

## **Bull Trout Chronology**

### **October 30, 1992**

The Service received a petition to list bull trout as an endangered species throughout its range from the Friends of the Wild Swan, Alliance for the Wild Rockies, and the Swan View Coalition.

### **January 7, 1993**

The Service received a second petition requesting the listing of bull trout in the Klamath River Basin from the Oregon Chapter of the American Fisheries Society.

### **May 17, 1993**

The Service published in the Federal Register a 90-day petition finding determining that the petitioners had provided substantial information indicating that listing of bull trout may be warranted (58 FR 28849).

### **June 10, 1994**

The Service published in the Federal Register a 12-month finding that listing was warranted for bull trout within the coterminous United States, but precluded by other higher priority work. Due to the lack of information, the Service found that listing bull trout in Alaska and Canada was not warranted (59 FR 30254).

### **November 1, 1994**

Two of the petitioners, Friends of the Wild Swan and Alliance for the Wild Rockies, filed a lawsuit challenging the June 1994 finding.

### **June 12, 1995**

The Service published in the Federal Register the June 10, 1994, conclusion that listing was still warranted but precluded (60 FR 30825).

### **June 22, 1995**

The U.S. District Court of Oregon issued an order declaring the 1994 challenge to the original finding moot because the Service had issued a 1995 finding. The court instructed the plaintiffs to amend their complaint to challenge the 1995 finding if they so desired. The plaintiffs declined to amend their complaint and instead filed an appeal with the Ninth U.S. Circuit Court of Appeals.

### **April 2, 1996**

The Ninth U.S. Circuit Court of Appeals overturned the U.S. District Court in Oregon and remanded the case to the District Court for further proceedings.

### **November 13, 1996**

The U.S. District Court of Oregon granted the plaintiffs' motion for summary judgment, directing the Service to reconsider the 1994 finding and respond to the court within four months. The ruling included specific direction to consider only the information in the Service record at the time of the original 1994 finding.

**March 13, 1997**

In compliance with the District Court order, the Service issued a reconsidered finding based solely on the 1994 record, which concluded that two population segments of bull trout warranted listing (Klamath River and Columbia River population segments).

**March 25, 1997**

Plaintiffs petitioned the court to compel the Service to issue a proposed rule within 30 days to list the Klamath and Columbia River bull trout populations based on the 1994 record.

**April 11, 1997**

The Service and the plaintiffs signed an agreement stipulating that within 60 days the Service would complete a proposed rule to list the Klamath River population segment as endangered and the Columbia River distinct segment as threatened.

**June 13, 1997**

A proposed rule to list the Klamath River basin bull trout population segment as endangered and the Columbia River population segment as threatened was published in the Federal Register by the Service (62 FR 32268).

**December 4, 1997**

The U.S. District Court in Oregon ordered the Service to reconsider several aspects of the 1997 finding concerning listing of bull trout. The court directed the Service to consider whether listing of the bull trout was warranted throughout its range; whether listing was warranted throughout the coterminous United States; if the Service determined that listing throughout its range, or throughout the coterminous United States was not warranted, or is warranted but precluded; and whether listing of the Coastal-Puget Sound distinct population segment was warranted. The court subsequently directed the Service to prepare its response by June 12, 1998.

**June 10, 1998**

The Service published in the Federal Register a final rule to list the Klamath River and the Columbia River bull trout population segments as threatened under the Endangered Species Act (ESA) (63 FR 31647).

**August 11, 1998**

The Service published in the Federal Register an emergency-listing of the Jarbidge River (Idaho, Nevada) bull trout population segment as endangered after road crews from the Elko County Road Department destroyed 27 percent of the river's bull trout habitat while conducting unauthorized road construction activities (63 FR 42757).

**April 8, 1999**

The Service published a final rule in the Federal Register to list the Jarbidge River population of bull trout as threatened under the ESA (64 FR 17110).

**November 1, 1999**

The Service published a final rule in the Federal Register to list all bull trout in the coterminous United States as threatened (64 FR 58909).

**November 29, 2002**

The Service published in the Federal Register a notice of document availability for review and comment for the Draft Recovery Plan for the three of the five Distinct Population Segments of Bull Trout (Klamath River, Columbia River and Saint Mary-Belly River populations) (67 FR 71439).

**November 29, 2002**

The Service published in the Federal Register a proposed rule for the designation of critical habitat for the Klamath River and Columbia River distinct population segments of bull trout and notice of availability of the draft recovery plan (67 FR 71235) for those populations.

**June 25, 2004**

The Service published in the Federal Register a proposed rule for the designation of critical habitat for the Jarbidge River, Coastal-Puget Sound and Saint Mary-Belly River populations of bull trout (69 FR 35768).

**July 1, 2004**

The Service published in the Federal Register a notice of document availability for review and comment for the draft Recovery Plan for the Coastal-Puget Sound (69 FR 39950) and Jarbidge (69 FR 39951) distinct population segments of bull trout.

**October 6, 2004**

The Service published a final rule in the Federal Register designation of critical habitat for the Klamath River and Columbia River populations of bull trout (69 FR 59995).

**December 14, 2004**

Alliance for the Wild Rockies et al filed a complaint challenging the adequacy of the final critical habitat designation for the Klamath River and Columbia River bull trout populations. Our motion for partial voluntary remand was subsequently granted by the court with a final rule due by September 15, 2005.

**May 25, 2005**

The Service published in the Federal Register a final rule to open the comment period for the proposed and final designation of critical habitat for the Klamath River and Columbia River populations of bull trout (70 FR 29998).

**June 6, 2005**

The Service published a notice clarifying the reopening until June 24, 2005, of the comment period for the proposed and final designation of critical habitat for the Klamath River and Columbia River bull trout populations (70 FR 32732).

**May 3, 2005**

The Service published a notice of the availability of the draft economic analysis (DEA) and reopening of a 30-day comment period until June 2, 2005 (70 FR 22835), for the Jarbidge River, Coastal-Puget Sound and Saint Mary-Belly River populations of bull trout.

**June 27, 2005**

U.S. District Judge Robert Jones extended the deadline for designating critical habitat for the Puget Sound-Coastal, Jarbidge and St. Mary-Belly River bull trout populations to September 15, 2005.

**September 26, 2005**

The Service published a final rule designating critical habitat for the Klamath River, Columbia River, Jarbidge River, Coastal-Puget Sound and Saint Mary-Belly River populations of bull trout (70 FR 56212)

**January 5, 2006**

Amended complaint filed by Alliance for the Wild Rockies and Friends of the Wild Swan challenging the Service's final critical habitat designation for bull trout.

**August 2006**

Bull Trout 5-Year Review culminates but report not released due to two additional needs: Distinct Population Segment policy and affected states' questions and concerns regarding the status review process.

**April 27, 2007**

Oral arguments in the case before U.S. District Judge Robert Jones in Portland, Oregon. The Service is awaiting the court's decision.

**July 2007**

The Service asked affected state and federal agencies and tribes to participate in a Bull Trout 5-Year Review Collaboration Team to help with completion of the review.

**April 2008**

The Service completes the 5-year Review with two recommendations: Maintain "threatened" status for bull trout as currently listed and evaluate whether to designate multiple Distinct Population Segments (DPSs).