

For Immediate Release
February 4, 2014

Contacts: Connie Light Dickard, 601-321-1121, Connie_Dickard@fws.gov
Tom MacKenzie, 401-679-7291, Tom_Mackenzie@fws.gov

Fish and Wildlife Service Reopens Public Comment Period on Spring Pygmy Sunfish Critical Habitat Designation

The U.S. Fish and Wildlife Service is reopening the comment period until March 7, 2014, on the proposal to designate critical habitat for the spring pygmy sunfish, a spring-associated species that is federally listed as threatened and lives only in Limestone County, Alabama.

Reopening the comment period will allow the public an opportunity to offer input on the potential exclusion of lands covered by two new Candidate Conservation Agreements with Assurances, as well as one previously established agreement, from critical habitat designation. The two new agreements were established in November 2013, just prior to the sunfish receiving threatened status. The third agreement was established in June 2012.

Candidate Conservation Agreements with Assurances are formal agreements between the Service and one or more parties to address the conservation needs of a species before it becomes listed as endangered or threatened under the Endangered Species Act (ESA). They provide participating non-federal property owners with a permit containing assurances that if they engage in certain conservation actions for species included in the agreement, they will not be required to implement additional conservation measures beyond those in the agreement if the species is ever listed, as in this case with the spring pygmy sunfish.

The two new Candidate Conservation Agreements with Assurances are identified as Horton Farm and McDonald Farm. A third previously established agreement is with Belle Mina Farms, Ltd. The Land Trust of North Alabama is a cooperating partner in all three agreements. Conservation measures in these agreements are similar and provide important protection benefits to the spring pygmy sunfish.

Despite the beneficial effects of the conservation measures in the three agreements, threats from outside the area covered by them, particularly a planned large-scale development, potentially affect the species and warranted its listing as threatened under the ESA. The final rule listing the species published in the *Federal Register* on October 2, 2013, and became effective on December 2, 2013. The threats include water pollution, increased groundwater and surface water usage, and excessive storm-water runoff containing pesticides, herbicides, and suspended sediment.

Service biologists identified two areas of critical habitat that contain habitat essential to the conservation of the spring pygmy sunfish. The proposed critical habitat encompasses approximately eight stream miles and 1,549 acres of spring-pool and spring-influenced wetlands. One of the areas is within the Beaverdam Spring/Creek system which is currently occupied by the sunfish. Lands encompassed in all three agreements are located within, or in proximity to,

this area. The second area, the Pryor Spring/Branch watershed, which was historically occupied by this sunfish, serves as a potential site for reintroductions.

To review the Candidate Conservation Agreements with Assurances; the proposal to designate critical habitat, including a slight revision to the proposed designation in our April 29, 2013 notice; and the final rule listing the spring pygmy sunfish as threatened, go to the Mississippi Ecological Services Field Office's website at:<http://www.fws.gov/mississippiES/SpringPygmySunfish.html>

The Service is requesting public input on the benefits of excluding Candidate Conservation Agreements with Assurances' lands from, or keeping the agreement lands included in, the proposed critical habitat designation (under section 4(b)(2) of the ESA). Comments will also be accepted on any other aspect of the proposed critical habitat designation. Comments may be submitted online at <http://www.regulations.gov> by entering FWS-R4-ES-2013-0010 in the search box and then clicking on "Comment Now"; or via mail or hand delivery to: U.S. Fish and Wildlife Service, Public Comments Processing, Attn: FWS-R4-ES-2013-0010, Division of Policy and Directives Management, 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA, 22203.

The Service requests comments only by the methods described above. The Service will post all information received on <http://www.regulations.gov>. This generally means that the Service will post any personal information you provide. Comments previously submitted on the proposed critical habitat designation will be fully considered in preparation of the final rule and do not need to be resubmitted. Comments submitted electronically using the Federal eRulemaking Portal must be received by 11:59 p.m. Eastern Time on March 7, 2014.

All relevant information received during the open comment period from the public, government agencies, the scientific community, industry, or any other interested parties will be considered and addressed in the Service's final critical habitat determination for the spring pygmy sunfish.

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. For more information on our work and the people who make it happen, visit www.fws.gov. 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>