



Frequently Asked Questions: Revised Proposed Special Rule for the Georgetown Salamander

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Q. What action is the U.S. Fish and Wildlife Service taking?

A. In February 2014, the Service listed the Georgetown salamander as threatened and proposed a 4(d) rule for the species. The original proposed 4(d) rule for the Georgetown salamander stated that incidental take resulting from activities consistent with conservation measures in the Edwards Aquifer Recharge Zone Water Quality Ordinance would not be prohibited under the ESA. Since publication of the proposed 4(d) rule, the City of Georgetown has incorporated, and expanded upon, the ordinance in their Unified Development Code (UDC), which is the primary tool used by the City to regulate development. The revised 4(d) rule proposes that incidental take of the Georgetown salamander will not be prohibited if the take results from regulated activities conducted consistent with the water quality protection measures contained in Chapter 11 and Appendix A of the UDC.

The Service is also announcing the reopening of the comment period on the revised proposed 4(d) rule for 30 days. The comment period will close on May 11, 2015. We are also announcing the availability of a draft environmental assessment on the revised proposed 4(d) rule.

Q. Why has the Service proposed a 4(d) special rule for the Georgetown salamander?

A. Since the August 2012 listing proposal, Williamson County, specifically the City of Georgetown, has adopted water quality ordinances designed to reduce threats to the Georgetown salamander from urban development. After receiving public comments on the new Georgetown City ordinances, the Service found that while beneficial actions taken by the Georgetown City Council are expected to reduce the threats to the Georgetown salamander, there are additional threats that have not been addressed by their recent water quality ordinances. Therefore in February 2014, the Service listed the Georgetown salamander as a threatened species. In proposing a 4(d) rule, the Service is supporting and encouraging a local solution to the conservation of the Georgetown salamander.

Since the time of the proposed 4(d) rule, the City of Georgetown has expanded upon the ordinance in their UDC, which is the primary tool to regulate land development in Georgetown. Therefore we have revised the original proposed 4(d) to provide clarity around the prohibitions, and exceptions to those prohibitions that are necessary for the conservation of the Georgetown salamander.

Q. What is a 4(d) special rule?

A. Under the ESA, prohibited activities are defined for endangered species; however, the ESA allows the Service to define the prohibited activities for threatened species. These prohibited activities are defined through a special rule under section 4(d) of the ESA.

The Georgetown salamander revised proposed 4(d) rule would not prohibit incidental take that results from regulated activities that are conducted consistent with the water quality protection measures contained in the City of Georgetown’s UDC. Habitat modification, in the form of degraded water quality and quantity and disturbance of spring sites, is the primary threat to the Georgetown salamander. The conservation measures in the UDC provide a variety of water quality protection measures designed to lessen impacts to the water quality of springs and streams in the Edwards Aquifer Recharge Zone. The measures in the UDC are expected to limit water quality degradation throughout the watersheds that support the Georgetown salamander, thereby contributing to the conservation of the species.

Q. How can the public comment on the revised proposed 4(d) rule for the Georgetown salamander?

A. With respect to the revised proposed 4(d) rule, the Service is requesting public comments on the following:

- (1) Whether the measures outlined in the revised proposed 4(d) rule are necessary and advisable for the conservation and management of the Georgetown salamander;
- (2) The effectiveness of the adaptive management component incorporated within the measures outlined in this revised proposed 4(d) rule; and
- (3) Additional provisions the Service may wish to consider for a 4(d) rule in order to conserve, recover and manage the Georgetown salamander.

Comments may be submitted by one of the following methods:

- (1) *Electronically*: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS–R2–ES–2014–0008, which is the docket number for this rulemaking. You may submit a comment by clicking on “Comment Now!”
- (2) *By hard copy*: Submit by U.S. mail or hand-delivery to: Public Comments Processing,

Attn: FWS–R2–ES–2014–0008; Division of Policy, Performance, and Management Programs;
U.S. Fish and Wildlife Service, MS: BPHC; 5275 Leesburg Pike; Falls Church, VA 22041-
3803.

We request that you send comments **only** by one of the methods described above. We will post all comments on <http://www.regulations.gov>. We will consider all comments and information received during our preparation of a final 4(d) rule. Accordingly, the final rule may differ from this proposal.

Q. Where is the Georgetown salamander found?

A. The Georgetown salamander is entirely aquatic and dependent upon water from the Edwards Aquifer in sufficient quantity and quality to meet their life history requirements for survival, growth and reproduction. The species resides in habitat dependent on the northern segment of the Edwards Aquifer, including springs and spaces in the subsurface aquifer.

Q. What are the primary threats to the salamander?

A. The most significant threat to the salamander is the future degradation of habitat in the form of reduced water quality and quantity and disturbance of spring sites. Increasing urbanization in areas where the salamander is found will result in impacts to water quality. Recent drought conditions and human population growth are also negatively impacting water resources, reducing the quality and quantity of available habitat for the salamander.