

U.S. Fish and Wildlife Service Reopens Comment Period on Proposed Designation of Critical Habitat for Neosho Mucket and Rabbitsfoot

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Rabbitsfoot mussel in Tippecanoe River, Indiana. Photo by Georgia Parham/USFWS.

The U.S. Fish and Wildlife Service on Wednesday reopened the public comment period for 60 days on the proposed designations of critical habitat for the Neosho mucket and rabbitsfoot under the Endangered Species Act. Both species are freshwater mussels found in river systems in the eastern half of the United States, including the Midwestern states of Illinois, Indiana, Missouri and Ohio.

The public is also invited to comment on the draft environmental assessment and draft economic analysis of the proposed critical habitat designations. The deadline for comments is July 14, 2014.

The proposed rule for the critical habitat designations is available in the reading room of the Federal Register at <http://bit.ly/twomusselsCH>. Starting Wednesday, the proposed rule will be available at <http://www.regulations.gov> by searching Docket No. FWS-R4-ES-2012-0031. The draft economic analysis and the draft environmental assessment is also available, at Docket No. FWS-R4-ES-2013-0007. Written comments may be submitted via the website or by mailing them to: Public Comments Processing, Attn: FWS-R4-ES-2013-0007; Division of Policy and Directives Management; U.S. Fish and

Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203. Comments provided during the previous comment periods do not need to be resubmitted as those are already part of the administrative record.

This is the fourth round of public comment on the proposed critical habitat designations since the Service announced them in September 2012. The first three public comment periods lasted a total of 150 days, during which the Service received 49 comments. Those comments can be viewed at <http://bit.ly/twomusselscomments> and <http://bit.ly/twomusselscomments2>.

The Service decided to hold a fourth public comment period in response to a request from U.S. Senator Mark Pryor of Arkansas, as well as concerns raised by the Arkansas delegation and several organizations.

“We believe providing this additional time will lead to a greater understanding of what the designation of critical habitat does and does not mean to those who enjoy and depend upon healthy aquatic natural resources,” said Service Director Dan Ashe. “Together we can accomplish economic development and improve water quality for people while we conserve these imperiled species.”

The Neosho mucket and rabbitsfoot mussels have been lost from more than 60 percent of their historical ranges.

For the Neosho mucket, the Service is proposing to designate critical habitat in seven separate areas where the mussel is found, comprising approximately 484 river miles in Arkansas, Kansas, Missouri, and Oklahoma. Most of the land on these rivers and streams adjacent to the proposed Neosho mucket critical habitat is privately owned. The federal government owns 4 percent of the adjacent land, and the state owns 1 percent.

For the rabbitsfoot, the Service is proposing to designate critical habitat in 35 separate areas where the mussel is found, comprising approximately 1,655 river miles in Alabama, Arkansas, Indiana, Illinois, Kansas, Kentucky, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, and Tennessee. Most of the land on these rivers and stream segments adjacent to the proposed rabbitsfoot is privately owned. The federal government owns 12 percent of the adjacent land, and the state owns 5 percent.

The Service determines critical habitat based on what an animal or plant needs to survive and reproduce by reviewing the best scientific information concerning a species' present and historical ranges, habitat, and biology. Designating critical habitat informs landowners and the public which specific areas are important to a species' conservation and recovery.

The proposed critical habitat designations would not add any additional restrictions to landowners above those already required under the Endangered Species Act to protect listed species. The Neosho mucket was listed as an endangered species and the rabbitsfoot as a threatened species in September 2013. Designation of critical habitat also does not affect land ownership, nor does it allow government or public access to private land. Designating critical habitat has no impact on landowner activities that do not require federal funding or federal permits.

Federal agencies are required to consult with the Service on their actions that could impact critical habitat and work to avoid or minimize impacts through conservation measures. In most cases these conservation measures would be carried out because the species is listed, regardless of whether or not critical habitat is designated.

The Service's economic analysis estimated the cost of consultations with the Service would be about \$4.4 million over the next 20 years, or about \$290,000 on an annual basis. These costs are expected to be borne largely in administrative costs by federal and state agencies in relation to activities such as water flow and water quality management; timber, agriculture, and grazing; mining; transportation and utilities; and

development and recreation.

For more information about the Neosho mucket, please visit

<http://www.fws.gov/midwest/endangered/clams/neoshomucket/> For more information about the rabbitsfoot, please visit <http://www.fws.gov/midwest/endangered/clams/rabbitsfoot/>

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