

American Burying Beetle/Endangered Species Act: U.S. Fish & Wildlife Service May 3rd Notice Proposing Downlisting



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The United States Fish and Wildlife Service ("Service") has proposed in a May 3rd Federal Register Notice to downlist the American burying beetle ("ABB") from the Endangered Species Act ("ESA") classification of endangered to threatened. See 84 Fed. Reg. 19013.

The proposal is relevant to the state of Arkansas since the ABB's range extends into parts of western Arkansas.

Delisting is the removal of a species from the Federal List of Endangered and Threatened Wildlife and Plants. Downlisting is the reclassification of the species from endangered to threatened.

Section 4(a)(1) one of the ESA requires the Service determine if a species is endangered or threatened based on one or more of the following factors:

1. The present or threatened destruction, modification, or curtailment of its habitat or range;
2. Overutilization for commercial, recreational, scientific, or educational purposes;
3. Disease or predation
4. The inadequacy of existing regulatory mechanisms; or
5. Other natural or manmade factors affecting its continued existence.

The Service contends in its proposal that the ABB is not currently at risk of extinction. As a result, it believes the ABB does not meet the definition of endangered. Nevertheless, it states:

...due to continued threats from increasing temperatures and ongoing land use changes, we find that the American burying beetle is likely to become an endangered species within the foreseeable future throughout all of its range.

Consequently, the Service also proposes to prohibit all intentional take of the ABB. Further, it proposes to:

Specifically tailor the prohibition of incidental take to the three geographic areas that the American burying beetle occupies.

The preamble in discussing the proposed 4(d) rule notes in part:

Currently, conservation lands provide relatively large protected areas of habitat with good populations; these lands would potentially serve as sources of American burying beetles for relocation and reintroduction efforts in areas that are projected to have future climate conditions that would be

expected to sustain the species. We propose to define “conservation lands” as lands included within the existing boundaries of Fort Chaffee in Arkansas (approximately 64,000 acres), and McAlester Army Ammunition Plant (approximately 45,000 acres), Camp Gruber/Cherokee Wildlife Management Area (approximately 64,000 acres), and The Nature Conservancy Tall Grass Prairie Preserve (approximately 40,000 acres) in Oklahoma. These areas have defined boundaries and management that is compatible with recovery for the American burying beetle; however, that management is not intentionally being conducted for American burying beetles and monitoring and management would likely cease at some sites without the incidental take protections in place specific to the species. Active management and monitoring in these conservation lands is considered important to help support recovery by serving as source populations for relocation and reintroduction efforts of American burying beetle populations, for as long as they sustain beetle populations.

A copy of the Federal Register Notice can be downloaded [here](#).