

Borax Lake Chub

Proposed Rulemaking to Remove from the
State List of Threatened and Endangered Species



Oregon Department of Fish and Wildlife



Photo: Alexis Harrison, ODFW

- Borax Lake Chub is a small minnow native to an isolated location in SE Oregon
- Borax Lake is a small lake that sits above the desert floor on borosilicate deposits

Protected Status

- **Federal ESA – 1982**

- **Reasons:**

- Altered lake elevation due to ‘chipping’ of the shoreline crust (FR 47)
- Potential geothermal development (FR 47)
- Lack of protected habitat (FR 47)

- **Delisted in 2020**

- **State List – 1987**

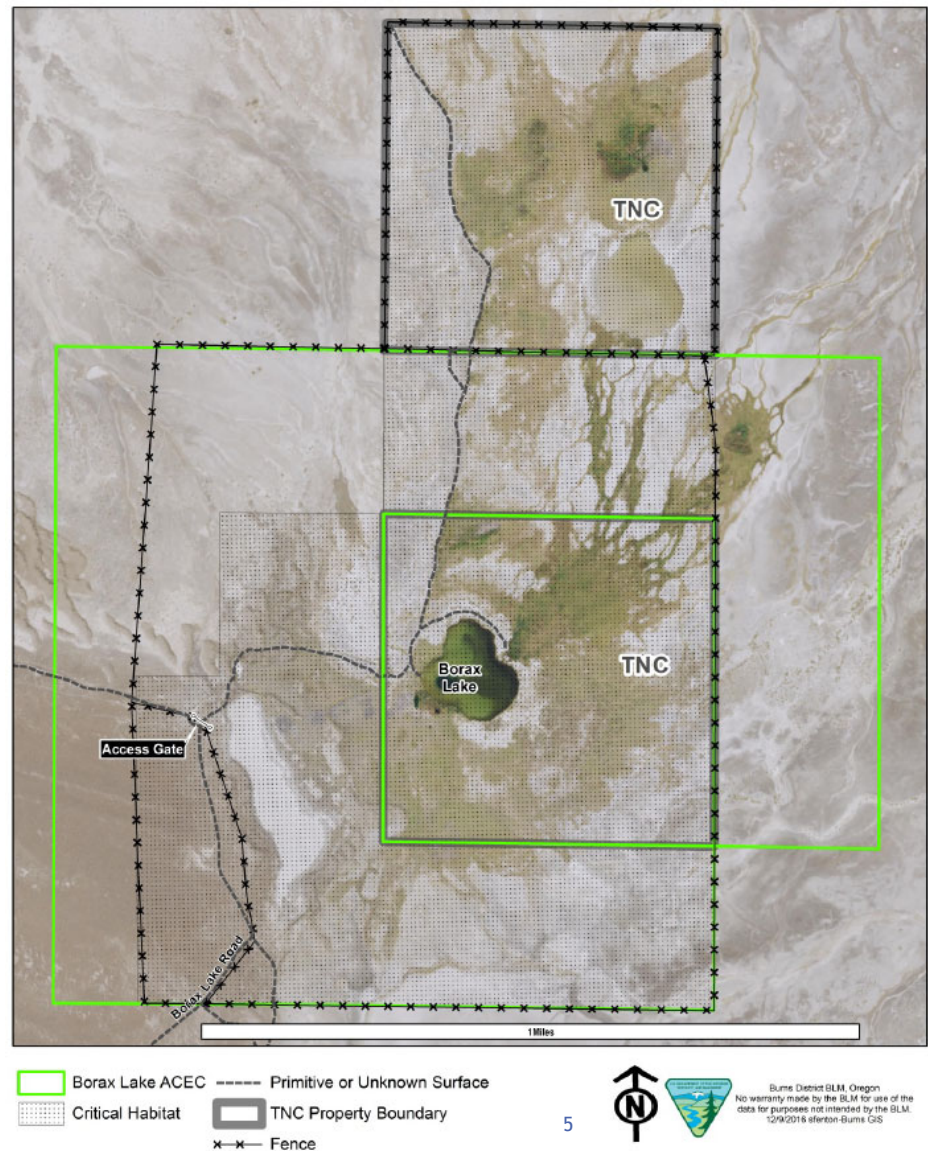
- Automatically, given Federal listing
- Downlisted in 2017

Recovery Plan Criteria

- **Recovery Plan – 1987**
 - Biological criteria
 - Stable populations, naturally reproducing
 - No exotic species
 - Habitat criteria
 - Withdrawal of Borax Lake waters from appropriations
 - Establishment of a fence to prohibit vehicle disturbance
 - Monitoring programs
 - Survey habitat and fish populations
 - Ensure lack of new threats for 5 consecutive years

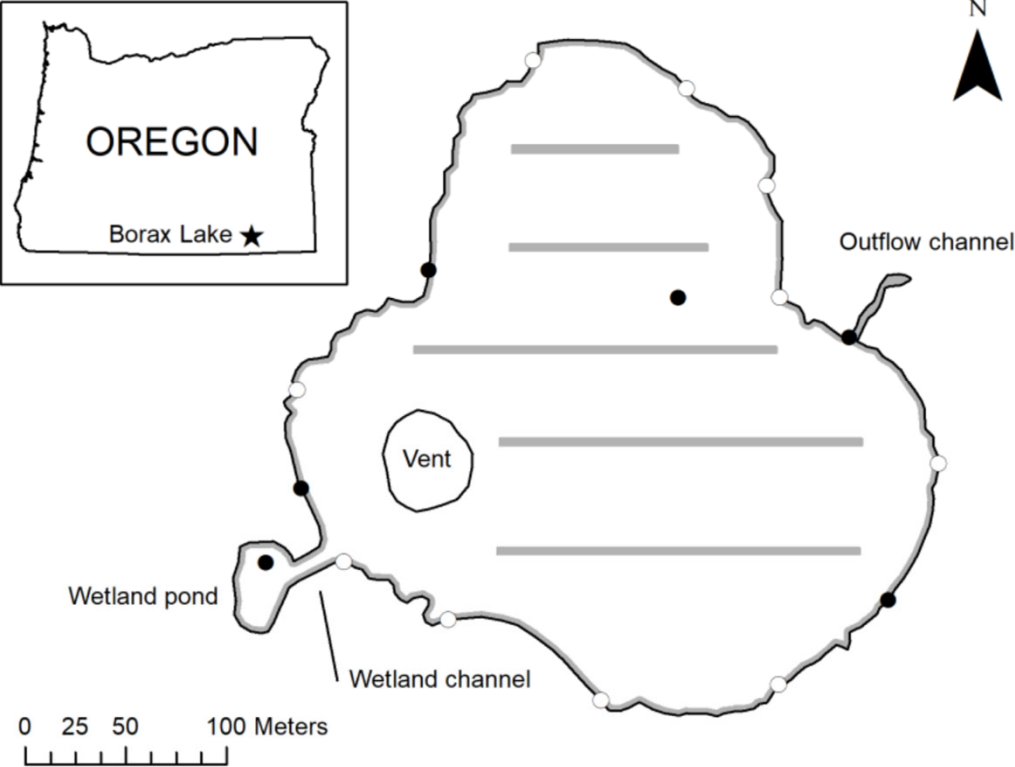
Recovery Actions

- 1982 – Designated critical habitat (640 acres)
- 1983 – TNC leased 320 acres of private land (TNC subsequently purchased this land in 1993) placing it into permanent conservation protection.
- 1983 – BLM designated 520 acres of public land as an Area of Critical Environmental Concern
- 1991 – ODFW acquired water rights to Borax Lake for conservation purposes
- 2000 – Steens Mountain Cooperative Management and Protection Act, (BLM 2005 Steens Andrews Resource Management Plan) – resulting in the removal of much of the area from mineral and geothermal exploration and development
- 2011 – Perimeter fence surrounding critical habitat to exclude vehicles
- 2018 – Cooperative management Plan finalized between BLM, ODFW, and USFWS

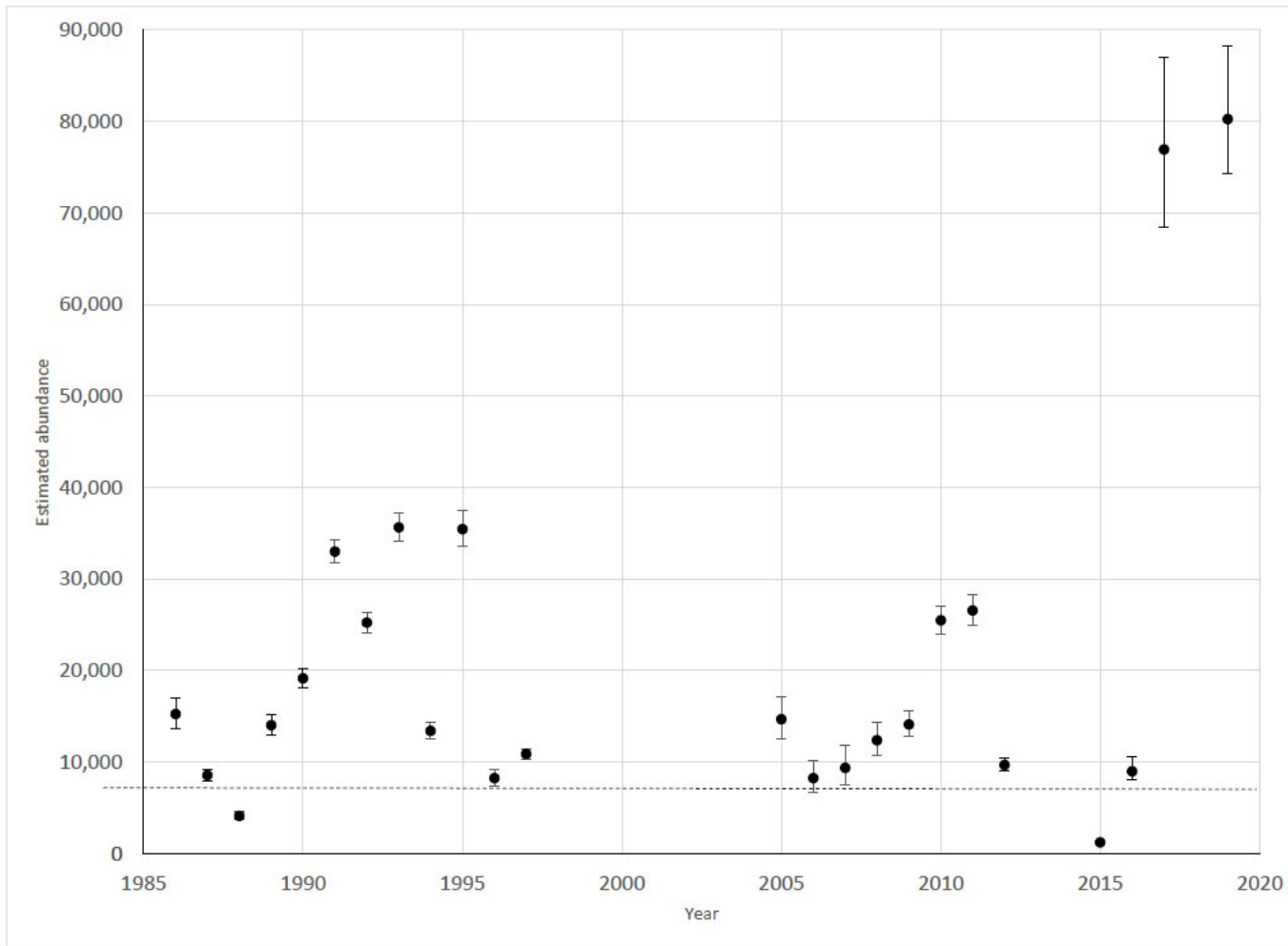


Recovery Actions

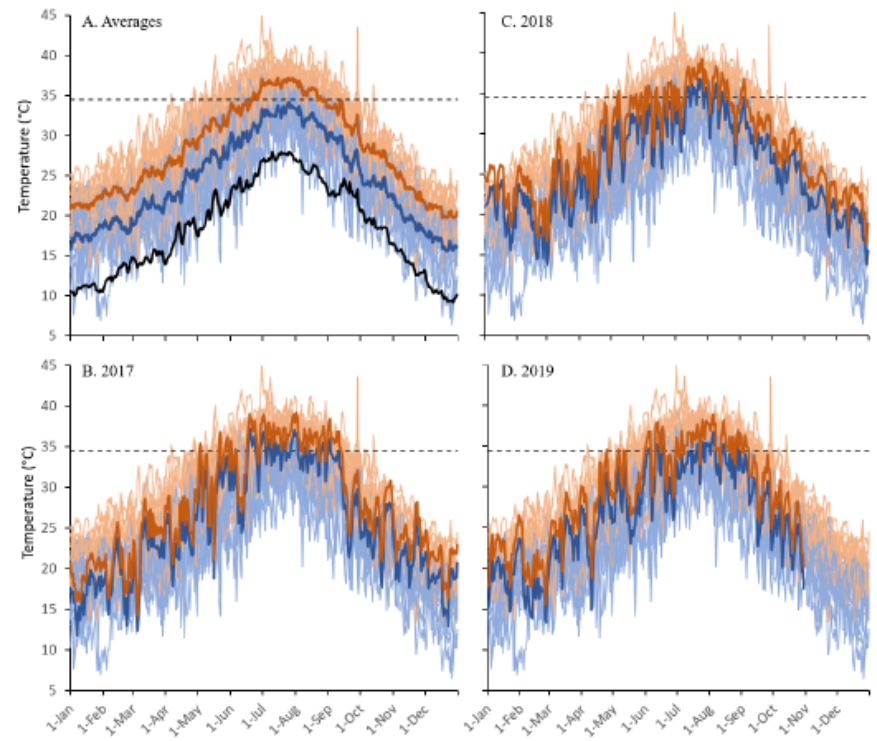
Monitoring Activities



Borax Lake Chub - Abundance



Borax Lake – Habitat and Temperature



Federal Delisting - 2020

- **Final Rule Published – 6/11/2020**
 - Determined that Borax Lake Chub is no longer at risk of extinction now or likely to become so in the foreseeable future.
 - Delisting Criteria have been met or exceeded
 - Additional review for
 - Climate Change
 - Geothermal Development
 - Disease or Predation
 - Regulatory Mechanisms
 - Post delisting monitoring plan

ODFW State Delisting Criteria

State Criterion 1: The species is not, or is not likely to become within the foreseeable future, in danger of extinction throughout any significant portion of its range in this state, or is not at risk of becoming endangered throughout any significant portion of its range in this state.

- This criterion has been met for Borax Lake Chub
 - The current range of this species encompasses the known historical range
 - Abundance varies among years, but no long-term negative trends are apparent
 - Current range is managed for conservation on public (BLM) and/or private (TNC) land
 - Climate change (as evaluated with the USFWS delisting) not a known threat to survival

ODFW State Delisting Criteria

State Criterion 2: That the natural reproductive potential of the species is not in danger of failure due to limited population numbers, disease, predation or other natural or human-related factors affecting its continued existence.

- This criterion has been met for Borax Lake Chub
 - Age-0 fish consistently observed during surveys
 - Multiple size-classes of fish consistently observed
 - No evidence of disease or predation

ODFW State Delisting Criteria

State Criterion 3: That most populations of the species are not undergoing imminent or active deterioration of their range or primary habitat.

- This criterion has been met for Borax Lake Chub
 - No reduction in the range since monitoring began
 - Primary habitat has been protected and restored
 - Continued monitoring occurring annually

ODFW State Delisting Criteria

State Criterion 4: That overutilization of the species or its habitat for commercial, recreational, scientific, or educational purposes is not occurring or is not likely to occur.

- This criterion has been met for Borax Lake Chub
 - Habitat is protected from commercial use
 - Public access to habitat is restricted to foot traffic
 - No harvest allowed
 - Only infrequent scientific or educational use

ODFW State Delisting Criteria

State Criterion 5: That existing state or federal programs or regulations are adequate to protect the species and its habitat.

- This criterion has been met for Borax Lake Chub
 - Primary habitat is protected (BLM and/or TNC)
 - Most of surrounding land is protected from geothermal development
 - Water rights obtained by ODFW
 - ODFW will evaluate and determine if placement on the State Sensitive Species List is appropriate if removed from the State T&E list

Public Comment and Solicited Peer Review

- **News Release**
 - Written comments solicited from members of the public
- **Solicited Comments**
 - US Fish and Wildlife Service
 - US Bureau of Land Management
 - The Nature Conservancy
 - Burns Paiute Tribe
 - Harney County
 - High Desert Partnership

Summary

- Borax Lake Chub are a success story...
 - Delisted from federal ESA in 2020
 - Downlisted from Endangered to Threatened on State List in 2017
 - Purpose of the State ESA is to protect and recover
 - Identified threats have been addressed
 - Significant land and water protections are in place
 - Population is healthy
- ...and should remain so
 - Mechanisms to address future threats in place
 - CMP: site visits, monitoring, and contingencies
 - Sensitive Species List

Decision Options

- **ODFW Commission Options**
 1. Remove Borax Lake Chub from the State List
 2. No Action: retain Borax Lake Chub on the State List
- **Staff Recommendation**
 1. Remove Borax Lake Chub from the State List