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# Endangered Species Act: Center for Biological Diversity Notice of Intent to Sue U.S. Fish and Wildlife Service in Regard to Pyramid Pigtoe (An Arkansas Freshwater Mussel)

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The Center for Biological Diversity (“CBD”) issued a February 7th news release stating that it has sent a Notice of Intent to Sue (“NOI”) the United States Fish and Wildlife Service (“Service”) for delaying listing under the Endangered Species Act (“ESA”) the Pyramid pigtoe.

The Pyramid pigtoe is a freshwater mussel stated to be found in Arkansas and the following states:

- Alabama
- Kentucky
- Louisiana
- Mississippi
- Ohio
- Oklahoma
- Tennessee
- Virginia

The CBD news release cites 14 other species of plants and animals that are included in its NOI.

The Service previously issued a proposed rule on September 7, 2021, which announced its proposed finding to list the Pyramid pigtoe as a threatened species under Section 4(d) of the ESA is warranted. See 86 Fed. Reg. 49989.

In justifying the proposed listing, the Service stated that past and current threats to the Pyramid pigtoe include:

- Habitat degradation or loss from a variety of sources (e.g., dams and other barriers, resource extraction)
- Degraded water quality from chemical contamination and erosion from development, agriculture, and mining operations
- Direct mortality from dredging
- Residual impacts from historical harvest
- Proliferation of invasive, nonnative species

The Service determined that cumulatively such threats contribute to the negative effects associated with the species' small population size in certain areas.

Areas in Arkansas listed as inclusive of the Pyramid pigtoe's range include:

- Petit Jean River
- Eleven Point River
- Little River

A copy of the CBD news release can be downloaded [here](#).