

Barrens Topminnow/Tennessee Fish: U.S. Fish and Wildlife Service Proposes Critical Habitat



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The United States Fish and Wildlife Service (“Service”) has issued a proposed rule that would designate critical habitat for the Barrens topminnow (“Bt”) under the Endangered Species Act (“ESA”).

The proposed rule would designate as critical habitat:

- 1.5 acres of spring pool.
- 11.4 miles of spring run.

The spring pool and run are found in the Tennessee counties of Cannon, Coffee, Dekalb, Franklin, Grundy, and Warren.

Bt is an iridescent green fish whose habitat includes clear cold streams where the predominant source of base flow is groundwater. It grows to 4 inches in length and swims near the surface, feeding on mosquito larva and other insects.

The fish was proposed for ESA protection in 1977. This proposal was never finalized. The Center for Biological Diversity filed petitions with the Service in 2010 seeking ESA designation.

The Service issued a final rule designating the fish as endangered in 2019.

Under Section 4(a)(3) of the ESA, once the Service determines that a species is endangered or threatened it must, to the maximum extent prudent and determinable, designate critical habitat. Section 3(5)(A) of the ESA defines “critical habitat”.

Generally, these are specific areas within the geographical area occupied by the species which include those physical or biological features essential to its conservation and may require special management, considerations, and protections. In addition, it includes specific areas outside the geographical area occupied by the species at the time it is listed, if the Service determines that such areas are essential for the conservation of the species. However, the Service must make the designation of critical habitat on the basis on the best scientific data available and after taking into consideration economic impact, the impact on national security, and any other relevant impacts of specifying any particular area as critical habitat.

A copy of the proposed rule can be downloaded [here](#).