited to amount, distribution, and suitability;
- conservation measures that have benefited the species;
- threat status and trends; and
- other new information, data, or corrections, including but not limited to changes in taxonomy or nomenclature and identification of erroneous information contained in the List.

### What is the outcome of a five-year review?

After reviewing and considering the best available scientific and commercial data regarding the species, the Service will recommend whether the federal classification of the listed species should be changed. Upon completion of a five-year review, we could make four possible recommendations:

- reclassify the species from threatened to endangered (uplist);
- reclassify the species from

- endangered to threatened (downlist);
- remove the species from the List (delist); or
- maintain the species’ current classification.

### What could happen as a result of our review?

The outcome of a five-year review does not change the status of a species. However, if the five-year review recommends a change in classification, we may propose to reclassify or delist a species through a separate rulemaking process that includes public review and comment, as defined in the ESA. No change in status of the species may occur until the completion of the rulemaking process. We engage in rulemaking based on the results of five-year reviews as our priorities dictate and our resources allow.

### What are the benefits of conducting five-year reviews?

Research, monitoring, management, and recovery implementation programs for threatened and endangered species begin as soon as a species is listed.



As a result, new information becomes available, and conservation efforts may begin to take effect. The Service must continually work to use the best available scientific information in implementing its responsibilities under the ESA, including incorporating new information and assessing ongoing conservation efforts. A five-year review gives us the opportunity to periodically look at all the best available information for a species and assess its progress toward recovery. These reviews assist us and our partners in identifying conservation needs and better targeting and prioritizing conservation efforts for listed species.

### **How do we determine whether a species should be endangered or threatened?**

During a five-year review, we use the same standards that are applied in the original listing process. In determining whether a species should be listed as a threatened species or endangered species, or not listed at all, we use the ESA's definitions of "species," "endangered species," and "threatened species."

Section 4(a)(1) of the ESA requires that we determine whether any species is an endangered species or a threatened species because of threats under any of five factors, and section 4(b)(1) of the ESA requires that we base our assessment of these factors solely on the best scientific and commercial data available.

Status reviews of listed species that apply these same standards, such as those conducted as part of the petition process or rulemaking process, can also fulfill the ESA's requirements for periodic review

### **How do we determine whether a species should be delisted?**

We use the same process described above to determine whether a species is no longer a threatened species or endangered species and may be removed from the List, or delisted. We may delist a species only if the best available scientific and commercial data indicate that it is no longer an endangered species or threatened species because it is extinct, it is recovered, or it does not meet the ESA's definition of "species" (50 CFR 424.11(e)).

### **How can the public participate in a five-year review?**

To ensure that our five-year reviews are complete and based on the best available scientific and commercial information, we solicit information from the public through notices of review published



Photos by Ashley Spratt/USFWS

*Biologists survey Carpinteria Creek Lagoon in California for the endangered tidewater goby. Recovery efforts for species like the goby require close collaboration and knowledge-sharing across federal, state, and non-governmental agencies and organizations.*

in the *Federal Register*. The notices request any new information and may identify specific information needs for the species. The notices usually request that information be submitted within a certain timeframe in order to ensure that we receive it in time to consider the information in our review. However, we will accept new information on any species at any time. Instructions for submitting information are provided in the notices announcing the species under review.

If you submit information, please support it with documentation such as maps; bibliographic references; methods used to gather and analyze the data; and/or copies of any pertinent publications, reports, or letters by knowledgeable sources. We will consider all information submitted, but raw data that has not been analyzed or summarized may have limited usefulness.

### **Will the results of a five-year review be available to the public?**

All completed reviews are posted on the Service's website. Visit <https://www.fws.gov/endangered> and use the "Species Search" field to find information on individual species. As of 2010, we also report the results of each species' most recent review in our biennial recovery report to Congress (<https://www.fws.gov/endangered/esa-library>).

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October 2019**