

# Candidate Conservation Agreements *with and without* Assurances

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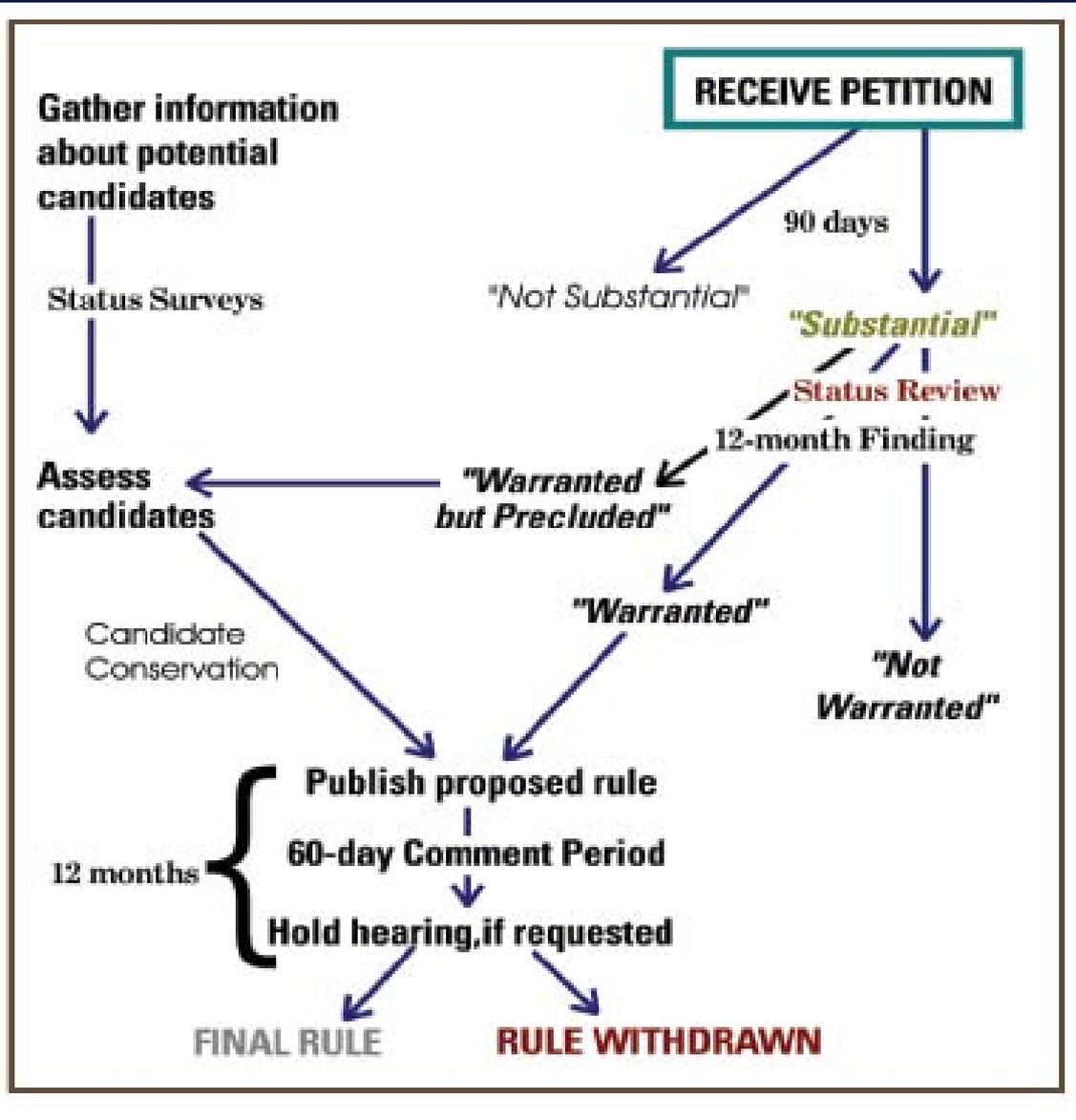


# ESA Background

- Passed in 1973, amended many times
- Congress tasked USFWS with preventing extinction of wildlife and plants
- 18 sections of the ESA
- Section 4-listing
- Section 6-working with the states
- Section 7-Federal action agency consultation
- Section 9-prohibitions
- Section 10-Exceptions (e.g., CCAAs)



# Proactive conservation



# Five Listing Factors

1. Present or threatened destruction, modification, or reduction of the species' habitat or range
2. Over-utilization for commercial, recreational, scientific, or educational purposes
3. Disease or predation
4. Adequate regulatory mechanisms
5. Other natural or manmade factors affecting its continued existence



# If Listed...

- Must consider effects of Federal activities and avoid jeopardizing survival of the species (section 7)
- Management flexibility reduced
- ESA provides ways for nearly all projects to move forward
- ESA applies to species where listed
- Recovery planning occurs



# CCAA...CCA...?

- Simply a Conservation Agreement
- CCAA=Assurances
- CCA=No Assurances
- Species that may be included are Candidates, proposed and/or Species of Greatest Conservation Need
- Goal is to conserve species so as to preclude listing
- Agreement where landowners and managers undertake activities (or not) to benefit the species
- Incentives include assurances



# History

- Conservation on private lands is critical to biodiversity
- Regulatory certainty is desired by many private landowners
- Policy established in 1999
- 18 CCAs have been signed nationwide
- 33 species across ~1 million acres covered



# Private Lands vs. Federal Lands

- Assurances to private land owners that no further land, water or resource use restrictions beyond those agreed to in the CCAA will be imposed if the species is listed.
- On Federal lands CCA can roll over into section 7 consultation with few or no changes



# Right Tool?

- Policy allows for flexibility to accommodate circumstances
- Agreement guided by what is needed to meet the standard:

“The benefits of the conservation measures... would remove the need to list the covered species.”
- This may require habitat restoration, increased population size and/or removal of threats
- Appropriate when enough is known about covered species to determine conservation measures



# How do CCAAs work?

- Activities included in the agreement continue (e.g., re-seeding, range improvement projects)
- Based on conservation measures that can benefit landowner as well as covered species
- Programmatic versus Individual
- Designed to be flexible, but requires monitoring
- Goes through FR process, becomes public
- CCAA not an assurance that USFWS won't list the covered species



# Example of CCAA

- 4W Ranch
- 3000 acres, 4 species
- Preclude prairie dogs from hay meadows
- Shooting of prairie dogs
- Extensive monitoring-important
- Adaptive management
- Landowner can terminate
- Take permit if/when species is listed



# CCA *without* Assurances

- Applies to any landowner/manager
- CCA can be developed to CCAA standard to be seamless across landownership
- Does not want to go through FR process
- Does not want a permit for take
- Privacy
- Wants to be included with Federal agencies (mixed land ownership)
- No assurances if species is listed
- No assurances for Federal agencies



# Property Owner Responsibilities

- Develop agreement that meets the standard “The benefits of the conservation measures... would remove the need to list the covered species.”
- Work with FWS to submit permit applications and fees
- Implement conservation measures, adhere to permit conditions
- Monitor and report results
- Allow access as specified in agreement



# FWS Responsibilities

- Provide information/technical assistance to property owner
- Negotiate agreement with property owner
- Discuss monitoring needs with owner
- Conduct intra-service consultation
- NEPA and other clearances
- Address public comments
- Coordinate with other programs/agencies for partnering opportunities



# Sage-grouse Statewide Agreement

- Ongoing
- Governor/State led
- Land owners and Federal land managers can tier to it to simplify process
- FWS encouraging this approach rather than individual agreements
- Will keep you updated



# WLCI and CCAAs

- WLCI focuses on conservation in SW WY
- WLCI helps FWS work on CCAAs
- WLCI focus is species that utilize sage brush, sage-steppe, aspen, riparian and aquatic habitats
- Interested in developing CCAAs for any Species of Greatest Conservation Need in SW WY



# Other Agreements

## Safe Harbor

- Voluntary actions to maintain or restore habitat for listed species
- Can be combined with CCAA to accommodate species already listed
- Net conservation benefit

## HCP

- Allows for economic development and conservation of listed species. Minimizes and mitigates impacts
- Used when take of a listed species will occur



# Summary

- Conservation agreements are voluntary
- Can be programmatic or individual
- Developed with USFWS in conjunction with other entities (local, state, fed...)
- Offers landowners assurance that activities can continue
- Goal is to conserve species so as to preclude listing of species
- Documents land ethic and good stewardship efforts
- Can be transferred or terminated if land is sold



# The End



Questions?

