

Monarch Endangered Species Act Proposal

What the agriculture community should know

The U.S. Fish and Wildlife Service has announced a proposal to list the monarch butterfly as a threatened species with species specific protections and flexibilities to encourage conservation under section 4(d) of the Endangered Species Act. The prohibitions and exceptions in the proposed rule affect monarch butterflies only in the contiguous United States, Puerto Rico and U.S. Virgin Islands, the monarch's historic range.

The monarch is not federally protected. Protections would go into place after a final rule is published.

The proposed 4 (d) Rule

A “4(d) Rule” is one of many tools found within the Endangered Species Act for protecting species listed as “threatened.” This rule gets its name from section 4(d) of the Endangered Species Act, which directs the Service to issue regulations deemed “necessary and advisable to provide for the conservation of threatened species.”

The goal of our proposed 4(d) rule is to encourage voluntary conservation measures. That means that activities that may maintain, enhance, remove or establish milkweed and nectar plants within the breeding and migratory range would be allowed in many circumstances. Our intent is to avoid largescale, permanent conversion of monarch habitat. The proposed rule explicitly allows for routine agricultural activities, livestock grazing and ranching activities. We are encouraging active habitat management that supports monarchs while landowners manage their land as they intended.

We want input from growers and other land managers, crop consultants, pest control groups and others on how pesticides should be addressed in a final rule to list monarchs. For example, should we include an exception allowing the use of pesticides in monarch habitat? If so, what reasonable and feasible measures should be in place to minimize pesticide exposure to monarchs? How can we tailor measures for different classes of pesticides, pesticide uses, and application methods?

Endangered Species Act proposal for the Monarch Butterfly

Major threats to the monarch include the past loss of milkweed and nectar plants in breeding and migratory habitat. Historically, milkweed was removed from the landscape by land development and the widespread use of herbicides. Other threats to monarchs include loss of overwintering sites in Mexico and California, exposure to insecticides and effects of climate change.

We are proposing critical habitat for the species at a portion of its overwintering sites in coastal California. Overwintering habitat provides an essential resting place for monarchs during the cold winter months and helps them prepare for breeding in the early spring. In total, the Service is proposing 4,395 acres of critical habitat for the western migratory monarch population across Alameda, Marin, Monterey, San Luis Obispo, Santa Barbara, Santa Cruz and Ventura counties in California. A critical habitat designation imposes no requirements on state or private land unless the action involves federal funding, permits or approvals.



Monarch conservation through U.S. Department of Agriculture programs

We are actively working with the U.S. Department of Agriculture (USDA) to encourage monarch conservation through USDA programs. We recently completed two important conference opinions with the U.S. Department of Agriculture that provide regulatory predictability for the implementation of the Farm Bill's Title II Conservation Programs and the Conservation Reserve Program (CRP). We plan to work with USDA throughout the monarch listing process with the goal of retaining landowner flexibility.

Your voice matters

As a member of the agriculture community, you can play a vital role in informing how we conserve monarch butterflies in agricultural landscapes. We are working with agricultural stakeholders to guide and inform final regulatory outcomes to conserve monarchs under the Endangered Species Act.

The monarch is currently only proposed for listing, so there are no new requirements for monarch, unless a final rule is in effect.

We are seeking comments about the proposed rule to help us shape a practical, balanced, regulatory approach under the final rule. We want the final rule to incentivize proactive conservation efforts and allow actions that benefit monarchs or that have minimal impacts to monarchs and that do not threaten the species. All comments will be addressed and may be incorporated into the final rule.

How to submit your comments

The proposal to list the monarch butterfly, and designate critical habitat, was published in the [Federal Register](#) December 12. A 90-day comment period closes on March 12, 2025. Information on how to submit comments can be found on [regulations.gov](#) by searching docket number FWS-R3-ES-2024-0137.

To protect and grow the monarch butterfly population, we need to protect and grow their habitat across the United States. No one person or group can accomplish this alone. The only way to achieve the large-scale restoration needed for monarchs is to work with others. We encourage you to partner with us and with others in your communities so we can achieve this goal together.

U.S. Fish & Wildlife Service
[fws.gov/monarch](#)
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