



Frequently Asked Questions About the 90-day Finding on Fisher

The fisher is a medium-sized mammal classified in the order Carnivora, and is the largest member of the genus *Martes*, which includes three species – fishers, yellow-throated martens and true martens. The *Martes* genus is distinguished by several features, one of which is having an additional premolar in each jaw. The only other North American member of the genus *Martes* is the American marten.

Fishers are about the size of a common house cat with the body type of a stocky weasel. Their fur ranges in color from dark brown to black, with lighter colored fur around the face and shoulders.

Fishers are the only predators that consistently prey upon porcupines. Fast, agile and adept at climbing trees, they eat any prey they can catch and overpower, including squirrels, hares, mice and birds.

Despite their name, they do not, in fact, catch or eat fish. Though no one knows for sure, they may have got their name from early American settlers who believed that fishers were polecats. In French, the pelts of polecats are called *fiche, ficheux* or *fichet*.

Fishers occur in the coniferous and mixed forests of Canada and northern United States. Current distribution in the west is unstable in some areas largely as a result of habitat alteration and fragmentation of forested environments. In the Pacific states, fishers were historically most common in low to mid-elevation forests up to 8,200 feet.

Q. Who submitted the petition to list the fisher?

A. The 20 petitioning organizations and individuals included the Center for Biological Diversity; the Sierra Nevada Forest Protection Campaign; Noah Greenwald; American Lands; Biodiversity Legal Foundation, and the Center for Sierra Nevada Conservation.

Q. What does the petition seek?

A. The petition asks the Service to list the fisher in California, Washington and Oregon as an endangered species. It states that the fisher has a low reproductive rate, low dispersal abilities, and is dependent on closed-canopy, late-successional forests in its West Coast range. The petition describes the fisher's historical distribution and current range in California, Oregon, and Washington, stating that three populations remain: one in northern California, one in the southern Sierra Nevada mountains of California, and a reintroduced population in the southern Oregon Cascades. The petitioners cite a significant diminution of the fisher's range on the West Coast and on-going loss of habitat as evidence to support a positive listing decision.

Q. What are the threats facing the fisher?

A. The primary threat mentioned in the petition is the loss and fragmentation of fisher habitat, which the petitioners state is due to timber harvest, roads, urban development, recreation, and stand-replacing fire. The petitioners believe that past timber harvest in Washington, Oregon, and California has resulted in the loss of key components of fisher habitat over large portions of the landscape, and that the cumulative effects of continued timber harvest and fuels reduction projects on public and private lands would have dramatic effects on the fisher. Other factors cited include

poaching and incidental capture and injury, predation mortality by vehicle collision, limited population size, and isolation of populations.

Q. What is a 90-day finding on a petition to list?

A. Section 4 of the Endangered Species Act requires that the Fish and Wildlife Service make a finding on whether a petition to list, delist, or reclassify a species contains substantial information to indicate that the requested action may be warranted. That finding is to be made within 90 days, to the maximum extent practicable, after receipt of the petition and is to be published in the *Federal Register*. Findings are based on information contained in the petition, supporting information submitted with the petition, and other information available to the Service at the time.

Q. What is meant by substantial information?

A. When the Service evaluates a petition for substantiality, it considers the adequacy and reliability of the information supporting the action advocated by the petition. A “substantial” finding indicates the Service has determined that adequate and reliable information has been presented or is available that would lead a reasonable person to believe the petitioned action may be warranted.

Q. What kinds of information are considered reliable?

A. Among the most reliable and credible sources are papers published in peer-reviewed scientific literature. Information provided by individuals with demonstrated expertise in the relevant subject area is also generally considered reliable. Anecdotal information or information from sources without established records of subject matter experience and expertise must be strongly corroborated to be considered substantial.

Q. What happens now?

A. Once a positive 90-day finding is made, the Service proceeds with a status review of the species. Within 12 months of receipt of the petition, the Service decides whether the petitioned action is warranted, not warranted or warranted but precluded by proposals for other, higher-priority listing actions. If a warranted finding is made, the Service must promptly publish a proposed rule to pursue the petitioned action.

If a warranted but precluded finding is made for a petition to list, the Service classifies the petitioned species as a candidate for listing. The Service must document that it is making progress in listing, reclassifying or delisting species, and that the Service's decisions follow its listing priority system. The Service annually reviews warranted but precluded species for possible listing action.

If a not-warranted finding is made for a petition to list, the species is not assigned to candidate status.

More questions?

Write or call:

U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Office, Endangered Species Division
2800 Cottage Way, Room W-2605
Sacramento, CA 95825
(916) 414-6600