

THREATENED AND ENDANGERED SPECIES – NRCS PERSPECTIVE

This subsection contains information pertaining to threatened and endangered species that need to be addressed during conservation planning and when providing any technical assistance.

The Endangered Species Act requires that NRCS, and other Federal agencies, ensure their actions do not jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of their habitats. To comply with the Act, the effects of NRCS assisted practices on listed species and their habitats must be assessed. Compliance requires an awareness of the location of threatened or endangered species and their habitat requirements.

As provided by NRCS policy on threatened and endangered species, NRCS routinely determines if a given action may affect a listed species as part of an environmental evaluation process. Before providing assistance, NRCS conducts an environmental evaluation to determine if the installation of one or more conservation practices will have a probable effect on a species listed as threatened or endangered, or result in the destruction or adverse modification of its habitat.

If it is determined a proposed action may adversely affect a listed species, NRCS will advise the landowner of the requirements of the Endangered Species Act and recommend alternative conservation treatment that avoids the adverse effects. Further assistance will be provided only if one of the alternative conservation treatments is selected for installation or, at the request of the landowner, NRCS will initiate formal consultation with the Fish and Wildlife Service (FWS) to assist the landowner in complying with the Act.

Consultation under Section 7 of the Act should be established with the FWS only if NRCS determines a proposed action may adversely affect a listed species and only at the landowner's request. However, NRCS cannot provide assistance on the proposed action that may affect a listed species unless consultation with the FWS is established.

Conservation practices and their potential impact to threatened and endangered species are displayed in this subsection. Potential impacts to threatened and endangered species are to be recorded on the ND-CPA-52e. If the environmental evaluation determines the planned action may have an adverse affect on threatened and endangered species habitat, inform the landowner. If possible, provide alternatives to the landowner that would not adversely affect the threatened and endangered species habitat. If these alternatives are not acceptable or do not exist, begin the formal consultation process with the Fish and Wildlife Service (FWS) only at the landowner's request. If the landowner does not request NRCS to formally consult with FWS, discontinue all planning, including FSA/FACTA, that would adversely affect threatened and endangered species habitat.

The formal consultation process with FWS will be initiated through channels. The area conservationist will inform the State office of all actions that will have a potential adverse effect on threatened and endangered species habitat. The State conservationist will consult with FWS to determine degree of impact to threatened and endangered species and to formulate alternatives if practicable.

FSA/FACTA compliance plans dealing with sodbuster are of special concern when addressing threatened and endangered species. The act of sodbusting needs to be considered as an action that could destroy or adversely modify threatened and endangered species habitat. If it is determined that threatened and endangered species habitat will be destroyed by sodbusting or by the application of conservation practices, technical assistance will be discontinued unless alternatives are selected that will not destroy or adversely impact threatened and endangered species or the landowner requests NRCS to formally consult with FWS.

Information may be provided to other agencies at their request, but no additional information should be provided beyond that which is normally collected to comply with the Act. If threatened and endangered species habitat or potential habitat is found on non HEL fields planned for sodbusting, FSA should be informed.

There are eight species that occur in North Dakota that are on the Federal Threatened and Endangered Species List. Two species are listed as candidate species. These plant and animal taxa are considered for possible addition to the List of Endangered and Threatened Species. Federal agencies are not required to determine if a given action may affect a candidate species as part of an environmental evaluation process but are encouraged to do so. For further information regarding NRCS policy on threatened and endangered species, refer to General Manual 190, Part 410.22 - Threatened and Endangered and Species of Plants and Animals.

COMMON NAME	CATEGORY
Piping plover	Threatened
Interior least tern	Endangered
Western prairie-fringed orchid	Threatened
Gray wolf	Endangered
Blacked-footed ferret	Endangered
Whooping crane	Endangered
Pallid sturgeon	Endangered
Dakota skipper	Candidate
Greater sage grouse	Candidate

DEFINITIONS:

Endangered Species (E): Any species which is in danger of extinction throughout or a significant portion of its home range.

Threatened Species (T): Any species which is likely to become an endangered species with the foreseeable future throughout all or a significant portion of its range.

Candidate Species (C): plant and animal taxa considered for possible addition to the List of Endangered and Threatened Species. These are taxa for which the Fish and Wildlife Service has on file sufficient information on biological vulnerability and threat(s) to support issuance of a proposal to list, but issuance of a proposed rule is currently precluded by higher priority listing actions.

POTENTIAL IMPACTS OF CONSERVATION PRACTICES OR ACTIONS ON THREATENED AND ENDANGERED (T&E) SPECIES

The potential impacts that selected conservation practices may impart on Threatened and Endangered species are listed in FOTG Section II – G in the table “Conservation Practice Potential Impacts on Threatened, Endangered, and Candidate Species”. The symbols used in the table are explained as follows:

<u>POTENTIAL IMPACT</u>	<u>SYMBOL</u>	
No Effect	NA	T&E species habitat of concern not present.
No Adverse Effect	0 or +	T&E species habitat of concern is present and practice or action will not affect or will have a positive effect on species habitat.
Adverse Effect	--	T&E species habitat of concern is present and practice will have a negative effect on species habitat. Not all conservation practices will have the same degree of negative impact. The degree of negative impact needs to be evaluated on a case by case basis.