



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office
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Albuquerque, New Mexico 87113
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www.fws.gov/southwest/es/newmexico/

October 27, 2020

The Honorable Bernard F. Barcena Jr
Chairman, Lipan Apache Tribe
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 gypsum wild-buckwheat (*Eriogonum gypsophilum*) under the Endangered Species Act of 1973, as amended (Act). Gypsum wild-buckwheat was listed as a threatened species with critical habitat in 1981 (46 GT 5730; January 19, 1981). The purpose of the SSA is to provide information about gypsum wild-buckwheat's viability to inform our future decision(s). A proposed rule to remove this species from the federal list of endangered and threatened plants due to recovery was posted on January 6, 2017 (82 FR 1657). Additional information about gypsum wild-buckwheat, and information about previous Federal actions, can be found at <https://ecos.fws.gov/ecp/species/7770>.

Based on New Mexico Department of Cultural Affairs historic preservation division database identifying tribes interested in projects within specific counties, the distribution of this species overlaps areas that may be of interest to your Tribe. Gypsum wild-buckwheat (also known as Seven River Hills buckwheat) is a perennial herbaceous plant in the knotweed family (*Polygonaceae*) that is only known from four populations along tributaries to the Pecos and Black Rivers in Eddy County, New Mexico, on erosive gypsum soils (please see Appendix A below for a distribution map).

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. Tribal knowledge is important to consider when evaluating the status of a species under the Act. Long-standing tribal stewardship of natural resources gives tribes deep and unique perspectives important in status assessments. To ensure a comprehensive SSA, new information we seek about gypsum wild-buckwheat 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.

In accordance with Secretarial Order 3206 (Order) and the USFWS Native American Policy, we coordinate with Tribes when actions taken under authority of the ESA may affect Tribal 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. At your request, my staff and I are available to meet or communicate with you at any time during the process (including by remote methods) to hear your Tribe's perspective, to learn how your people may be affected by the status of this species under the Act; share information we have about this species and the SSA processes; describe the information we are seeking; and discuss how Tribal information, comments, and expertise may be used in the SSA.

We understand that Tribal knowledge is important in assessing potential effects on resources that may be of interest to your Tribe. 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 report.

While we always welcome new information regarding any endangered or potentially endangered species at any time, to allow us adequate time to conduct this SSA within established time frames, please send information by **November 20, 2020**.

Thank you for any information you can provide. If you have any questions please contact me, or your staff may contact Ms. Katie Sandbom, Fish and Wildlife Biologist, by email at katie_sandbom@fws.gov or Mr. Chad Baumler, New Mexico Ecological Services Field Office Tribal Coordinator, by email at chad_baumler@fws.gov or by mail at U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113 or by phone at (505) 346-2525.

Sincerely,

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Shawn Sartorius
Field Supervisor

Enclosure

cc: Dr. Linda Walking Woman, Tribal Educational Director

Appendix A.

