

Black-Footed Ferret (BFF) *Fact Sheet*

Programmatic Safe Harbor Agreement (SHA)

U.S. Fish and Wildlife Service



What is a Safe Harbor Agreement (SHA)?

The Safe Harbor Program is a voluntary program that provides assurances to non-federal landowners, including tribes, who voluntarily commit to implementing specific activities over a defined time frame that are reasonably expected to provide a net conservation benefit to species listed under the Endangered Species Act (ESA). In exchange for this commitment, landowners and tribes receive assurances from the U.S. Fish and Wildlife Service (Service) that no additional future regulatory restrictions will be imposed or commitments required for the species covered in the SHA.

What is the purpose of the BFF SHA?

The BFF Programmatic SHA has been developed to encourage private and other non-federal landowners to voluntarily undertake conservation activities on their properties to enhance, restore, or maintain habitat to benefit the federally listed black-footed ferret (*Mustela nigripes*). The primary conservation activity under this SHA will be reintroductions of black-footed ferrets on properties of willing landowners and tribes.

What Land is Eligible for the BFF Programmatic SHA?

The BFF SHA is programmatic in nature and applicable across the 12-state historical range of the ferret which includes a wide range of landscapes, habitat types and potential partners. This includes portions of **Arizona, Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah and Wyoming**. The geographical lands eligible for enrollment in this SHA include non-federal lands (including tribal lands) that have adequate acres of occupied prairie dog habitat to support a population of at least 30 breeding adult ferrets.

The acreage necessary to support 30 breeding adults can vary depending on the species of prairie dogs present. Typically this would be approximately 1,500 acres or more in black-tailed prairie dog habitat or 3,000 acres or more in white-tailed or Gunnison's prairie dog habitat.

Eligible land need not be provided by a single landowner. Adjacent landowners can collectively enroll lands together under the SHA such that sufficient acreage to support 30 breeding adult ferrets is enrolled. Potential suitable lands will be evaluated by the Service and its conservation partners based on available site information and site visits. The number of acres required for enrollment will be determined on a site-specific basis and will be identified in a Reintroduction Plan developed for each landowner who chooses to enroll in the SHA.

BFF Programmatic SHA



How Does Enrolled Property Owner Benefit?

By entering into a SHA, landowners receive assurances that additional land use limitations will not be required even if the voluntary actions undertaken attract covered listed species onto enrolled properties or increase the numbers or distribution of those listed species already present on those properties. The assurances are provided by the Service through an Enhancement of Survival Permit issued to the landowner, under the authority of section 10(a)(1)(A) of the ESA.

Provided that a landowner complies with the provisions outlined in the SHA and detailed in the Reintroduction Plan developed for the enrolled lands, the Service will provide assurances through a Certificate of Inclusion that no additional restrictions will be applied throughout the term of the Certificate of Inclusion. The Certificate of Inclusion will provide incidental take of black-footed ferrets consistent with maintaining the agreed-upon baseline conditions as described in the SHA and identified in a Reintroduction Plan.

How Would Enrolled Property Impact Non-Participating Neighboring Lands?

The Service recognizes that some landowners may be reluctant to participate in the SHA due to concerns for non-participating neighbors' fear of ESA liability should ferrets disperse to their lands. As such, the Safe Harbor policy provides for assurances to neighbors. For the purposes of this SHA, non-participating neighboring landowners are defined as any landowner within the vicinity of enrolled lands upon which ferrets may disperse to and/or occupy as a result of ferret reintroductions.

What is the Duration of the BFF SHA?

The duration of the SHA must be long enough to realize a net conservation benefit to the black-footed ferret. The principal conservation benefit of this SHA will be the establishment of additional free-ranging ferret populations throughout their historical range. The success of reintroductions can vary based on a number of factors. Sometimes it may take several ferret releases for a site to be considered successful. Experience from past reintroduction efforts suggests that 10 years is long enough to accommodate several ferret releases if necessary as well as document reproduction and recruitment.

This SHA and the Enhancement of Survival permit become effective upon signature and issuance by the Service and will be in effect for 50 years. Reintroduction Plans developed in conjunction with the SHA will be for a term of at least 10 years and up to 40 years within the 50 year duration. Certificates of Inclusion issued by the Service will extend permit coverage to landowners for 5 years beyond the term of the Reintroduction Plan, but in no event beyond the term of the 10(a)(1)(A) permit. Should the Reintroduction Plan be fully implemented, the Reintroduction Plan and Certificate of inclusion may be extended or renewed upon agreement by both parties while maintaining the original agreed-upon baseline.

