Frequently Asked Questions About:
5-year Review for Bull Trout

Q – What action is the Fish and Wildlife Service taking?

A – The Service is undertaking a 5-year review for bull trout. A 5-year review is a periodic process conducted to ensure that the listing classification of a species as either threatened or endangered is still accurate. It is a verification process with a definitive outcome: either the review does or does not indicate a change in classification is warranted. As the 5-year review is not a rule-making in and of itself, it provides a "recommendation" rather than a "determination." The review considers the best scientific and commercial information that has become available since the original listing determination, such as:

- Species biology including but not limited to population trends, distribution, abundance, demographics and genetics;
- Habitat conditions including but not limited to amount, distribution and suitability;
- Conservation measures that have been implemented that benefit the species;
- Status and trends of threats to the species;
- Other new information, data, or corrections including but not limited to changes in taxonomy or nomenclature, identification of erroneous information contained in the List of Endangered and Threatened Wildlife and Plants; and improved analytical methods.

Q – Why is the Service doing a 5-year review for bull trout now?

A – Bull trout were listed throughout their range in the lower 48 states in November 1999. Research and monitoring programs and conservation actions have been carried out and are ongoing by Federal and non-Federal (State, private, tribal) entities. As a result, new information is available. Although this information has been made public since the time of listing, and the Service has continued to use the best available information under its Endangered Species Act (ESA) responsibilities, this information has not been fully evaluated under the ESA's 5-year review requirement.

The Service agreed to initiate the bull trout 5-year review at this time following a request from Idaho Governor Kempthorne and the Idaho Congressional Delegation.

Q– Does the review process lessen protections for bull trout?

A– No. All of the existing protections for bull trout will remain in place. If any changes to the bull trout's listing classification are recommended after the review is completed, they will be made only after a separate formal rule-making process that includes public review and comment.

Q – What will the 5-year review entail?

A – The review will consider information that has become available since the original listing determination, such as population and demographic trend data; studies of dispersal and habitat use; genetics and species competition investigations; surveys of habitat amount, quality, and distribution; adequacy of existing regulatory mechanisms and conservation measures; and management and conservation planning information.

The review also will assess: a) whether new information suggests that the species' population is increasing, declining, or stable; b) whether existing threats are increasing, the same, reduced, or eliminated; c) if there are any new threats; and d) if any new information or analysis calls into question any of the conclusions in the original listing determination as to the species' classification. The review will also consider appropriate application of the Service's distinct population segment (DPS) policy to this species as new information warrants.

Q – What is a Distinct Population Segment?

A – A Distinct Population Segment (DPS) is a population that makes up a portion of a species' or subspecies' population or range. For a population to be listed under the ESA as a Distinct Population Segment, three elements are considered: (1) the discreteness of the population segment in relation to the remainder of the species to which it belongs; (2) the significance of the population segment to the species to which it belongs; and (3) the population segment's conservation status in relation to the ESA's standards for listing (i.e., is the population segment endangered or threatened?).

Q – What is the outcome of a 5-year review?

A – The Service will recommend whether or not a change is warranted in the Federal classification of bull trout, such as a change in classification from threatened to endangered, a recommendation that the species no longer needs protection and should be delisted or a recommendation that the classification should remain the same. Such a recommendation would not automatically result in a change in classification. Any change would require a separate formal rule-making process.

If the Service recommends that a change in classification is warranted, it may propose to reclassify or delist a species, or propose a change in DPS designation. If the agency does propose

a change, it would go through a formal rule-making process, including public review and comment, as defined in section 4(a) of the Endangered Species Act. No change in classification would occur until the completion of that process.

Q – Who is responsible for doing a 5-year review?

A – The Secretary of Interior and the Secretary of Commerce are ultimately responsible for conducting the 5-year reviews of listed species. This responsibility has been delegated to the U.S. Fish and Wildlife Service and NOAA-Fisheries to assess the species for which they have jurisdiction. Bull trout are under the jurisdiction of the U.S. Fish and Wildlife Service.

Q – When will the 5-year review be completed?

A – The review is expected to be completed in Fall 2004.

Q – How does the Service determine whether a species is endangered or threatened?

A – Under the ESA, the term "endangered species" means any species that is in danger of extinction throughout all or a significant portion of its range. The term "threatened species" means any species that is at risk of becoming an endangered species within the foreseeable future throughout all or a significant portion of its range.

Section 4(a)(1) of the ESA establishes that we determine whether a species is endangered or threatened based on one or more of the following five 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's assessment of these factors is required, under section 4(b)(1) of the ESA, to be based on the best scientific and commercial data available.

Q – What is the status of the Service's work on critical habitat and a recovery plan for bull trout?

A – Bull trout critical habitat work is continuing on a revised schedule. We now plan to finalize critical habitat for the Columbia and Klamath population segments of bull trout by September 2004. A draft economic analysis of this critical habitat proposal was released on April 5, 2004, and public comments on it and the critical habitat proposal will be accepted until May 5, 2004.

We plan to release our critical habitat proposal for the Coastal-Puget Sound, St. Mary-Belly River and Jarbidge River population segments of bull trout for public comment in late June or early July 2004. Critical habitat for these population segments will be finalized in June 2005.

Because of our focus on completing the 5-year review, the Service plans to temporarily suspend further work on finalizing bull trout Recovery Plan chapters for the Columbia River, Klamath River, and St. Mary-Belly River distinct population segments (DPS). Draft Recovery Plans for each of these DPS's were made available for public comment in November 2002. We plan to release draft recovery plan chapters for the Jarbidge and Coastal-Puget Sound DPS's in the spring of 2004 so that we can receive public comment on those units also. This information will help inform the 5-year review.