

Endangered species listing for the monarch butterfly

What private landowners need to know

On December 15, 2020, the US Fish and Wildlife Service announced that listing the monarch butterfly under the Endangered Species Act is warranted but precluded. You can read the press release from the USFWS [here](#). See below for more information.

What is a threatened or endangered species?

The Endangered Species Act (ESA) of 1973 was passed by Congress to prevent extinctions of fish, wildlife, insects, and plants. The purpose of the ESA is to identify and recover endangered and threatened species and the habitat on which they depend.

Under the ESA, the US Fish and Wildlife Service (FWS), after an in-depth review including public input, may determine a species is "endangered" if it is in danger of extinction throughout all or a significant portion of its range. A "threatened" species is one that is likely to become endangered in the foreseeable future.

A species is determined to be endangered or threatened due to any of the following factors:

- The present or threatened destruction, modification, or curtailment of its habitat or range
- Overutilization for commercial, recreational, scientific, or educational purposes
- Disease or predation
- The inadequacy of existing regulatory mechanisms
- Other natural or manmade factors affecting its survival

Monarch butterfly petition

The FWS received a petition in August of 2014 to list the monarch butterfly population that migrates from Mexico through the U.S. Southern and

Midwestern states, and into Canada, annually. Within 90 days of receiving a petition FWS is required by regulation to determine if it is worthy of consideration. In December 2014, FWS made the decision that the petition contained enough scientific information to justify a status review. This determination triggered a 12-month finding deadline for the agency to determine whether the monarch should be listed. The FWS did not meet this deadline. In March 2016, the Center for Biological Diversity (CBD) and the Center for Food Safety (CFS) filed a complaint against FWS. On July 5, 2016, the Court approved a settlement that provided FWS three years to finish its evaluation. In May 2019, the court granted FWS an extension to December 15, 2020.

Species status assessment

To meet the December 2020 deadline, the FWS gathered foundational scientific information to inform the decision on whether the monarch needs protection under the ESA. This process is governed by the Species Status Assessment (SSA) Framework, a step-wise approach that delivers the science necessary to inform all ESA decisions. Early identification of what most influences a species' condition gives opportunities for partners to work with FWS to plan and implement conservation efforts in advance of ESA decisions.

Can voluntary conservation efforts continue to make a difference after the December 2020 announcement?

In 2018, the FWS began collecting information on ongoing conservation efforts for use in its listing analysis, consistent with its Policy for the Evaluation of Conservation Efforts (PECE). Under the PECE, if voluntary on-going or planned conservation efforts are determined to be viable and likely to be implemented, FWS can use this information to

determine the monarch should not be listed. Voluntary efforts are assessed for their likelihood to positively influence the future increase of the monarch populations.

The FWS launched the [Monarch Conservation Database](#) to collect and quantify new (since 2014), ongoing, and planned efforts that are improving the monarch population by creating habitat with milkweed and other blooming nectar plants.

Which voluntary programs are available?

Several USDA conservation programs provide landowners with financial and technical assistance to implement practices that promote monarch butterfly habitat. The largest of these programs include the Conservation Reserve Program (CRP), Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program, and Agricultural Conservation Easement Program. Contact your local [USDA Field Office](#) for more information on these programs. The FWS also provides landowners with financial and technical assistance to restore and enhance monarch habitat through the Partners for Fish and Wildlife Program and Coastal Program.

In addition to federal programs, the Midwest Association of Fish and Wildlife Agencies has developed the [Mid-America Monarch Conservation Strategy](#), which identifies goals and next steps for states within the monarch migration corridor. Many states have responded to this strategy with programs of their own to enhance monarch habitat. There are also other voluntary conservation programs through various conservation organizations like the Environmental Defense Fund or the Butterfly and Bee Habitat Fund available throughout the U.S.

Listing determination

In December 2020, the FWS issued a determination based on the results of its review that listing the monarch butterfly under the Endangered Species Act is warranted but precluded by species of higher priority. Therefore, the Service is adding the monarch butterfly to the candidate list and

assigning it a listing priority number of eight. This priority number indicates the magnitude of threats is moderate and those threats are imminent.

The ESA provides for a warranted-but-precluded finding when the Service does not have enough resources to complete the listing process because the agency must first focus on higher-priority listing rules. [The Service prioritizes work on imperiled species through its National Listing Workplan.](#) Currently, listing actions for 161 species on the workplan (64%) are a higher priority than the monarch. These species include plants, insects, freshwater mussels, fish, birds and mammals. Obligations to meet court orders and settlements due to litigation can affect when the agency works on some species.

Warranted-but-precluded findings require subsequent review each year until the agency undertakes a proposal (i.e., the monarch is designated as a candidate species) or makes a not-warranted finding.

More information can be found on the U.S FWS monarch butterfly [ESA website](#).