

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



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

01/19/2023

The United States Fish and Wildlife Service (“Service”) announced in the January 13th Federal Register that it has initiated status reviews for five animal and plant species under the Endangered Species Act (“ESA”). See 88 Fed. Reg. 2368.

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 List is found in Title 50 of the Code of Federal Regulations, 50 C.F.R. 17.11 (for animals) and 50 C.F.R. 17.2 (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:

1. Species biology
2. Habitat conditions
3. Conservation measures that have been implemented that benefit the species
4. Threatened status and trends in relation to the 5 listing factors (as defined in Section 4(a)(1) of the ESA); and
5. 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 range that includes the State of Arkansas is the Snuffbox Mussel. Its scientific name is *Epioblasma triquetra*.

The other four species included on the List are:

- Copperbelly water snake
- Rayed bean
- Pitcher’s thistle

- Michigan monkey-flower

The Service is requesting any new information regarding these species.

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