



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
2005 NE Green Oaks Blvd., Suite 140
Arlington, Texas 76006

January 31, 2018

Dear Federal Partner:

The U.S. Fish and Wildlife Service (Service) is responsible for identifying species that are in need of protection under the Endangered Species Act of 1973, as amended (Act). The Service will be making a determination on whether the triangle pigtoe (*Fusconaia lananensis*), Louisiana pigtoe (*Pleurobema riddellii*), and Texas heelsplitter (*Potamilus amphichaenus*) warrant protection under the Act. To inform this decision, the Service is beginning a Species Status Assessment to determine whether protecting these species under the Act is warranted.

The triangle pigtoe, Louisiana pigtoe, and Texas heelsplitter are petitioned species with positive 90-day findings under the Act (74FR66890, 74FR66289, 74FR66264-66265). With this letter, we are providing early notification to interested parties that we are analyzing the best scientific and commercial data available on the Louisiana pigtoe, Texas heelsplitter, and triangle pigtoe. While we determine if listing is warranted by evaluating information on status and threats, we are also interested in learning about proactive efforts to conserve these species and their habitats, and to remove threats. If listing is warranted, we will be designating critical habitat for these species concurrently, to the maximum extent prudent and determinable. We are seeking your input to ensure that we have the best available scientific and commercial information to help us determine conservation needs and opportunities to inform our decision.

Critical habitat identifies the geographical areas containing features essential for the conservation of a threatened or endangered species which may require special management considerations or protection. A designation may also include other geographical areas determined to be essential for the conservation of the species. Designation of critical habitat does not affect land ownership or establish a refuge or preserve and has no impact on private landowners who are taking actions on their lands that do not require a Federal nexus such as through funding, permits, or authorization. Critical habitat designation does mean that Federal agencies that undertake, fund, permit, or authorize activities that may affect critical habitat are required to consult with the Service to ensure that such actions do not adversely modify or destroy that habitat.

The three species of freshwater mussels are endemic to the east Texas region and require streams with stable substrates, an abundance of host fish, and low to moderate stream flows (although the Texas heelsplitter appears to tolerate man-made impoundments). The Texas heelsplitter may extend into Louisiana, while the Louisiana pigtoe is believed to occupy portions of central Louisiana, southeast Oklahoma, and southwest Arkansas. The Louisiana pigtoe is endemic to the Little River basin in Arkansas; Calcesieu, Red, and Sabine River basins in Louisiana; and San Jacinto, Trinity, Neches-Angelina, Sabine, Big Cypress and Sulphur River basins in Texas.

The Texas heelsplitter has been documented, or potentially occurs in Sabine River tributaries in Louisiana and the Neches, Sabine, and Trinity River basins in Texas. The triangle pigtoe is endemic to the Angelina River, Attoyac Bayou, and Village Creek drainages within the Neches River basin in east Texas. Impoundments, sedimentation, habitat loss, changes to water quality, and riverbank destabilization have previously been identified as threats to these species.

Additional information about each of these species can be found online at:

<https://ecos.fws.gov/ecp/>.

In an effort to ensure early coordination with our Federal Partners, we are specifically seeking information on the following:

- Please provide any survey data, distribution, or occurrence information for the three species of freshwater mussels (Louisiana pigtoe, Texas heelsplitter, and triangle pigtoe).
- Please describe ongoing and planned activities, including specific projects, within the range of the three species of freshwater mussels.
- Please describe any planned or anticipated changes to the number or intensity of activities during the next two (2) decades? For example, is water use increasing? If so, can you provide reports, spatial data, or other data documenting these forecasts?
- Are there ongoing and potential factors that may be threatening the species including: the present or threatened destruction, modification, or curtailment of its habitat or range; overutilization for commercial, recreational, scientific, or educational purposes; disease or predation; the inadequacy of existing regulatory mechanisms; and other natural or manmade factors affecting its continued existence?
- How frequently do routine activities, such as road or culvert maintenance, occur, and have you consulted with the Service on these activities in the past?
- Do you anticipate a higher likelihood of consultation in the future if critical habitat is designated for these species?
- Do you have specific information about the amount of administrative time required or cost to your agency for participating in a consultation with the Service? Please provide any data to support these cost estimates.
- What conservation efforts are you currently undertaking in this area that may offer protection or benefits to the species? Please provide copies of management plans or existing biological opinions describing and documenting these efforts. (Note: these actions may be motivated by the goal of protecting the species at issue, the presence of other listed species, or other resource protection obligations.)
- Do you have information related to the per-project (per acre, per river mile, etc.) costs of these efforts? Please provide any data to support these cost estimates.
- Do you anticipate any delays in any permitting processes as a result of undertaking consultation with the Service? If so, can you quantify the length of delay and describe or quantify the impacts?

Decisions on listing determinations and critical habitat determinations will be made no later than September 2019, and it will be published in the *Federal Register*.

While we will accept new information throughout this process, we respectfully request that you provide any pertinent information to us by **March 1, 2018**, to ensure that we have time to

consider it while preparing the determinations. Information should be submitted to Jacob Lewis, Arlington Ecological Services Field Office, U.S. Fish and Wildlife Service, 2005 Northeast Green Oaks Boulevard, Suite 140, Arlington, TX 76006 or jacob_lewis@fws.gov. All data and information submitted to us, including names and addresses, will become part of the administrative record and available for public inspection.

Thank you for your interest in the conservation of native species. We appreciate your willingness to participate in this process. If you would like additional information or have any questions about the three species of freshwater mussels, please contact Jacob Lewis at 817-277-1100 extension 2125 or jacob_lewis@fws.gov.

Sincerely,



Debra Bills
Field Supervisor

UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
2005 NE GREEN OAKS BLVD, SUITE 140
ARLINGTON, TX 76006
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DALLAS TX 750
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Ms. Annette L. Vietti-Cook
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC, 20555-0001

20555-0001

