



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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June 17, 2019

Waller County Judge
836 Austin Street Suite 203
Hempstead, Texas 77445

Dear Honorable Carbett Duhon III,

Subject: *Helianthus occidentalis* subspecies *plantagineus* (Shinner's sunflower) Species Status Assessment

The U.S. Fish and Wildlife Service (Service) is responsible for identifying species in need of protection under the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531-1543). In 2010, the Service was petitioned to list the Shinner's sunflower (*Helianthus occidentalis* subspecies *plantagineus*) under the Act by the Center for Biological Diversity. In 2011, the Service made a 90-day finding concluding substantial information existed that this subspecies may warrant protection under the Act. In accordance with the Service's National Listing Workplan, we will make a listing determination for *H. occidentalis* ssp. *plantagineus* by February 2020. To support this decision, we will conduct a Species Status Assessment (SSA) using the best available scientific information to evaluate the subspecies needs, as well as the historical and current resiliency, redundancy, and representation, and future threats it faces. Because the SSA will be the biological underpinning of the Service's forthcoming decision on whether *H. occidentalis* ssp. *plantagineus* warrants protection under the Act, we are seeking information to inform our analysis.

Helianthus occidentalis ssp. *plantaagineus* is a member of the Asteraceae or sunflower family. This perennial species inhabits diverse habitats including open edges of sandy woodlands, prairie, and ungrazed and unplowed rights-of-ways within Texas, Arkansas, and Louisiana. Soils are also highly variable; in Texas, most occurrences are associated with fine sandy loam series. Identified risks to *H. occidentalis* ssp. *plantagineus* are primarily from habitat modification and fragmentation: encroachment of shrub layer so habitat becomes less open, road construction and development projects, potential management regimes (i.e. mowing and herbicide spraying), and loss of habitat due to urban sprawl. Currently there are records of *H. occidentalis* ssp. *plantagineus* in 12 Texas counties, additionally there were historical (pre-1965) records in seven counties. The subspecies occurrence in Louisiana needs verification. Additional information about the *H. occidentalis* ssp. *plantagineus* can be found online at:
<https://ecos.fws.gov/ecp0/profile/speciesProfile?slId=9933>.

This letter provides early notification to interested parties that we will be analyzing the best scientific and commercial data available for the *H. occidentalis* ssp. *plantagineus* in our SSA. This data will be considered during the listing decision to determine if the species warrants protection under the Act. We determine if listing is warranted by evaluating information on its status and threats, however we are also interested in learning about the proactive efforts to conserve this subspecies and its habitat, and to remove threats. We are seeking your input to ensure that we have the best available scientific information to help us determine conservation needs and opportunities, and to inform our listing decision. If listing is warranted, we will consider designating critical habitat concurrently, to the maximum extent prudent and determinable. Critical habitat identifies the geographical areas containing features essential for the conservation of a threatened or endangered species, and which may require special management considerations or protection.

Designation of critical habitat does not affect land ownership or establish a refuge or preserve and has no impact on private landowners who are taking actions on their lands that do not require a Federal nexus such as funding, permits, or authorization. Critical habitat designation does mean that Federal agencies that undertake, fund, permit, or authorize activities that may affect critical habitat are required to consult with the Service to ensure that such actions do not adversely modify or destroy that habitat.

Our office is leading the SSA effort and is coordinating with our Ecological Services field offices in Arkansas and Louisiana to incorporate information for the *H. occidentalis* ssp. *plantagineus* within that portion of its range. Specifically, this letter informs you of the review process and requests additional information, if not already provided, for *H. occidentalis* ssp. *plantagineus* on the following:

- Biological, life history, or distribution information;
- Positive and negative survey data;
- Past, current, and future factors that are affecting or could be affecting the current and future condition of the subspecies throughout some or all of its range;
- Past or current conservation actions that may benefit the subspecies or its habitat;
- Planned conservation actions for the subspecies or its habitat; and,

We will continue coordination with your agency throughout this process. If listing is warranted and listing determinations have been fully developed, we will provide a public notification of our finding in the *Federal Register*. Any associated rulemakings would include an opportunity for the public to review and comment on the proposal(s). We will accept new information throughout this process, but it would be helpful if it was provided by **July 26, 2019**. Information should be submitted to our Fish and Wildlife Biologist, Amber Miller, at amber_miller@fws.gov. All data and information submitted to us, including names and addresses, will become part of the administrative record. We will accept information in any format, however information that is available in spatial format, would be extremely useful.