



News Release

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Service Seeks Public Comment on Proposed Listing of Six Mussels in Central Texas

Protections for central Texas mussels will improve water quality and health of streams and rivers, to benefit diverse wildlife, local communities and businesses

Based on recently completed Species Status Assessments (SSAs), the U.S. Fish and Wildlife Service is proposing to protect six central Texas mussels under the Endangered Species Act (ESA) and designate critical habitat for each. The Service is proposing to list as endangered the Texas pimpleback, Guadalupe orb, Texas fatmucket, Guadalupe fatmucket and false spike, with simultaneous proposals for critical habitat. We are proposing to list the Texas fawnsfoot as threatened under the ESA, with a proposed 4(d) rule and critical habitat. As part of the proposal, the Service is also opening a 60-day public comment period and will host virtual informational meetings followed by public hearings on Tuesday, September 14, 2021 and Thursday, September 16, 2021.

Once abundant throughout the Brazos, Colorado, Guadalupe, and Trinity river basins, the six central Texas mussel species have declined in recent years due to reduced water quality and habitat destruction. Freshwater mussels across the Southwest have been similarly impacted by habitat fragmentation and loss due to water impoundments, reduced water quality and quantity. The Service is seeking comments from academia, the public, industry, local and federal agencies, states and other stakeholders.

“Mussels in central Texas are struggling as declining water quality and quantity impact their ability to survive,” said Amy Lueders, Service Regional Director. “When mussel populations are at risk, it suggests other fish and wildlife species, and people too, are at risk. Our efforts to protect the six central Texas species will ultimately result in healthier rivers and streams and will benefit communities and industries that depend upon them for drinking water, recreation and other uses in one of the nation’s fastest growing areas.”

The proposed critical habitat designation for the central Texas mussels totals approximately 1,944 river miles (3,129 river km) in 27 units with a combination of occupied and unoccupied areas. The [critical habitat](#) designation identifies areas that are particularly important for the conservation of the six species. It does not mean activities cannot occur in the area, only that federal agencies must consult with the Service if they are conducting, funding or permitting activities that may adversely affect the species or their habitat. Designation of critical habitat does not affect land ownership or

establish a refuge or preserve and has no impact on private landowners taking actions on their land that do not require federal funding or permits.

Our proposed 4(d) rule for the Texas fawnsfoot outlines prohibitions that are necessary for the conservation of the species and proposes exemptions for activities we determined will have minor or temporary effects and are not anticipated to affect the viability of the Texas fawnsfoot population including habitat and population restoration, surveys and water management activities.

Since 2011, the Service and many other federal and state agencies, non-governmental organizations and other interested parties have been working to develop voluntary agreements with private landowners to restore or enhance habitats for fish and wildlife in the region, including in the watersheds where central Texas mussels occur. The Texas Parks and Wildlife Department (TPWD) and non-governmental organizations led efforts to protect and enhance habitats within the river basins occupied by central Texas mussels. TPWD has worked with private landowners, the Service and others to restore approximately 10,000 acres of upland habitats in priority watersheds important for conservation of aquatic wildlife resources.

The Service, the U.S. Department of Agriculture Natural Resources Conservation Service, and state and local partners are working with private landowners to develop and implement comprehensive conservation plans to address soil, water and wildlife resource concerns in the lower Colorado River basin through a Working Lands for Wildlife project.

The Office of the Texas Comptroller has funded research that may expand our understanding of the species' needs. Work is underway to evaluate methods of captive propagation for the central Texas mussel species at the San Marcos Aquatic Research Center, Inks Dam National Fish Hatchery, and Uvalde National Fish Hatchery. As many as three river authorities are developing or have developed conservation plans that may result in [Candidate Conservation Agreements with Assurances](#) benefitting one or more of the proposed mussel species.

The Service is requesting comments or information from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties concerning this proposed rule. Comments must be received within 60 days, on or before October 25, 2021. You may submit comments by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal:

<http://www.regulations.gov>. In the Search box, enter FWS–R2–ES–2019-0061, which is the docket number for this rulemaking. Then, in the Search panel on the left side of the screen, under the Document Type heading, check the Proposed Rules box to locate this document. You may submit a comment by clicking on “Comment Now!”

(2) By hard copy: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R2–ES–2019-0061, U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

On Tuesday, September 14, 2021 and Thursday, September 16, 2021, the Service will hold virtual informational meetings from 5:00 p.m. – 6 p.m. CT, followed by a public hearing from 6:30 p.m. - 8:30 p.m. CT. Anyone wishing to make an oral statement at the public hearing must register before the hearing. For the September 14 informational meeting/public hearing, please register at <https://bit.ly/3sjfhPo>. For the September 16 informational meeting/public hearing please register at <https://bit.ly/3g1grdj>. The use of a virtual public hearing is consistent with our regulations at 50 CFR 424.16(c)(3).

America's fish, wildlife, and plant resources belong to all of us, and ensuring the health of imperiled species is a shared responsibility. We're working to actively engage conservation partners and the public in the search for improved and innovative ways to conserve and recover imperiled species.

The U.S. Fish and Wildlife Service works with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. For more information on our work and the people who make it happen, visit <http://www.fws.gov/>. Connect with our [Facebook page](#), follow our [tweets](#), watch our [YouTube Channel](#) and download photos from our [Flickr page](#).

To view and download pictures of the Central Texas mussels and maps of the proposed critical habitat, please visit the Service's Southwest Flickr page [here](#).

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