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**ENDANGERED SPECIES** 

Scientific Permits Section 7 Consultation Species Information

## LANDOWNER TOOLS

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# Safe Harbors TEXAS ES OFFICES

Arlington, TX Austin, TX Clear Lake, TX Corpus Christi, TX Texas Salamanders

The following information is provided to help you understand the Federal listing status of four salamanders in central Texas. These salamanders include: Austin blind salamander (*Eurycea waterlooensis*), Jollyville Plateau salamander (*Eurycea tonkawae*), Georgetown salamander (*Eurycea naufragia*), and Salado salamander (*Eurycea chisholmensis*).

All four salamander species are entirely aquatic and depend on water from the Edwards Aquifer in sufficient quantity and quality to meet their life history requirements for survival, growth, and reproduction. The Austin blind salamander resides in the Barton Springs Segment of the Edwards Aquifer, while the other three species reside in habitat dependent on the Northern Segment of the Edwards Aquifer, including springs and spaces in the subsurface aquifer. The most significant threat to these four species is degradation of their aquatic habitat in the form of reduced water quality and quantity and disturbance of spring sites

On August 20, 2013, the Service listed the Austin blind and Jollyville Plateau salamanders under the Endangered Species Act and designated 4,451 acres of critical habitat for both species in portions of Travis and Williamson Counties, Texas. At that same time, the Service also published a 6-month extension of the final determinations for the Georgetown and Salado salamanders (see Third Comment Period below).

On January 7, 2014, the Service announced the reopening of the comment period on the August 22, 2012, listing proposal for the Georgetown and Salado salamanders. The Service reopened the comment period in order to consider the City of Georgetown's final ordinances for water quality and urban development. The ordinances were passed by the Georgetown City Council on December 20, 2013 (see Fourth Comment Period below).

On February 21, 2104, the Service announced that the Georgetown and Salado Salamanders would be listed as threatened and, recognizing Williamson County and the City of Georgetown's efforts to protect water quality, and proposed a special rule to allow limited take of the Georgetown Salamander. Public comments on this proposal were accepted through April 25, 2014 (see Fifth Comment Period below).

On April 9, 2015, the Service published a revised proposed 4(d) rule for the Georgetown salamander. At the same time, the Service also announced the reopening of the comment period on the revised 4(d) rule and the availability of the draft Environmental Assessment on the 4(d) rule (see Revised 4(d) Rule Comment Period below). The final 4(d) rule and Environmental Assessment were published on August 7, 2015. These documents are available below under the heading "Service Approves Special Rule for Georgetown Salamander."

# Listing Process

Initiation of the listing proposal process for the four central Texas salamanders is a part of the terms of a multi-year listing work plan approved by the U.S. District Court for the District of Columbia on September 9, 2011. This work plan, developed through a settlement agreement with WildEarth Guardians and a separate, smaller settlement agreement with the Center for Biological Diversity, will enable the agency to systematically, over a period of 6 years, review and address the needs of more than 250 species now on the candidate list, to determine if they require ESA protection. The four salamanders were on the candidate list for 5 to 10 years. A list of these candidate species is available by clicking on the Candidate Notice of Review link in the first paragraph at the Service's Listing Workplan website.

For more information on candidates and the listing program, you can read:

Listing Program Fact Sheet (319 KB, PDF)

Critical Habitat Fact Sheet (303 KB, PDF)

Candidate Species Fact Sheet (229 KB, PDF)

Candidate Conservation Agreements Fact Sheet (300 KB, PDF)

#### **Public Comments**

At certain times during the listing process, the Service publishes documents and requests public comments. Comments can be submitted electronically or by hard copy. As warranted, the Service also provides public hearings and accepts verbal coments at those time.

All submitted comments will be made available to the public at: http://www.regulations.gov.

<u>First Comment Period</u> (Docket No. FWS-R2-ES-2012-0035): The first comment period for the proposed salamander listing process ended October 22, 2012. During that period, the Service asked for comments regarding the Proposed Rule and designation of critical habitat.

The Service also held, two public information meetings and public hearings in Travis and Williamson counties on September 5-6, 2012 regarding the proposed listing of the four salamander species. The informational meetings provided interested parties an opportunity to ask questions related to the proposed rule. The public hearings were formal events where public comments related to the proposal

Quick Links

Georgetown Salamander Final Revised 4(d) Rule

Final Listing and Critical Habitat Rules for Jollyville Plateau and Austin Blind Salamanders

Final Listing Rule for the Georgetown and Salado Salamanders

Economic Analysis

Listing Process

**Public Comments** 

Literature

Maps and Data

Survey Requirements

Other Links

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were captured for the record by a court reporter.

Documents available during the first comment period included:

Proposed Rule (16 MB, PDF)

News Release (170 KB, PDF)

Questions and Answers Regarding the Proposed Rule (349 KB, PDF)

You can view comments provided during the first comment period at http://www.regulations.gov. You will need to put "Docket No. FWS-R2-ES-2012-0035" in the search box to get the appropriate information. From the results you get with that search, you will need to find the section with the note: Proposed Rule by FWS on 8/22/2012. Click on "open Docket Folder" on the right side of that section. The comments can be found after the primary and supporting document links.

Transcripts of the hearings can be downloaded using the links below.

Williamson County Transcript- September 5, 2012 (642 KB, PDF) Travis County Transcript - September 6, 2012 (535 KB, PDF)

Second Comment Period (Docket No. FWS-R2-ES-2013-0001): A second comment period opened on January 25, 2013 and closed on March 11, 2013. Comments were sought during this time regarding the draft Economic Analysis of the effects of designating critical habitat and to changes to the proposed critical habitat which were outlined in the January 25, 2013 Notice of Availability. These changes to the proposed critical habitat were based on new information submitted during the first comment period. Comments on the proposed listing were also accepted during the second comment period.

Documents available during the second comment period included:

Notice of Availability 78 FR 5385 - includes revised maps (PDF, 2.05MB)

Draft Economic Analysis (PDF, 5.37 MB)

News Release (PDF, 129 KB)

Frequently Asked Questions (PDF, 154 KB)

Draft Refined Impervious Cover Analysis (PDF, 1.75 MB)

Draft Refined Impervious Cover Analysis Appendix A (PDF, 17.4 MB)

Draft Refined Impervious Cover Analysis Appendix B (PDF, 100 KB)

To view comments received during the second comment period, visit <a href="http://www.regulations.gov">http://www.regulations.gov</a>. and put "FWS-R2-ES-2013-0001" in the search box. Click "Open Docket Folder" on the right to see additional information and scroll down to the comments section.

Third Comment Period (Opened - 8/20/2013, Closed - 9/19/2013): During the reopened 30-day public comment period for the Georgetown and Salado salamanders, the Service solicited input from concerned governmental agencies, the scientific community, industry and other interested parties. Written comments had to be received by 11:59 p.m. Eastern Time on September 19, 2013. For further information on how to review and/or download these documents see below. The Service will make a final listing determination for the Georgetown and Salado salamanders no later than February 22, 2014.

To view comments received during the third comment period, visit http://www.regulations.gov. and put the appropriate docket number (see below) in the search box. Click "Open Docket Folder" on the right to see additional information and scroll down to the comments section

Docket No. for Listing: FWS-R2-ES-2012-0035 Docket No. for Critical Habitat: Docket No. FWS-R2-ES-2013-0001

Documents available for review during third comment period included:

News Release (PDF, 176 KB)

Frequently Asked Questions (PDF, 420 KB)

Final Listing Rule for Austin Blind and Jollyville Plateau Salamanders (PDF, 600 KB)

Final Critical Habitat Rule for Austin Blind and Jollyville Plateau Salamanders (PDF, 10.8 MB)

6-Month Extension Notice for Georgetown and Salado Salamanders (PDF, 230KB)

Final Economic Analysis (PDF, 6.4 MB)

Final Impervious Cover Analysis (PDF, 2.1 MB)

Final Impervious Cover Analysis: Appendix A (PDF, 16.0 KB)

Final Impervious Cover Analysis: Appendix B (PDF, 15.3 MB)

Final Impervious Cover Analysis: Appendix C (PDF, 36.0 KB)

<u>Fourth Comment Period</u> (Opened - 1/7/2014, Closed - 1/22/2014): During the reopened 15-day public comment period for the Georgetown and Salado salamanders, the Service solicited input from concerned governmental agencies, the scientific community, industry and other interested parties. The Service reopened the comment period in order to consider the City of Georgetown's ordinances for water quality and urban development. For further information on how to review and/or download these documents, see below.

To view comments received during the fourth comment period, visit http://www.regulations.gov. and put the appropriate docket number (see below) in the search box. Click "Open Docket Folder" on the right to see additional information and scroll down to the comments section

Docket No. for Listing: FWS-R2-ES-2012-0035

Docket No. for Critical Habitat: Docket No. FWS-R2-ES-2013-0001

Documents available for review during fourth comment period included:

News Release (170 KB, PDF)

Federal Register Notice (205 KB, PDF)

City of Georgetown Ordinance 2013-59 (931 KB, PDF)

City of Georgetown Resolution (708 KB, PDF)

Public Comment Period Notification Letter (55 KB, PDF)

Williamson County Adaptive Management Plan for Georgetown Salamander (458 KB, PDF)

Georgetown Future Water Supply Letter (272 KB, PDF)

Fifth Comment Period (Opened - 2/24/2014, Closed - 4/25/2014) The final rule listing the Georgetown and Salado salamanders as threatened published in the Federal Register on February 24, 2014 and became affective 30 days after publication.

During the fifth comment period, the Service sought public comments on a special rule for the Georgetown salamander that would allow development activities to continue if they were in compliance with ordinances adopted in December of 2013 by Williamson County and the City of Georgetown to protect water quality (see Fourth Comment Period above for copies of the ordinances).

Comments were 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 and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

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

Documents available for review during fifth comment period included:

News Release (PDF, 178 KB)

Frequently Asked Questions (PDF, 340 KB)

Final Listing Rule - Georgetown and Salado Salamander (PDF, 2.1 MB)

Proposed 4(d) Rule - Georgetown Salamander (PDF, 211 KB)

Revised 4(d) Rule Comment Period (Opened - 4/9/2014, Closed - 5/11/2015)

In February 2014, the Service listed the Georgetown salamander as threatened and proposed a special 4(d) rule for the species (see Fifth comment period above). Under the original proposed 4(d) rule for the salamander, incidental take resulting from activities that were consistent with conservation measures in the Edwards Aquifer Recharge Zone Water Quality Ordinance would not be prohibited under the Endangered Species Act. After publication of the proposed 4(d) rule, the City of Georgetown expanded upon the ordinance in their Unified Development Code, which is the primary tool used by the City to regulate development. The revised proposed 4(d) rule provided greater clarity around the activities that would be covered.

The documents below were available during this comment period:

News Release (PDF, 340 KB)

Frequently Asked Questions (PDF, 182 KB

Federal Register Notice (PDF, 244 KB)

Draft Environmental Assessment (PDF, 4.58 MB)

City of Georgetown's Unified Development Code - Chapter 11 and Appendix A (PDF, 2.76 MB)

# Service Approves Special Rule for Georgetown Salamander

August 7, 2015 - The U.S. Fish and Wildlife Service has approved a final rule for the Georgetown salamander under section 4(d) of the Endangered Species Act (ESA). The rule enables development activities that may affect the threatened salamander to continue as long as they comply with the city's development codes. The rule will facilitate the city's efforts to promote sustainable development and cleaner water, which will benefit area residences, businesses and the Georgetown salamander. The Service is also announcing the availability of the final Environmental Assessment on the 4(d) rule. For more information, please click on the links below.

News Release (170 KB, PDF)

Frequently Asked Questions (328 KB, PDF)

Federal Register Notice (255 KB, PDF)

Final Environmental Assessment (4.8 MB, PDF)

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Environmental Action Statement (256 KB, PDF)

Finding of No Significant Impact (2.0 MB, PDF)

#### Literature

Printable List of Literature Cited in Proposed Rule (PDF, 93 KB)

Links to Literature Cited in Proposed Rule

Printable List of Literature Cited in the Final Rule to List the Austin Blind and Jollyville Plateau Salamanders (PDF, 136 KB)

Printable List of Literature Cited in the Final Rule Designating critical habitat for the Austin Blind and Jollyville Plateau Salamanders (PDF, 48 KB)

Printable List of Literature Cited in the Final Rule to List the Georgetown and Salado Salamanders (PDF, 160 KB)

#### Maps and Data

## Critical Habitat Maps:

(also see our Maps and Data page for an online Mapper showing final critical habitat for the Austin Blind Salamander and the Jollyville Plateau salamander in Travis and Williamson Counties)

Austin Blind Salamander: Final critical habitat map

Georgetown Salamander (Proposed critical habitat maps):

Overview Map, Map 1, Map 2, Map 3, Map 4, Map 5, Map 6

Jollyville Plateau Salamander (Final critical habitat maps):

Overview Map 1, Map 1, Map 2, Map 3, Map 4, Map 5, Map 6, Map 7, Map 8, Map 9, Map 10, Map 11, Map 12, Map 13

Salado Salamander (Proposed critical habitat maps):

Overview Map, Map 1, Map 2

#### Critical Habitat UTM Coordinates:

Austin Blind and Jollyville Plateau salamander final critical habitat (zipped PDFs, 62 KB)

Georgetown and Salado Salamander proposed critical habitat (zipped PDFs, 31 KB)

# GIS Files:

Austin Blind and Jollyville Plateau Final Critical Habitat (zipped shapefiles, 85 KB)

Georgetown and Salado Salamander Proposed Critical Habitat (zipped shapefiles, 34 KB)

## Other websites and information about the four central Texas salamanders

Conservation needs - White paper

Environmental Conservation Online System Species Profiles:

Austin Blind salamander

Jollyville Plateau salamander

Georgetown salamander

Salado salamander

Last updated: August 7, 2015

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