


U.S. Fish and Wildlife Service Lists Neosho Mucket as Endangered and Rabbitsfoot as Threatened

 fws.gov/midwest/news/678.html

FOR IMMEDIATE RELEASE September 18, 2013

The U.S. Fish and Wildlife Service is listing the Neosho mucket as endangered and the rabbitsfoot as threatened under the Endangered Species Act. Both species are freshwater mussels found in river systems in the eastern half of the United States.

The Neosho mucket has been eliminated from about 62 percent of its historic range with only nine of 16 historic populations remaining. Only one of these populations is known to be reproducing. The Neosho mucket is currently found in Arkansas, Kansas, Oklahoma, and Missouri.

The rabbitsfoot has disappeared from about 64 percent of its historic range. While 51 of the 140 historic populations remain, only 11 populations (22 percent of its existing populations or eight percent of the historic populations) are viable; 23 populations (45 percent of the existing populations) are at risk of elimination; and 17 populations (33 percent of the current populations) show limited reproduction with little evidence of sustainability. The rabbitsfoot is currently found in Alabama, Arkansas, Kansas, Kentucky, Illinois, Indiana, Louisiana, Mississippi, Missouri, Oklahoma, Ohio, Pennsylvania, and Tennessee. The rabbitsfoot is no longer found in Georgia and West Virginia.

In listing the two mussels, the Service evaluated factors that could lead to their extinction. Threats to these mussels include loss and degradation of stream and river habitat due to impoundments, channelization, chemical contaminants, mining and sedimentation. Freshwater mussels require clean water; their decline often signals a decline in the water quality of the streams and rivers they inhabit.

The Service's final rule listing the Neosho mucket and the rabbitsfoot appears in the September 17, 2013, *Federal Register*. The protection for these mussel species under the ESA becomes effective 30 days after the rule is published in the *Federal Register*. The ultimate goal of the ESA is the recovery of these listed species, so that they no longer need the protective measures of the ESA. The next step is development of a recovery plan that provides a guidebook for the Service and its conservation partners to address threats to the species survival and recovery. When completed, the recovery plan will be available on the Service's website (<http://www.fws.gov/endangered>).

It is illegal under the ESA to kill, harm or otherwise "take" a listed species, or to possess, import, export or conduct interstate or international commerce without authorization from the Service. The ESA also requires all federal agencies to ensure actions they authorize, fund, or undertake do not jeopardize the existence of listed species.

On October 16, 2012, and May 9, 2013, the Service opened public comment periods on its proposal to list these mussels under the ESA. Twelve comments were received on the proposed rule. The Service did not receive any requests for a public hearing during either comment period. However, we held public information meetings in Joplin, Missouri, on May 21, 2013, and Greenville, Missouri, on May 23, 2013.

For more information regarding the listing of these two freshwater mussels, please contact Chris Davidson, U.S. Fish and Wildlife Service, Arkansas Ecological Services Field Office, 110 South Amity Road Suite 300, Conway, AR 72302; telephone 501-513-4481; facsimile 501-513-4480. Also, please visit <http://www.fws.gov/arkansas-es/> or Docket #FWS-R4-ES-2012-0031 on <http://www.regulations.gov/>

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.



Endangered Species

Neosho Mucket and Rabbitsfoot Mussels

Service Proposes to Protect Neosho Mucket and Rabbitsfoot under the Endangered Species Act *Agency Seeks Information from the Public, Scientific Community before making final decision*

October 15, 2012

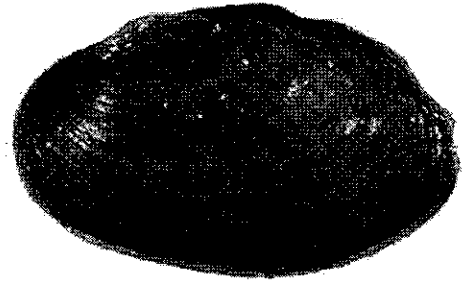
Contacts:

Tom MacKenzie, Tom_MacKenzie@fws.gov, 404/679-7291

Chris Davidson, Chris_Davidson@fws.gov, 501/513-4481

Current evidence suggests that the Neosho mucket mussel is in danger of becoming extinct and the rabbitsfoot mussel may become threatened with extinction in the foreseeable future, the U.S. Fish and Wildlife Service announced today. As a result, the Service has proposed to protect the species under the Endangered Species Act, and is seeking new information from the public and the scientific community that will assist the agency in making a final determination.

The Service first identified the Neosho mucket as a candidate for ESA protection in 1984. It historically occurred in river systems within four states and is now only found in eight rivers and creeks within Arkansas, Kansas, Missouri, and Oklahoma. The historical range for the Neosho mucket has been reduced by an estimated 62 percent. The Neosho mucket continues to experience habitat loss due to degradation of stream and river habitats from impoundments, channelization, chemical contaminants, mining, oil and natural gas development, and increasing sedimentation. The Service is proposing to list the Neosho mucket as endangered and designate critical habitat.



M. C. Barnhart

Neosho mucket.

Photo by Dr. Chris Barnhart



Rabbitsfoot mussel.

Photo by USFWS; Georgia Parham

The rabbitsfoot was first identified as a candidate for ESA protection in 1994. It historically occurred in river systems within 15 states but is now found in 51 rivers and creeks in 13 states (Alabama, Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, and Tennessee). It disappeared from Georgia and West Virginia. Survey data since 1985 shows dramatic declines in historic ranges and population sizes. The rabbitsfoot's historic range has been reduced by an estimated 64 percent. The rabbitsfoot also continues to experience habitat loss due to degradation of stream and river habitats from impoundments, channelization, chemical contaminants, mining, oil and natural gas development, and increasing sedimentation. The Service is proposing to list the rabbitsfoot as threatened and designate critical habitat.

Service biologists have identified 2,138 miles of stream channels in 12 states (Alabama, Arkansas, Kansas, Kentucky, Illinois, Indiana, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, and Tennessee) that may contain stream channel habitat essential to the conservation of

these species.

The proposed critical habitat for the Neosho mucket is located in:

- o Benton and Washington counties, **Arkansas**;
- o Allen, Chase, Cherokee, Coffey, Elk, Greenwood, Labette, Montgomery, Neosho, Wilson and Woodson counties, **Kansas**;
- o Jasper, Lawrence, McDonald and Newton counties, **Missouri**; and
- o Adair, Cherokee and Delaware counties, **Oklahoma**.

The proposed critical habitat for the rabbitsfoot is located in:

- o Colbert, Jackson, Madison and Marshall counties, **Alabama**;
- o Arkansas, Ashley, Bradley, Clark, Cleveland, Dallas, Drew, Fulton, Grant, Hot Spring, Independence, IZard, Jackson, Lawrence, Little River, Marion, Monroe, Montgomery, Newton, Ouachita, Randolph, Saline, Searcy, Sevier, Sharp, Van Buren, White, and Woodruff counties, **Arkansas**;
- o Allen and Cherokee counties, **Kansas**;
- o Ballard, Green, Hart, Livingston, Logan, Marshall and McCracken counties, **Kentucky**;
- o Massac, Pulaski and Vermilion counties, **Illinois**;
- o Carroll, Pulaski, Tippecanoe and White counties, **Indiana**;
- o Hinds, Sunflower, Toshimingo and Warren counties, **Mississippi**;
- o Jasper, Madison and Wayne counties, **Missouri**;
- o Coshocton, Madison, Union and Williams counties, **Ohio**;
- o McCurtain and Rogers Counties, Oklahoma; Crawford, Erie, Mercer and Venango counties, **Pennsylvania**; and
- o Hardin, Hickman, Marshall, Maury and Robertson counties, **Tennessee**.

Of the total miles of rivers, streams, and creeks identified for the Neosho mucket, one percent is adjacent to state lands, four percent adjacent to federal lands, and 95 percent adjacent to private lands. Of the total miles identified for the rabbitsfoot, five percent is located adjacent to state lands, 13 percent adjacent to federal lands, and 82 percent adjacent to private lands. Three critical habitat units proposed for the Neosho mucket and rabbitsfoot are currently designated under the ESA for the oyster mussel and Cumberlandian combshell, encompassing 46 river miles of the Duck River, Tennessee, and 25 river miles of Bear Creek, Alabama and Mississippi.

The ESA requires the Service to identify the location of habitat essential for the conservation of the species, which the Act terms "critical habitat." This identification helps federal agencies identify actions that may affect listed species or their habitat, and to work with the Service to avoid or minimize those impacts. Identifying this habitat also helps raise awareness of the habitat needs of imperiled species and focus the conservation efforts of other partners such as state and local governments, non-governmental organizations, and individual landowners.

Although non-federal lands have initially been included in these areas, activities on these lands are not affected now, and will not necessarily be affected if the species is protected under the ESA in the future. Only if an activity is authorized, funded, or carried out by a federal agency will the agency need to work with the Service to help landowners avoid, reduce or mitigate potential impacts to listed species or to ensure actions do not adversely modify critical habitat. In addition, public and private landowners still must comply with other provisions of the ESA to protect threatened and endangered species on their lands. The Service relies on a number of voluntary, non-regulatory conservation programs to provide willing landowners with assurances to protect them for the work they do on their lands.

Today's proposal is part of the Service's effort to implement a court-approved work plan that resolves a series of lawsuits concerning the agency's ESA Listing Program. The intent of the agreement is to significantly reduce litigation-driven workloads and allow the agency to focus its resources on the species most in need of the ESA's protections over the next five years.

The final decision to add the Neosho mucket and rabbitsfoot to the Federal List of Endangered and Threatened Wildlife and Plants, as well as the final identification of areas containing habitat essential to the species, will be based on the best scientific information available. In addition, the Service will utilize an economic analysis to inform and refine its identification of this habitat. Only areas that contain habitat essential to the conservation of the species, and where the benefits of this habitat outweigh potential economic impacts, will be included in the final identification.

The Service will open a 60-day public comment period on the proposal to list these two mussel species under the ESA with critical habitat. This will allow the public to review and comment on the proposal and provide additional information. All relevant information received from the public, government agencies, the scientific community, industry, or any other interested parties will be considered and addressed in the agency's final listing determination for the species and identification of habitat essential to its conservation.

Comments should be submitted by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments on Attn: FWS-ES-R4-2012-

0031

- **U.S. mail or hand-delivery:** Public Comments Processing, Attn: Attn: FWS-R4-ES-2012-0031, *Division of Policy and Directives Management*; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, Suite 222, Arlington, VA 22203. All comments, including personal information, will be available on <http://www.regulations.gov>.

Public hearings on this proposal must be requested by November 30, 2012, within 45 days of this announcement. Please contact Mr. Chris Davidson, Arkansas Ecological Services Field Office, 110 South Amity Road, Suite 300, Conway, Arkansas 72032, telephone 501/513-4470.

Comments must be received on or before December 17, 2012.

For more information about the proposal to list the Neosho mucket and the rabbitsfoot, go to www.fws.gov/midwest/endangered

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. Connect with our Facebook page at www.facebook.com/usfws, follow our tweets at www.twitter.com/usfwshq, watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at <http://www.flickr.com/photos/usfwshq>

-FWS-

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[Rabbitsfoot Home](#)

[Midwest Endangered Species Home](#)



Endangered Species


Neosho Mucket (*Lampsilis rafinesqueana*)

The Neosho Mucket, a freshwater mussel, is an endangered species. It is found in rivers and streams in Arkansas, Kansas, Missouri, and Oklahoma. We estimate the Neosho mucket has been lost from about 62 percent of its historical range with only 9 of 16 historical populations remaining. This mussel is declining throughout its range with only one of the remaining nine populations considered a large, viable population.

Sept. 19, 2013: [Recovering Aquatic Life in Missouri](#) - - *Neosho mucket is a featured species in this article.*

Sept. 17, 2013: Neosho Mucket Listed as Endangered

News Release: [U.S. Fish and Wildlife Service Lists Neosho Mucket as Endangered and Rabbitsfoot as Threatened](#)

Federal Register Final Rule: [Endangered Status for the Neosho Mucket and Threatened Status for the Rabbitsfoot](#) (22-page PDF )

August 26, 2013:

Comment Period Re-opened for 60 Days and Draft Economic Analysis of Critical Habitat Available

In response to requests we received, we are reopening the comment period to allow all interested parties an opportunity to comment on the proposed designation of critical habitat, draft environmental assessment, and draft economic analysis. Comments previously submitted need not be resubmitted, as they will be fully considered in our determinations on this rulemaking action.

News Release (August 26, 2013): [Service Re-opens Review of Draft Economic Analysis for the Proposed Critical Habitat Designation for Two Freshwater Mussels](#)

Federal Register Proposed Rule: [Designating Critical Habitat for the Neosho Mucket and Rabbitsfoot; Reopening of Comment Period](#) (Aug. 27, 2013)

[Proposed Critical Habitat Maps in Missouri](#)


May 9, 2013:

Comment Period Re-opened and Draft Economic Analysis of Critical Habitat Available

We are reopening the public comment period on our October 16, 2012, proposed listing and designation of critical habitat for the Neosho mucket and rabbitsfoot mussels. In addition, the draft economic analysis and draft environmental assessment of the proposed critical habitat designation were also available for public review and comment. Reopening the comment period allows an opportunity to comment simultaneously on the revised proposed rule, the associated draft economic analysis and draft environmental assessment.

Public comment period closed June 9, 2013.

May 8, 2013 News Release: [U.S. Fish and Wildlife Service Estimates Economic Impacts and Releases Draft Environmental Assessment of Critical Habitat Designation for Neosho Mucket and Rabbitsfoot](#)

Federal Register Proposed Rule; Reopening of Comment Period - - [Proposed Endangered Status for the Neosho Mucket, Threatened Status for the Rabbitsfoot, and Designation of Critical Habitat for Both Species](#) (PDF )

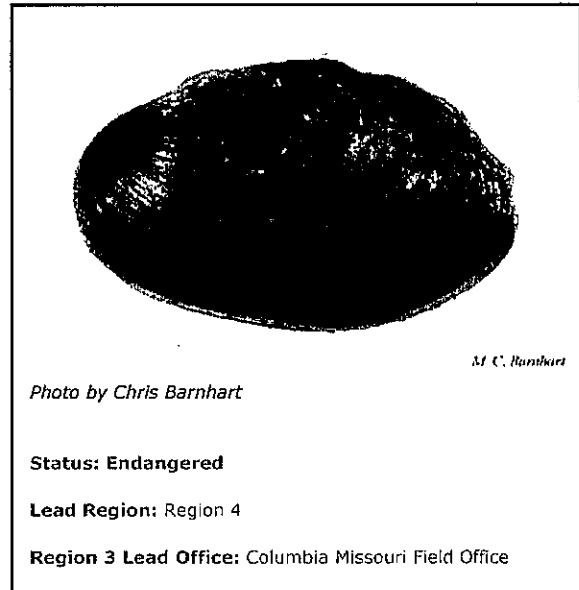
[Draft Economic Analysis of Critical Habitat for Neosho Mucket and Rabbitsfoot](#) (141-page PDF; 2 MB )

October 16, 2012:

Proposal to List as Endangered and Designate Critical Habitat

News Release (Oct. 15, 2012) [Service Proposes to Protect Neosho Mucket and Rabbitsfoot under the Endangered Species Act: Agency Seeks Information from the Public, Scientific Community before making final decision](#)

Federal Register Proposed Rule (Oct. 16, 2012): [Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Neosho Mucket, Threatened Status for the Rabbitsfoot, and Designation of Critical Habitat for Both Species](#) (98-page PDF;



M. C. Barnhart

Photo by Chris Barnhart

Status: Endangered

Lead Region: Region 4

Region 3 Lead Office: Columbia Missouri Field Office



Endangered Species

Rabbitsfoot (*Quadrula cylindrica cylindrica*)


Status: Threatened

The rabbitsfoot, a freshwater mussel, is a threatened species. It is found in rivers and streams in Alabama, Arkansas, Georgia, Kansas, Kentucky, Illinois, Indiana, Louisiana, Mississippi, Missouri, Ohio, Oklahoma, Pennsylvania, Tennessee, and West Virginia. We estimate that it has been lost from about 64 percent of its historical range. While 51 of 140 historical populations are still present, only 11 populations are viable; 23 populations are at risk of extirpation and 17 populations do not seem to be reproducing at a level that can sustain the populations. Most of the existing rabbitsfoot populations are marginal to small and isolated.

Sept. 17, 2013: Rabbitsfoot Listed as Threatened

News Release: [U.S. Fish and Wildlife Service Lists Neosho Mucket as Endangered and Rabbitsfoot as Threatened](#)

Federal Register Final Rule: [Endangered Status for the Neosho Mucket and Threatened Status for the Rabbitsfoot](#)

(22-page PDF )

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Federal Register Proposed Rule: [Designating Critical Habitat for the Neosho Mucket and Rabbitsfoot; Reopening of Comment Period](#) (Aug. 27, 2013)

Proposed Critical Habitat Unit Maps

[Indiana](#)
[Illinois](#)
[Missouri](#)
[Ohio](#)

May 9, 2013:

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Comments previously submitted need not be resubmitted, as they will be fully considered in preparation of the final rules.

All comments must be received by June 9, 2013.

May 8, 2013 News Release: [U.S. Fish and Wildlife Service Estimates Economic Impacts and Releases Draft Environmental Assessment of Critical Habitat Designation for Neosho Mucket and Rabbitsfoot](#)


Federal Register Proposed Rule; Reopening of Comment Period - - [Proposed Endangered Status for the Neosho Mucket, Threatened Status for the Rabbitsfoot, and Designation of Critical Habitat for Both Species](#) (PDF )



Photo by USFWS; Georgia Parham

Status: Threatened - - Proposed Critical Habitat

Habitat: Rivers

Lead Region: 4

Region 3 Lead Office: Columbia, Missouri Field Office

Range: AL, AR, IL, IN, KS, KY, LA, MO, MS, OH, OK, PA, TN

[THREATENED STATUS FOR THE RABBITSFOOT, AND DESIGNATION OF CRITICAL HABITAT FOR BOTH SPECIES \(FWS\)](#)

[Draft Economic Analysis of Critical Habitat for Neosho Mucket and Rabbitsfoot \(141-page PDF; 2 MB\)](#)

Oct. 16, 2012

Proposal to List the Rabbitsfoot as Threatened and Designate Critical Habitat

Comment period closed on December 17, 2012

[Federal Register Proposed Rule \(Oct. 16, 2012\): Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for the Neosho Mucket, Threatened Status for the Rabbitsfoot, and Designation of Critical Habitat for Both Species \(98-page PDF; 4.8MB\)](#)

[Service Proposes to Protect Neosho Mucket and Rabbitsfoot under the Endangered Species Act: Agency Seeks Information from the Public, Scientific Community before making final decision](#)

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[Midwest Endangered Species Home](#)