Five-Year Status Reviews/Endangered Species Act: U.S. Fish and Wildlife Service Initiation for 81 Southeastern Species (1 Related to Arkansas)



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The United States Fish and Wildlife ("Service") announced in the November 9th Federal Register that it has initiated status reviews for 81 animal and plant species under the Endangered Species Act ("ESA"). See 91 Fed. Reg. 70892.

One of the species' range includes the State of Arkansas.

Pursuant to the ESA, codified at 16 U.S.C. § 1531 et seq., the Service maintains lists of Endangered and Threatened Wildlife and Plants (collectively referred to as "the List"). The Service maintains the List in title 50 of the Code of Federal Regulations, 50 CFR 17.11 (for animals) and 50 CFR 17.12 (for plants).

The ESA requires the Service to review each listed species' status at least once every five years.

The Service's 5-year status review considers "all new information available at the time of the review." In conducting the review, the Service considers the "best scientific and commercial data that have become available since the listing determination or most recent status review."

Such data typically includes:

- Species biology
- Habitat conditions
- Conservation measures that have been implemented that benefit the species
- Threatened status and trends in relation to the 5 listing factors (as defined in Section 4(a)(1) of the ESA); and
- Other new information, data, or corrections, included but not limited to, taxonomic and nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

The species with a range that includes the State of Arkansas is the Pondberry.

The Pondberry was listed as endangered on July 31, 1986.

The Center for Plant Conservation describes the Pondberry as pretty, medium sized shrub and one of the rarest shrubs in the United States. It occurs in seasonally flooded wetlands, sandy sinks, pond margins, and swampy depressions. Further, the Center for Plant Conservation states that in Arkansas and Missouri Pondberry tends to occupy depressions that form natural swamps or ponds.

The Service states that identified threats to the Pondberry include drainage ditching and subsequent conversion of its habitat to other uses. Alteration or conversion of land use which alters the water regime in a manner that can reduce the plant's vigor or eliminate in from the site. Domestic hogs, cattle grazing, and timber harvesting are also stated to have impacted the plants at some sites.

The Service is requesting any new information regarding the Pondberry and the other 80 southeastern species.

A copy of the Federal Register notice can be found here.