

## Massive new ESA listings ahead under recent Justice Department settlement

July 27, 2011

On July 12, 2011 FWS entered into a settlement with two environmental groups that, according to FWS, will reshape the process of listing species under the Endangered Species Act. The settlement requires FWS to take action on pending petitions for 757 different species over the next seven years, and provides a schedule each year in which listing petitions will be acted on. Each listing decision remains open to challenge under the Administrative procedure Act after it is made.

Although FWS is free not to list a species in the review process, it is obvious that this Settlement will result in a massive uptick in the listing of species—in the forty years since ESA was passed, only 2,000 species have been listed. Also, there will be thousands of acres of private property as well as water supplies affected by these new listings, by virtue of the critical habitat designations that must be determined at the time of listing.

For an interactive map showing the location of all 757 species at [http://www.biologicaldiversity.org/programs/biodiversity/species\\_agreement/map.html](http://www.biologicaldiversity.org/programs/biodiversity/species_agreement/map.html).

For more information on the settlement, go to [http://www.fws.gov/endangered/improving\\_ESA/listing\\_workplan.html](http://www.fws.gov/endangered/improving_ESA/listing_workplan.html).