

Trispot Darter/Endangered Species Act: U.S. Fish and Wildlife Service Final Rule Determining Threatened Status



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The United States Fish and Wildlife Service (“Service”) issued a December 27th final rule under the Endangered Species Act (“ESA”) for the trispot darter fish.

The final rule:

- Determined threatened species status for the fish
- Designated more than 180 miles of river as critical habitat for the fish

The designation was a response to a petition from the Center for Biological Diversity, Alabama Rivers Alliance and other groups. The trispot darter is found in the Coosa River system in the Ridge and Valley ecoregion in parts of:

- Alabama
- Georgia
- Tennessee

The listing was undertaken pursuant to Section 4 of the ESA and its implementing regulations which provide the procedures for adding species to the Federal List of Endangered and Threatened Wildlife and Plants. Under Section 4(a)(1) of the ESA the service may list the species based on:

1. The present or threatened destruction, modification, or curtailment of its habitat or range
2. Overutilization for commercial, recreational, scientific, or educational purposes
3. Disease or predation
4. The inadequacy of existing regulatory mechanisms
5. Other natural and manmade factors affecting its continued existence

The Center for Biological Diversity and other organizations had argued that the trispot darter was threatened by urban development because of stormwater runoff degrading water quality. They also argued that logging, agricultural, dams and drought affected the species.

A copy of the prepublication Federal Register notice can be found [here](#).