



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
10711 Burnet Road, Suite 200  
Austin, Texas 78758



Bernard F. Barcena, Jr.  
Chairman  
Lipan Apache Tribe of Texas  
P.O. Box 5218  
McAllen, TX 78502

Dear Chairman Barcena, Jr.:

Based on your Tribe's status as a sovereign nation and in keeping with our trust responsibility, please accept this letter as our request for your input on a species status assessment (SSA) for the Rio Grande cooter (*Pseudemys gorzugi*), under the Endangered Species Act of 1973 (Act). The purpose of the SSA is to provide information about this turtle's viability to inform our decision about listing it under the Act. Based on the SSA we will publish a "12-month finding" in 2021, which will state whether listing is warranted and, if so, followed by a proposed listing rule.

The distribution of this species overlaps areas that may be of interest to your Tribe. This turtle is currently found in New Mexico along the lower Pecos River and its tributaries, in Texas along the Rio Grande and its tributaries, and in the Mexican states of Coahuila, Nuevo Leon, and Tamaulipas. Its potential historical distribution includes a greater portion of the Pecos River and Rio Grande (see attached map).

At your request, we are available to meet with you to learn how your Tribe may be affected by the status of this species under the Act; share information we have about this species and the SSA and listing processes; describe the information we are seeking; and discuss how Tribal information, comments, and expertise may be used in the SSA.

To ensure a comprehensive SSA, new information we seek about this species includes:

- (1) Historical and current status, range, distribution, and population size, including the locations of any additional populations;
- (2) Life history, ecology, and habitat use;
- (3) Conservation actions that may benefit this species and its habitats; and,
- (4) Stressors to this species and its habitat.

The Rio Grande cooter is also known as Western river cooter in New Mexico, and as Tortuga de Oreja Amarilla or Jicotéa del Río Bravo in Mexico. It is a medium-sized to large freshwater aquatic, basking turtle that has an intricately patterned shell. Its head and legs are black-and-yellow striped; sometimes the legs are black and red (see attached image). It inhabits a variety of water bodies, including spring-fed ponds, small tributaries, and slow-moving but intermittently flooded rivers like the Pecos and Rio Grande. It needs basking locations, such as shallows, logs, rock, or overhanging vegetation. Stressors impacting the viability of the Rio Grande cooter include the present or threatened destruction, modification, or curtailment of its habitat or range;

overutilization of the species for commercial, recreational, scientific, or educational purposes; and the inadequacy of existing regulatory mechanisms to address these threats.

To encourage meaningful participation in the SSA, please accept this letter as our request for information, including traditional ecological knowledge, and comments, and to work with your staff and other Tribal experts. In keeping with our trust responsibility, we shall protect to the maximum extent practicable, Tribal information that has been disclosed to or collected by us. However, please be aware that any information kept in our files is subject to public disclosure under specific circumstances (e.g., through a Freedom of Information Act request). Please let us know if there are any other considerations for safeguarding sensitive Tribal information. If the Tribe prefers to maintain certain information exclusively in your files, we would like to explore options for reviewing and referencing that information in our final SSA report.

In accordance with Secretarial Order 3206 (Order) and the Service's Native American Policy, we consult with Indian Tribes when actions taken under authority of the ESA may affect Indian lands, Tribal trust resources, or the exercise of American Indian Tribal rights, as defined in the Order. We recognize your inherent powers to make and enforce laws and to manage and control your natural resources. It is our goal to support this authority and maintain good working relationships with all Native American Tribes.

We will provide a public notification of our 12-month finding in the Federal Register. Any future proposed rulemakings will include an opportunity for public review and comment. At this time, we expect the 12-month finding notification will be delivered to the Federal Register in 2021. Please submit any relevant information to Maritza Mallek, U.S. Fish and Wildlife Service, Austin Ecological Services Field Office, 10711 Burnet Rd, Suite 200, Austin, Texas 78758 or by email to [maritza\\_mallek@fws.gov](mailto:maritza_mallek@fws.gov).

Thank you for your continued interest in the conservation of sensitive, threatened, and endangered species. We appreciate your participation in this listing determination process. If you have any additional questions, please contact Maritza Mallek at (512) 490-0057 x266 or by email at the address listed above.

Sincerely,

Adam Zerrenner  
Field Supervisor

cc: Robert Soto, Vice Chairman, Lipan Apache Tribe of Texas, McAllen, Texas (electronic)  
Linda Walking Woman, General Council Advisor, Lipan Apache Tribe of Texas, McAllen, Texas (electronic)  
Native American Liaison, Southwest Region, U.S. Fish and Wildlife Service, Albuquerque, New Mexico (electronic)

Attachment 1: Image of Rio Grande cooter.



Figure 1. Adult male Rio Grande cooter. Image courtesy Dr. Drew Davis.

Attachment 2: Distribution map for Rio Grande cooter.

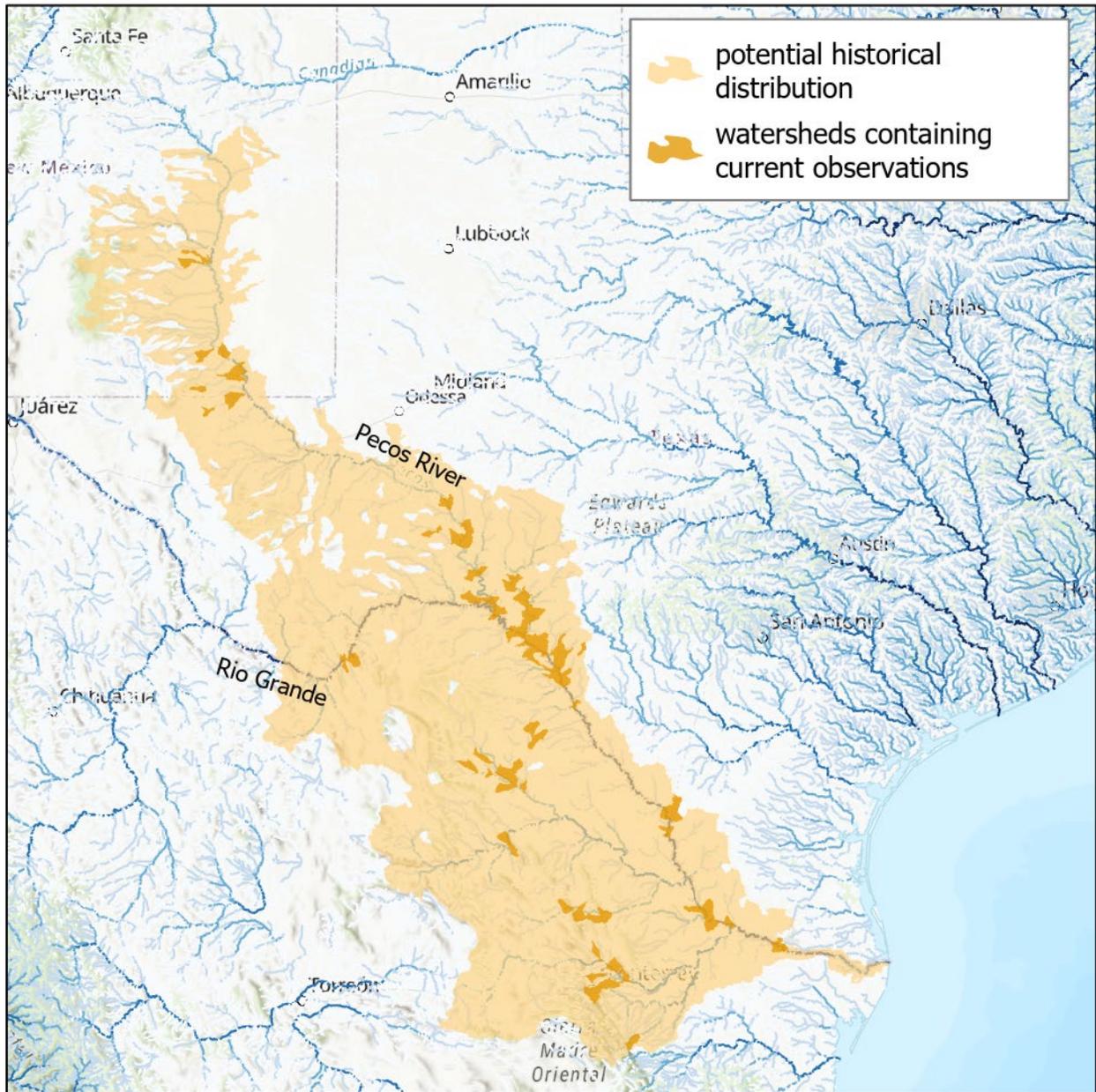


Figure 2. Potential historical and current distribution of Rio Grande cooter (*Pseudemys gorzugi*) in the United States and Mexico. The current distribution was generated using occurrence data from 1990-present. The shaded regions represent watersheds and provide an approximation of the distribution of this freshwater turtle.