



# News Release

Public Affairs Office  
PO Box 1306  
Albuquerque, NM 87103  
505/248-6911  
505/248-6915 (Fax)

June 9, 2021

Contact: Lesli Gray, 972-439-4542, [lesli\\_gray@fws.gov](mailto:lesli_gray@fws.gov)

## Service Proposes Additional Habitat Protection for Last Remaining Native Freshwater Mussel in New Mexico

*Critical habitat in Texas and New Mexico will ensure federal agencies do not contribute to the Texas hornshell's decline through their activities, funding or permits*

Protected as endangered under the Endangered Species Act (ESA) in 2018, the U.S. Fish and Wildlife Service (Service) is now proposing to designate critical habitat for the Texas hornshell, as required by the ESA. The designation is only for the specific areas in Texas and New Mexico that are occupied by the mussel and that are essential for its survival and recovery. As part of the proposal, the Service is also opening a 60-day public comment period and will host a virtual informational meeting followed by a public hearing on Tuesday, June 29, 2021.

“Healthy freshwater wildlife means healthy rivers and streams; the same rivers and streams we all rely on for clean drinking water and places to fish and play in. By protecting the hornshell and improving the quality of its aquatic habitat, we are benefiting the local communities and businesses that also depend on the same waters,” said Regional Director Amy Lueders.

This critical habitat designation identifies areas that are particularly important for the conservation of the Texas hornshell. The designation ensures that actions of federal agencies do not harm the mussel’s recovery. It does not mean no development can 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 its habitat. Designation of critical habitat does not affect land ownership, 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.

“Thanks to our partners, including the New Mexico Department of Game and Fish, Texas Parks and Wildlife Department, The Nature Conservancy, the Bureau of Land Management, the Center of Excellence and New Mexico State Lands Office, conservation efforts including improving water crossings, implementation of conservation agreements and reintroduction efforts are already underway for the Texas hornshell,” said Lueders.

The proposed critical habitat for the hornshell is located in five units: the Rio Grande – Lower Canyons (113.2 river miles), Rio Grande – Laredo (190.9 river miles), Pecos Tributary (Black River (9.7 river miles) and Delaware River (31.1 river miles)), Pecos River (85.7 river miles),

and Devils River (33 river miles). The units are located in Eddy County in New Mexico and in the Texas counties of Culberson, Brewster, Terrell, Pecos, Val Verde, Kinney, Maverick, and Webb.

Due to ongoing conservation efforts, the Service is considering excluding 40.8 of the 463.6 river miles of proposed critical habitat from this designation. The Pecos Tributary Unit (Black and Delaware Rivers) may be excluded due to the conservation benefits from the voluntary [Candidate Conservation Agreement and Candidate Conservation Agreement with Assurances](#).

The critical habitat designation for the Texas hornshell would require federal agencies to consult with the Service on any actions that may adversely affect the hornshell. In such an instance, the Service would recommend ways to minimize or avoid any adverse effects and ensure the actions do not jeopardize the species' survival or destroy or adversely modify its critical habitat. The designation would not require action by state or private landowners where no federal funding, permits or approvals are required.

The Texas hornshell can grow to more than 4.5 inches long and live up to 20 years. Like other freshwater mussels, it uses fish to complete its life cycle. Fertilized hornshell eggs develop into larvae and are released from the adults into the water where they attach to fish. The larvae then form parasitic cysts in the host fish's gills, face or fins where they transform into the juvenile form and are released. If they are released in a suitable area, they attach to a substrate and complete their development, becoming reproductive adult mussels.

The Service requests 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 August 9, 2021. Written comments concerning the proposed critical habitat rule for the Texas hornshell may be submitted by going to <http://www.regulations.gov>. Follow instructions for submitting comments for FWS–R2–ES–2018–0021, the docket number for this rulemaking.

On Tuesday, June 29, the Service will hold a virtual informational meeting from 5:00 p.m. – 6:00 p.m. MT, followed by a public hearing from 6:30 p.m. -8:30 p.m. MT. Anyone wishing to make an oral statement at the public hearing must register before the hearing. Please visit: <https://zoom.us/meeting/register/tJcpfu6vrDIsg9V8ggbwWStJJz5umZ2DJmVi>, to register for the hearing. 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 us all, and ensuring imperiled species' health is a shared responsibility. The agency is working to actively engage conservation partners and the public searching 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](#).*

-FWS-

<http://www.fws.gov/southwest/>