



The Petition Process

For requests to list a species as an threatened or endangered species under the Endangered Species Act

What are petitions for listing?

Petitions are formal requests to list a species as endangered or threatened species under the Endangered Species Act. The ESA requires that we make and publish specific findings on the petition. We (or the National Marine Fisheries Service for most marine species) must make a finding within 90 days of receiving a petition (to the extent practicable) as to whether or not there is “substantial information” indicating that the petitioned listing *may be warranted*. If this preliminary finding is positive, a status review is conducted. Within one year of receipt of the petition, we must make a further finding that the listing either is or *is not* warranted. A positive one-year finding can be incorporated into a proposed listing, however, if a prompt proposal is precluded by higher priority listing activities, we may defer the proposal. Then the species becomes a candidate for listing and is added to our candidates list. These “warranted but precluded” proposals require subsequent one-year findings on each succeeding anniversary of the petition until either a proposal is undertaken or a “not warranted” finding is made.

For further information about the petition process and how petitions are evaluated, please refer to, “Public Advisory: Information to Consider When Submitting a Petition under the Endangered Species Act” on our website at https://www.fws.gov/endangered/esa-library/pdf/petition_guidance_for_internet_final_for_posting.pdf

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