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MEMORANDUM

TO: INTERESTED PARTIES

**FROM: KAREN BUDD-FALEN
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DATE: JULY 21, 2011

**RE: OP-ED; THE \$206,098,920 ENDANGERED SPECIES ACT
SETTLEMENT AGREEMENTS; IS ALL THAT PAPERWORK
WORTH IT?**

The headlines question whether Congress and the President can make an agreement on raising the debt ceiling or will America stop paying military servicemen and social security recipients. I have a solution to the dilemma

On July 12, 2011, the Justice Department and the U.S. Fish and Wildlife Service (“FWS”) announced “an historic agreement” which will require the American taxpayers to pay \$206,098,920 to just process the paperwork deciding whether to include over 1000 plants, bugs, worms, and other assorted creatures on the Endangered Species list. None of this money goes to on-the-ground conservation; this taxpayer funding is just to process petitions filed by only two, out of dozens, of radical environmental groups who think newts and moths are more important than the elderly or our children. The average

social security beneficiary makes \$21,600 a year and a basic military recruit makes a little over \$15,000 per year. Our elected officials are contemplating not paying these Americans while the Justice Department is readily agreeing to spend an average of \$100,690 per individual species listing and \$345,000 per individual proposed critical habitat designation for over 1053 creatures. And to add insult to injury, the Justice Department has agreed that these two groups “prevailed” in the litigation and will pay their attorney fees in an amount that has not been disclosed. Has America lost its collective mind?

These two settlement agreements are the culmination of what is known as the Endangered Species Act (“ESA”) multi-district litigation. This case was formed in 2010 by combining 13 federal court cases filed by either the WildEarth Guardians (“WEG”) or the Center for

Biological Diversity (“CBD”) regarding 113 species. On May 10, 2011, the FWS announced its settlement agreement with the WEG with the promise that the agreement would help the FWS “prioritize its workload.” That settlement agreement was opposed by the CBD who wanted other species added to the list. The Justice Department obliged the requests of the CBD and on July 12, 2011 filed the second agreement, now pending before the District of Columbia Federal District Court, that would require the FWS to make 1201 decisions on proposed listing and critical habitat designations for 1053 species. The reason that these two number are different is because for some of the species, the FWS is committed to make more than one decision. The total cost to the American public for the FWS completing all this paperwork is \$206,098,920, all by FY 2016.

These settlement agreements are being touted by the FWS as a “catalyst to move past gridlock and acrimony” to enable the FWS to “be more effective in both getting species on the [endangered species] list and working with our partners to recover those species.” Really? How can that be, considering the requirements of the agreements and the state of the American budget? For example:

The settlement agreements only include two of the numerous radical environmental groups that have sued over the Endangered Species Act to force more species listings and critical habitat designations. This agreement does nothing to stop the National Wildlife Federation from filing more federal court litigation over species such as the Northern grey wolf; nor does it

include Western Watersheds Project’s litigation related to the sage grouse. The Sierra Club is not bound by this settlement agreement and neither is the Natural Resources Defense Council nor the Environmental Defense Fund. Between 2000 and 2010, 455 lawsuits were filed by environmental groups against the FWS alone. It is hard to move past “gridlock” when only two of the numerous groups causing the gridlock are willing to move out of the way (sort of).

The settlement agreements require the FWS to work on a very strict time schedule. At least 94 decisions have to be made by FY 2011 and 61 decisions are to be completed by the end of FY 2012. The entire list of 1205 decisions have to be made by FY 2016. According to a FWS *Federal Register* notice published November 10, 2010, it costs the agency and the taxpayer a median of \$39,276 per species just to make a “90 day finding” regarding whether the FWS should even continue with a scientific review; \$100,690 per species for the FWS to make a listing decision; \$345,000 for each proposed critical habitat designation and an additional \$305,000 for the FWS to make a final critical habitat designation. Multiplying the FWS’s own numbers by the actions for each species in the settlement agreements brings the cost of the settlement agreements to the American taxpayer to a grand total of \$206,098,920 — just to process the paperwork, that figure excludes the payment of attorney fees to the CBD and WEG. The amount of those payments has not been publically released.

What is even more distressing is that the settlement agreements go far outside the bounds of the original multi-district

litigation. The original litigation dealt with 133 species for which the Justice Department agreed that the FWS had failed to follow the procedural ESA requirements. In contrast, the settlement agreements expanded that number to include 1053 species; 940 of which were not part of a federal court complaint. How can the FWS with any conscience agree to this expansion?

Even more unconscionable is the way the FWS press release describes the settlement agreements. According to the FWS announcement, the settlement agreements and work plan “will enable the agency [FWS] to systematically, over a period of six years, review and address the needs of more than 250 candidate species to determine if they should be added” to the ESA list. But look at the list attached to the settlement agreements and read the settlement agreements themselves. The official species list that has to be considered contains 1053 species, which is 76% more than admitted by the FWS. While technically 1053 species is “more than” 250 candidate species, my children would not get away with that kind of creative factual accounting.

The bottom line analysis of the multi-district settlement agreements is this — the Justice Department and FWS agreed to two settlement agreements that represent an 89% increase over the number of species included in the original litigation; that commits the FWS to spend over \$206,000,000 over the next six years to do the paperwork on 1053 bugs, worms and grasses that two radical groups think are more important than humans in all 50 states; to add to an ESA list that already includes over 2000 species when only 10 have been removed from the list since it

was passed in 1969; and the Justice Department has agreed to pay the attorney fees to the two groups for suing in the first place. I would argue that \$206,098,920 plus added attorney fees payments would pay a lot of benefits to deserving Americans including those who are serving this Country. That is where my tax dollars should go.

- END -

Group	Species	Action	FR Date	Location
WEG	10 Great Basin butterflies (Baking Powder Flat blue butterfly, Mono Basin skipper, bleached sandhill skipper, Railroad Valley skipper, Carson Valley silverspot, Railroad Valley skipper, Carson Valley wood nymph, Steptoe Valley crescent spot, Mattoni's blue butterfly, and White River Valley skipper)	90d	FY 2011	NV, OR, CA, ID, UT
WEG	10 Great Basin butterflies (Baking Powder Flat blue butterfly, Mono Basin skipper, bleached sandhill skipper, Railroad Valley skipper, Carson Valley silverspot, Railroad Valley skipper, Carson Valley wood nymph, Steptoe Valley crescent spot, Mattoni's blue butterfly, and White River Valley skipper)	12m	FY 2012	NV, OR, CA, ID, UT
WEG	14 aquatic mollusks (Tall pebblesnail, Diminutive pebblesnail, Nerite pebblesnail, Potem pebblesnail, Shasta Springs pebblesnail, Nugget pebblesnail, Columbia Dusksnail, Masked dusksnail, Canary dusksnail, Basalt juga, Cinnamon juga, Knobby Rams-horn, Goose Valley pebblesnail, Hat Creek pebblesnail)	12m	FY 2012	OR
WEG	2 Arizona springsnails (<i>Pyrgulopsis bernardina</i> , <i>P. trivialis</i>)	PLPCH	FY 2011	AZ
WEG	2 Arizona springsnails (<i>Pyrgulopsis bernardina</i> , <i>P. trivialis</i>)	FLFCH	FY 2012	AZ
WEG	2 Arizona talussnails (Rosemont talussnail, Sonoran talussnail)	90d	FY 2012	AZ
CBD	Rosemont talussnail	Proposed Rule/Non-Warranted Finding	FY 2013	AZ
WEG	2 Arkansas mussels (neosho mucket and rabbitsfoot)	PLPCH	FY 2012	AR
WEG	2 CO plants (<i>Astragalus microcymbus</i> , <i>A. schmolliae</i>)	12m	FY 2011	CO
WEG	2 Idaho snowflies (straight snowfly, Idaho snowfly)	90d	FY 2011	ID
WEG	2 plants (Munz' onion and San Jacinto Valley crownscale)	rPCH	10/7/2011	CA
WEG	2 plants (Munz' onion and San Jacinto Valley crownscale)	rFCH	4/6/2013	CA
WEG	2 Sky Island plants (<i>Graptopetalum bartramii</i> , <i>Pectis imberbis</i>)	90d	FY 2012	AZ, NM
WEG	2 suckers (Lost River and shortnose sucker)	rPCH	11/30/2011	OR
WEG	2 suckers (Lost River and shortnose sucker)	rFCH	11/30/2012	OR
WEG	2 Tenn R. mussels (fluted kidneyshell and slabside pearlymussel)	PLPCH	FY 2012	TN
WEG	2 Texas plants (Texas golden glade cress and Neches River rose-mallow)	PLPCH	FY 2012	TX
WEG	2 Texas shiners (<i>Cyprinella</i> sp. , <i>C. lepida</i>)	12m	FY 2011	TX
WEG	21 Big Island species	PL	FY 2012	HI
WEG	23 Oahu species + 99 plants	PLPCH, rPCH	FY 2011	HI
WEG	23 Oahu species + 99 plants	FLFCH, rFCH	FY 2012	HI
WEG	29 Maui-Nui species + 108 plants CH; 2 birds CH	PL/PCH, rPCH	FY 2012	HI
WEG	3 Colorado plants (DeBeque phacelia, Parachute penstemon, Pagosa skyrocket)	FLPCH	FY 2011	CO
WEG	3 Colorado plants (DeBeque phacelia, Parachute penstemon, Pagosa skyrocket)	FCH	FY 2012	CO
WEG	3 Mountain invertebrates (Bearmouth Mountainsnail, Byrne Resort Mountainsnail, and Meltwater Lednian Stonefly)	12m	FY 2011	MT
WEG	3 South Arizona plants (<i>Erigeron piscaticus</i> , <i>Astragalus hypoxylus</i> , <i>Amoreuxia gonzalezii</i>)	12m	FY 2011	AZ
WEG	3 Southern Florida plants (Florida semaphore cactus, shellmound apple cactus, Cape Sable thoroughwort)	PLPCH	FY 2012	FL
WEG	3 Texas moths (<i>Ursia furtiva</i> , <i>Sphingicampa blanchardi</i> , <i>Agapema galbina</i>)	12m	FY 2011	TX
WEG	9 Texas mollusks	90d, 12m		TX
WEG/CBD	32 species of Pacific Northwest mollusks	90d	FY 2011	WA, OR, CA

Group	Species	Action	FR Date	Location
WEG/CBD	4 Arizona plants (<i>Echinomastus erectocentrus</i> var. <i>acunensis</i> , <i>Erigeron lemmonii</i> , <i>Pediocactus peeblesianus fickeiseniae</i> , <i>Sphaeralcea gierischii</i>)	Proposed Rule/Non-Warranted Finding	FY 2012	AZ
WEG	4 Southwestern invertebrates (Roswell springsnail, Koster's springsnail, Noel's amphipod, and Pecos assimineae)	rFCH	5/30/2011	NM
WEG/CBD	4 Texas salamanders (Salado, Georgetown, Jollyville Plateau, Austin blind salamanders)	Proposed Rule/Non-Warranted Finding	FY 2012	TX
WEG/CBD	404 species - southeast aquatic species (species include 48 fish, 92 mussels and snails, 92 crustations, 13 reptiles, 4 mammals, 15 amphibians, 55 insects, 3 birds)	90d	FY 2011	AK, LA, MS, TN, KY, AL, GA, WV, VA, NC, SC, FL
WEG/CBD	42 species of Great Basin springsnails	90d	FY 2011	NV
WEG	5 Central Texas mussels (Texas fatmucket, golden orb, smooth pimpleback, Texas pimpleback, and Texas fawnsfoot)	12m	FY 2011	TX
WEG	5 Railroad Valley springsnails (<i>Pyrgulopsis aloba</i> , <i>P. anatina</i> , <i>P. lockensis</i> , <i>P. papillata</i> , and <i>P. villacampae</i>)	12m	FY 2012	NV
WEG	5 Southeast fishes (Cumberland Darter, Rush Darter, Yellowcheek Darter, Chucky Madtom, and Laurel Dace)	FLPCH	FY 2011	KY
WEG	5 Southeast fishes (Cumberland Darter, Rush Darter, Yellowcheek Darter, Chucky Madtom, and Laurel Dace)	FCH	FY 2012	KY
WEG	5 Southwest aquatics (Diamond Y springsnail, phantom cave snail, phantom springsnail, Gonzales springsnail, diminutive amphipod)	PLPCH	FY 2012	TX
WEG	5 UT plants (<i>Astragalus hamiltonii</i> , <i>Eriogonum soredium</i> , <i>Lepidium ostleri</i> , <i>Penstemon flowersii</i> , <i>Trifolium friscanum</i>)	12m	FY 2011	UT
WEG	5 Wyoming plants (Yellowstone sand verbena, <i>Abronia ammophila</i> involved in MDL litigation; <i>Agrostis rossiae</i> , <i>Astragalus proimanthus</i> , <i>Boechere Arabis pusilla</i> (Fremont County rockcress), <i>Penstemon aibbensii</i>)	12m	FY 2011	WY
WEG	6 Nevada dune beetles (Hardy's aegialian scarab, Sand Mountain serican scarab, Crescent Dunes aegialian scarab, Crescent Dunes serican scarab, large aegialian scarab, and Giuliani's dune scarab)	90d	FY 2011	NV
WEG	6 Nevada dune beetles (Hardy's aegialian scarab, Sand Mountain serican scarab, Crescent Dunes aegialian scarab, Crescent Dunes serican scarab, large aegialian scarab, and Giuliani's dune scarab)	12m	FY 2012	NV
WEG	7 yellow-faced bees (<i>Hylaeus anthracinus</i> , <i>H. assimulans</i> , <i>H. facilis</i> , <i>H. hilaris</i> , <i>H. kuakea</i> , <i>H. longiceps</i> , and <i>H. mana</i>)	12m	FY 2011	HI
WEG	8 Gulf Coast mussels (round ebonyshell, southern kidneyshell, narrow pigtoe, southern sandshell, fuzzy pigtoe, Choctaw bean, tapered pigtoe, Alabama pearlshell)	PLPCH	FY 2011	FL, AK
WEG	8 Gulf Coast mussels (round ebonyshell, southern kidneyshell, narrow pigtoe, southern sandshell, fuzzy pigtoe, Choctaw bean, tapered pigtoe, Alabama pearlshell)	FLFCH	FY 2012	FL, AK
WEG	Altamaha spiny mussel	FLFCH	FY 2011	GA
WEG	American eel	90d	FY 2011	TX
WEG	Anacroneuria wipukupa (Stonefly)	12m	FY 2011	AZ
WEG	Arapahoe snowfly	90d	FY 2011	CO
WEG	Arapahoe snowfly	12m	FY 2012	CO
CBD	Arctic grayling	Proposed Rule/Non-Warranted Finding	FY 2014	MT
CBD	Ashy storm-petrel	Proposed Rule/Non-Warranted Finding	FY 2013	CA

Group	Species	Action	FR Date	Location
WEG	Aztec gilia	90d	FY 2012	NM
WEG	Bay skipper butterfly	90d	FY 2011	TX
WEG	Bay skipper butterfly	12m	FY 2012	TX
WEG	Bay Springs salamander	90d	FY 2011	MS
WEG	Berry Cave salamander	12m	FY 2011	TN
WEG	Bexar County invertebrates (Rhadine exilis and R. infernalis (ground beetles, no common name), Helotes mold beetle, Cokendolpher Cave harvestman, Robber Baron Cave meshweaver, Madla Cave meshweaver, Braken Bat Cave meshweaver, Government Canyon Bat Cave meshweaver, and Government Canyon Bat Cave spider)	rFCH	2/7/2012	TX
WEG	Bicknell's thrush	90d	FY 2012	NY
WEG/CBD	Black-footed albatross	12m	FY 2011	HI, AK
CBD	Black pine snake	Proposed Rule/Non-Warranted Finding	FY 2014	AL, LA
WEG	Buena Vista Lake Shrew	rFCH	3/22/2012	CA
WEG/CBD	Cactus ferruginous pygmy owl	12m	FY 2011	AZ
WEG/CBD	California golden trout	12m	FY 2011	CA
WEG	California tiger salamander (Sonoma)	rFCH	7/1/2011	CA
WEG	Canada lynx	Proposed Rule to amend DPS boundaries	FY 2013	WA, OR, ID, MT, CO, WY, MN, UT, WI
WEG	Casey's June Beetle	FLFCH	FY 2011	CA
WEG	Chiricahua leopard frog	FCH	3/8/2012	NM, AZ
WEG	Chihuahua Scurfpea	90d		NM
WEG	Coachella Valley milkvetch	rPCH	8/18/2011	CA
WEG	Coachella Valley Milkvetch	rFCH	2/14/2013	CA
WEG	Comal Springs Invertebrates	rPCH	10/17/2012	TX
WEG	Comal Springs Invertebrates (Comal Springs dryopid beetle, Comal Springs riffle beetle, and Peck's cave amphipod)	rFCH	10/13/2013	TX
WEG/CBD	Coqui llanero	12m/PLPCH	FY 2011	Puerto Rico
WEG	Coqui llanero	FLFCH	FY 2012	Puerto Rico
WEG	Coral Pink Sand Dunes tiger beetle	PLPCH	FY 2012	UT
CBD	Dakota skipper	Proposed Rule/Non-Warranted Finding	FY 2013	MN, ND, SD
WEG	Diamond darter	PLPCH	FY 2012	OH
WEG	Dunes sagebrush lizard (was Sand dune lizard)	PL	FY 2011	NM, TX
WEG	Dunes sagebrush lizard (was Sand dune lizard)	FL	FY 2012	NM, TX
WEG/CBD	Dusky tree vole	12m	FY 2011	OR
WEG	Eagle Lake trout	90d	FY 2012	CA
CBD	Eastern massasagua	Proposed Rule/Non-Warranted Finding	FY 2015	NY
WEG	Eastern small-footed bat/Northern long-eared bat	90d	FY 2011	AL, AR, ME
CBD	Eastern small-footed bat/Northern long-eared bat	Proposed Rule/Non-Warranted Finding	FY 2013	MD, MA, OK, VA, WV, KY, NY, NC, TN

Group	Species	Action	FR Date	Location
WEG	Fisher	12m	FY 2011	VA
WEG	Florida bonneted bat	PLPCH	FY 2012	FL
WEG	Franklin's bumble bee	90d	FY 2011	CA
WEG	Frigid ambersnail	12m	FY 2011	IA, IL, KY, MI, MO, MS
WEG	Georgia pigtoe, interrupted rocksnail, and rough hornsnail	FLFCH	FY 2011	GA
WEG	Giant palouse earthworm	12m	FY 2011	WA
WEG	Gila Monster (Utah population)	90d	FY 2011	UT
WEG	Golden-winged warbler (migratory bird)	90d	FY 2011	MN, IL, NY, PA, WV, VA, TN
WEG	Gopher tortoise	12m	FY 2011	FL, GA, AL, MS
WEG	Grand Canyon cave pseudoscorpion	12m	FY 2011	AZ
CBD	Greater sage-grouse - bi-state (Mono Basin) DPS	Proposed Rule/Non-Warranted Finding	FY 2013	NV
CBD	Greater sage-grouse range wide (including Columbia DPS)	Proposed Rule/Non-Warranted Finding	FY 2015	MT, WY, ID, NV, CA
WEG	Greater sage-grouse (DPS)	Proposed Rule/Non-Warranted Finding	FY 2015	WA, OR, ID, MT, WY, NV, ND, SD, UT, CA
WEG	Grotto sculpin	PLPCH	FY 2012	MS
WEG	Gunnison sage-grouse	PLPCH	FY 2012	CO
CBD	Headwater chub	Proposed Rule/Non-Warranted Finding	FY 2015	NM, AZ
WEG	Hermes copper butterfly	12m	4/15/2011	CA
WEG	Jaguar	PCH	FY 2012	AZ
WEG	Jemez Mountains salamander	PLPCH	FY 2012	NM
CBD	Kentucky arrow darter	Proposed Rule/Non-Warranted Finding	FY 2015	KY
CBD	Kittlitz's murrelet	Proposed Rule/Non-Warranted Finding	FY 2013	AK
WEG/CBD	Kokanee-Lake Sammamish population	12m	FY 2011	WA
WEG	"iwi (<i>Vestiaria coccinea</i>)	90d	FY 2012	HI
CBD	"iwi (<i>Vestiaria coccinea</i>)	Proposed Rule/Non-Warranted Finding	FY 2016	HI
WEG	Lane Mountain milkvetch	rFCH	5/16/2011	AZ
CBD	Least chub	Proposed Rule/Non-Warranted Finding	FY 2014	UT
WEG	Leatherback CH revision	90d/12m, CH	FY 2011	FL, Virgin Islands

Group	Species	Action	FR Date	Location
WEG	Leatherside chub	12m	FY 2011	UT
WEG	Leona's little blue butterfly	90d	FY 2011	OR
WEG	Lesser prairie-chicken	PLPCH	FY 2012	KS, CO, NM, OK, TX
WEG	Long fin smelt	12m	9/30/2011	WA
WEG	Marbled murrelet	rFCH	FY 2011	CA, WA, OR, AK
CBD	Mexican garter snake	Proposed Rule/Non- Warranted Finding	FY 2013	NM, AZ
WEG	Mexican wolf	12m	FY 2012	AZ, NM
CBD	Mexican wolf	Proposed Rule/Non- Warranted Finding	FY 2012	AZ, NM
CBD	Miami blue butterfly	Proposed Rule/Non- Warranted Finding	FY 2012	FL
WEG	Mississippi gopher frog	rPCH	9/15/2011	LA, MS, AL
WEG	Mississippi gopher frog	FCH	5/30/2012	LA, MS, AL
WEG/CBD	Mohave ground squirrel	12m	FY 2011	CA
WEG/CBD	Mojave fringe-toed lizard	12m	FY 2011	CA, AZ
WEG	Mount Charleston blue butterfly	12m	FY 2011	NV
CBD	Mount Charleston blue butterfly	Proposed Rule/Non- Warranted Finding	FY 2012	NV
CBD	Mountain yellow-legged frog	Proposed Rule/Non- Warranted Finding	FY 2013	CA
WEG	Mountain plover	FL	5/1/2011	CO, MT, NE, NM, WY, CA, AZ, TX
CBD	New England cottontail	Proposed Rule/Non- Warranted Finding	FY 2015	ME, VT, NH, CT, NY, MA, RI
WEG	New Mexico meadow jumping mouse	Proposed Rule/Non- Warranted Finding	FY 2013	NM
CBD	North American wolverine	Proposed Rule/Non- Warranted Finding	FY 2013	WA, MT, ID, DE
WEG	Northern leopard frog	12m	FY 2011	AZ, CA, CO, ID, IA, ND, MN, MS, OR, SD, ND, TX, UT, WA, WY, WI, MT, NE, NV, NM
WEG	Northern spotted owl	rPCH	11/15/2011	OR, WA, CA
WEG	Northern spotted owl	rFCH	11/15/2012	OR, WA, CA

Group	Species	Action	FR Date	Location
WEG/CBD	Oklahoma grass pink (<i>Calopogon oklahomensis</i>)	12m	FY 2011	OK
CBD	Oregon spotted frog	Proposed Rule/Non-Warranted Finding	FY 2013	OR
WEG/CBD	Ozark chinquapin	12m	FY 2011	OK, AK
WEG	Ozark hellbender	FL/CITES	FY 2011	AK
WEG	Pacific fisher	Proposed Rule/Non-Warranted Finding	FY 2014	WA
CBD	Pacific walrus	Proposed Rule/Non-Warranted Finding	FY 2017	AK
WEG	Platte River caddisfly	12m	FY 2012	NE
WEG	Prairie chub	90d	FY 2011	OK, TX
WEG	Puerto Rico harlequin butterfly	12m	FY 2011	Puerto Rico
WEG	Rattlesnake-master borer moth	12m	FY 2013	IL, KY
WEG	Rayed bean/snuffbox	PL	FY 2011	MN, WI, IA, AK, OH, MI, IL, IN
WEG	Rayed bean/snuffbox	FL	FY 2012	MN, WI, IA, AK, OH, MI, IL, IN
WEG	Red knot (subspecies <i>roselaari</i>)	90d	FY 2011	NJ, MA, GA, FL, MA, MD, SC, VA
CBD	Red knot (subspecies <i>roselaari</i>)	Proposed Rule/Non-Warranted Finding	FY 2013	NJ, MA, GA, FL, MA, MD, SC, VA
CBD	Relict leopard frog	Proposed Rule/Non-Warranted Finding	FY 2016	AZ
CBD	Rio Grande cutthroat trout	Proposed Rule/Non-Warranted Finding	FY 2014	CO
WEG	Riverside fairy shrimp	rPCH	5/20/2011	CA
WEG	Riverside Fairy Shrimp	rFCH	11/15/2012	CA
CBD	Roundtail chub	Proposed Rule/Non-Warranted Finding	FY 2015	CO, NM, UT, AZ
WEG/CBD	San Bernardino flying squirrel	90d	FY 2012	CA
WEG	Sand verbena moth	90d	FY 2011	WA
WEG	Sheepnose/spectaclecase	PL	FY 2011	AL, AK, IL, IA, TN, KY, MN, MO, VA, WV, WI
WEG	Sheepnose/spectaclecase	FL	FY 2012	AL, AK, IL, IA, TN, KY, MN, MO, VA, WV, WI
WEG	Slickspot peppergrass	PCH	FY 2011	ID

Group	Species	Action	FR Date	Location
WEG	Slickspot peppergrass	FCH	FY 2012	ID
WEG	Smooth-billed ani	90d	FY 2011	FL
WEG	Sonoran desert tortoise	Proposed Rule/Non-Warranted Finding	FY 2015	AZ
WEG	South Puget Prairie ecosystem (mazama pocket gophers (8 subspecies), Taylor's checkerspot, streaked horned lark, and Mardon skipper)	PLPCH	FY 2012	WA
WEG	Southeast snowy and wintering piping plover	90d	FY 2011	AL, TX, LA, MS, FL
CBD	Southern Idaho ground squirrel	Proposed Rule/Non-Warranted Finding	FY 2015	ID
WEG	Southwest willow flycatcher	rPCH	7/31/2011	NM, AZ
WEG	Southwest willow flycatcher	rFCH	7/31/2012	CA, NM, AZ
WEG	Spikedace and loachminnow	rFCH	10/14/2011	CA, NM, AZ
WEG	Spot-tailed earless lizard	90d	FY 2011	TX
WEG	Spring Mountains acastus checkerspot butterfly	90d	FY 2011	NV
WEG	Spring Mountains acastus checkerspot butterfly	12m	FY 2012	NV
WEG	Spring Pygmy sunfish	90d	FY 2011	AL
WEG/CBD	Spring pygmy sunfish	Proposed Rule/Non-Warranted Finding	FY 2012	AL
WEG	Striped newt	12m	FY 2011	FL
WEG/CBD	Tehachapi slender salamander	12m	FY 2011	CA
CBD	Tahoe yellow cress	Proposed Rule/Non-Warranted Finding	FY 2016	NV
WEG	Texas kangaroo rat	90d	FY 2011	TX
WEG	Tidewater goby	rPCH	10/7/2011	CA
WEG	Tidewater goby	rFCH	11/27/2012	CA
CBD	Tucson shovelnose snake	Proposed Rule/Non-Warranted Finding	FY 2014	AZ
WEG	Tumbling Creek cavesnail	FCH	6/30/2011	MO
WEG	Umtanum buckwheat and White Bluffs bladderpod	PLPCH	FY 2012	WA
WEG	Unsilvered fritillary butterfly	90d	FY 2011	CA
WEG	Utah prairie dog	90d	6/13/2011*	UT
WEG	Utah prairie dog	90d	FY 2011	UT
WEG	Vernal pools CH (Vernal pool fairy shrimp and vernal pool tadpole shrimp)	90d, CH	FY 2011	CA
CBD	Wekiu bug (could be included in WEG Oahu or Maui-Nui listings)	Proposed Rule/Non-Warranted Finding	FY 2012	HI
CBD	West coast fisher DPS	Proposed Rule/Non-Warranted Finding	FY 2014	OR, WA, CA
WEG/CBD	Western gull-billed tern	12m	FY 2011	CA
WEG	Western snowy plover	rFCH	6/5/2012	OR

Group	Species	Action	FR Date	Location
WEG	Whitebark pine	12m	7/15/2011	ID, MT, WY
WEG	White-tailed ptarmigan (<i>Lagopus leucura</i>)	90d	FY 2012	AK, NM, CA, UT OR
WEG	Wild plains bison	90d	FY 2011	United States
WEG	Willowy monardella	rFCH	2/17/2012	CA
WEG	Woodland caribou	PCH	11/20/2011	AK, MT
WEG	Woodland caribou	FCH	11/20/2012	AK, MT
CBD	Yellow-billed cuckoo	Proposed Rule/Non-Warranted Finding	FY 2013	All US east of Rockies
CBD	Yellow-billed loon	Proposed Rule/Non-Warranted Finding	FY 2014	AK
CBD	Yosemite toad	Proposed Rule/Non-Warranted Finding	FY 2013	CA