

Monarch Butterflies Benefit from Co-ops' Voluntary Actions

Key Points

- The monarch butterfly may be listed under the Endangered Species Act (ESA) as soon as 2025. This could significantly impact electric cooperatives' ability to manage transmission and distribution rights-of-way in a cost-effective manner.
- Participation in the Monarch Butterfly Candidate Conservation Agreement with Assurances (CCAA) may provide an opportunity for co-ops to improve monarch habitat, streamline conservation efforts, avoid project delays, and save money.
- Co-ops interested in signing on to the CCAA must do so before the monarch butterfly is listed under the ESA.

Due to Drastic Population Declines, the Monarch Butterfly Listing May Increase Costs, Uncertainty for Co-ops

The U.S. Fish and Wildlife Service (FWS) could list the monarch butterfly under the Endangered Species Act (ESA) by fiscal year 2025. Given the wide range of the monarch butterfly, a listing could impact the ability of almost every electric cooperative to manage transmission and distribution rights-of-way in a cost-effective manner.

If the monarch is listed, FWS could restrict the ability of co-ops to manage vegetation – including how and when rights-of-way can be maintained. In addition, co-ops could face project delays as they consult with FWS on potential new and existing project impacts to the monarch. This translates into increased costs and uncertainty.

The CCAA Gives Cooperatives Regulatory Certainty and Flexibility

NRECA contributed to the development of the [national Monarch Butterfly Candidate Conservation Agreement with Assurances](#) (CCAA) for the energy and transportation sectors, which was finalized on April 3, 2020. The CCAA provides an option for cooperatives to promote monarch conservation and gain certainty for managing their rights-of-way. CCAs are voluntary agreements focused on improvements to benefit an at-risk species that is not yet listed under the ESA.

The monarch CCAA outlines ways that participants can provide suitable habitat for the monarch. It also allows participating companies to perform certain activities like maintaining and modernizing existing electric infrastructure on lands they own or manage through easements and allowing critical electric and road infrastructure maintenance to continue. A suite of conservation measures are available in the CCAA to provide participating co-ops the flexibility to pursue a diverse path forward and allow for the consideration of unique circumstances, such as system size, management ability, easement requirements, and local

landscape features. In many cases, only small tweaks to routine vegetation management practices may be needed to benefit the monarch and meet the intent of the CCAA.

In return, FWS pledges not to impose additional regulatory requirements beyond the CCAA agreement if the monarch is listed in the future. In addition to improving monarch habitat, the CCAA helps participating companies avoid costly delays and last-minute disruptions to construction and maintenance activities caused by new species listing requirements.

Cooperatives Interested in the CCAA's Benefits Must Sign Up Before ESA Listing Takes Effect

Timing is important: co-ops can only join as long as the monarch butterfly is not listed under the ESA. FWS has determined listing the monarch butterfly is warranted but precluded by higher priorities and therefore they won't work on the monarch's listing until 2024. After that, there will be an additional year before the decision is finalized. Therefore, co-ops will likely have until 2025 to sign up for the monarch CCAA's benefits. The timeline could shift quickly. The FWS's decision to delay listing the monarch is likely to be challenged in the courts – leading to increased regulatory uncertainty for co-ops that choose not to proactively enroll in the CCAA.

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