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Service Announces an Application for Enhancement of Survival Permit for the Spring Pygmy Sunfish

In the *Federal Register* today, the U. S. Fish and Wildlife Service (Service) announces receipt of an application for an enhancement of survival permit for the spring pygmy sunfish in Limestone County, Alabama.

The permit application includes a proposed Candidate Conservation Agreement with Assurances (CCAA) which is a formal agreement between the Service and one or more parties to address the conservation needs of a species (proposed, candidate or likely to be a candidate) before they become listed as endangered or threatened under the Endangered Species Act.

Banks Sewell of Belle Mina Farm Ltd. submitted the permit application under section 10(a)(1)(A) of the Endangered Species Act (Act). The CCAA is between the applicant (Sewell), the Land Trust of Huntsville and North Alabama, and the Service for the spring pygmy sunfish within the Beaverdam--Moss Creek/Spring Complex in Limestone County, Alabama.

The Service made a preliminary determination that the proposed CCAA and permit application are eligible for categorical exclusion under the National Environmental Policy Act. The basis for this preliminary determination is contained in a draft environmental action statement (EAS).

Persons wishing to review the application, the draft CCAA, and the draft EAS may obtain copies from – and/or submit comments in writing to – Daniel Drennen by phone, mail, or email. Phone: 601-321-1127. U.S. Mail: Daniel Drennen, U.S. Fish and Wildlife Service, Mississippi Field Office, 6578 Dogwood View Parkway, Jackson, MS 39213. Email: daniel_drennen@fws.gov

When submitting comments, please refer to permit number TE-40219A-0. The comment period runs for 30 days and all comments must be received by March 22, 2012.

The permit application, CCAA and EAS are also available for public inspection on the Mississippi Field Office website at <http://www.fws.gov/mississippiES/endsp.html> or by appointment only, during normal business hours (8 a.m. to 4:30 p.m.) at the Mississippi Field Office in Jackson.

The area to be covered under the proposed CCAA is owned by the applicant and constitutes approximately 3,200 acres within the Beaverdam Springs complex in Limestone County, Alabama. The applicant proposes to implement conservation measures to address known threats to the spring pygmy sunfish. These measures will help protect the species in the near term and also minimize any incidental take of the species that might occur as a result of conducting other covered activities, if the species becomes listed under the Act in the future.

The proposed CCAA would be in effect for 20 years. However, under a special provision of this CCAA, if at any time a 15-percent decline in the status of the species is determined, there will be a re-evaluation of the conservation measures set forth in the CCAA. If such a re-evaluation reflects a need to change the conservation measures, the revised measures will be implemented by the applicant, or the CCAA will be terminated and the permit surrendered

Spring pygmy sunfish (*Elassoma alabamae*) are less than two inches long. They are spring-associated fish endemic to the Tennessee River Drainage in the Eastern Highland Rim province and Dissected Tablelands of Lauderdale and Limestone counties in northern Alabama. Data indicates that spring pygmy sunfish are declining due to degradation of water quality and reduction of water quantity.

On April 1, 2011, the Service published a 90-day finding on a petition to list the spring pygmy sunfish as endangered under the Act (76 FR 18138). The Service found that the petition presented substantial scientific or commercial information indicating that listing this species may be warranted, and announced the initiation of a formal status review. For further information on previous Federal actions regarding the spring pygmy sunfish, please refer to the 90-day finding which is also posted on the Mississippi Field Office website.

As a result of the “substantial” 90-day finding, the Service is collecting and analyzing data to assess the species’ status and will publish a “12-month finding,” later this year on whether or not listing is warranted. In accordance with a court-approved settlement entered into last year with Wild Earth Guardians and the Center for Biological Diversity, if the Service determines that listing is warranted, the 12-month finding will include a proposed rule to list the spring pygmy sunfish under the Endangered Species Act.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov or <http://www.fws.gov/southeast/>. Connect with our Facebook page at www.facebook.com/usfwssoutheast, follow our tweets at www.twitter.com/usfwssoutheast, watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at <http://www.flickr.com/photos/usfwssoutheast>.