



TENNESSEE FARM BUREAU FEDERATION

February 10, 2025

Public Comments Processing
Attn: FWS-R3-ES-2024-0144
U.S. Fish and Wildlife Service
MS: PRB/3W
5275 Leesburg Pike
Falls Church, VA 22041-3803

Re: Docket No. FWS-R3-ES-2024-0144; *Endangered and Threatened Species: Designation of Critical Habitat for the Rayed Bean, Sheepnose, Snuffbox, and Spectaclecase Mussels*

The Tennessee Farm Bureau Federation (TFBF) appreciates the opportunity to submit comments for the proposed rule titled *Endangered and Threatened Species: Designation of Critical Habitat for the Rayed Bean, Sheepnose, Snuffbox, and Spectaclecase Mussels*. With over 695,000 members, TFBF is the largest general farm organization in Tennessee, representing the varied commodity producers across our state. Our policy is developed through a grassroots network of farmer members who identify, research, deliberate, vote on, and adopt policies on various issues related to agriculture and rural living. On behalf of our member producers, we welcome the opportunity to provide an agricultural perspective to the information requested by the U.S. Fish and Wildlife Service (FWS).

Farmers in Tennessee have a deep and abiding interest in protecting the environment and listed species based upon philosophical beliefs and practical self-interest. TFBF supports efforts to protect habitat for listed species so long as they simultaneously support production agriculture. The agricultural sector has taken extensive strides throughout history to reduce its environmental impact, and we firmly believe production agriculture and species protection can be mutually beneficial to one another.

FWS is considering critical habitat designations for four species of freshwater mussels - the rayed bean (*Villosa fabalis*), sheepnose (*Plethobaus cyphus*), snuffbox (*Epioblasma triquetra*), and spectaclecase (*Cumberlandia monodonta*). The proposed habitat designations total 76 units across 17 states, totaling 3,974 total river miles across the United States. In Tennessee, FWS is considering critical habitat in 12 counties across the state, specifically Claiborne, Cocke, Giles, Grainger, Greene, Hamblen, Hancock, Hardin, Jefferson, Lincoln, Marshall, and Maury counties. These

counties span the three grand divisions of Tennessee (west, middle, and east), and uniquely contribute to a thriving production agriculture sector. According to the latest U.S. Census of Agriculture¹, agriculture brought in a combined \$691.5 million in total market value of agricultural products sold in 2022 in these counties identified for critical habitat. The varied commodities produced in these counties include but are not limited to row crops, livestock, fruits and vegetables, nursery crops, hay, and tobacco. In the state of Tennessee, agriculture is the number one contributor to the state's economy, accounting for \$73.2 billion in economic output (7.8% of the state's economic activity) and supporting over 290,000 jobs across the state².

When considering areas to identify as critical habitat for the 4 freshwater mussel species, we encourage FWS to select specific areas best suited for the species rather than the designation of an entire county or multi-county area. This approach will support the species in the most effective and precise way while allowing production agriculture to continue.

FWS identifies multiple factors affecting mussel populations, with urbanization and land conversion for urban and commercial use being the largest threats. Agriculture should be a solution to these threats. By maintaining open space for agricultural production, that land is not being converted to urban and commercial uses. We urge FWS to acknowledge these positive benefits when outlining solutions to protect these freshwater mussels.

FWS also includes sedimentation and water quality in their list of threats to freshwater mussels, specifically mentioning agricultural activities. However, farmers across Tennessee have long been adopters of numerous conservation practices to reduce nutrient runoff, sedimentation, and pesticide residues in water sources. According to the University of Tennessee Institute of Agriculture's 2024 Tennessee Nutrient Management Report, 87% of farmers utilize no-till and 53% use cover crops, along with other proven mitigation techniques. In fact, Tennessee leads the country with the highest percentage of adoption of no-till and conservation tillage in 2022. These conservation efforts significantly reduce the likelihood and intensity of runoff- and sedimentation-related impacts on mussels. FWS should recognize the extensive strides production agriculture has been making to reduce its impact on the environment and species under threat.

¹ "2022 Census of Agriculture State and County Profiles – Tennessee." *USDA National Agricultural Statistics Service*; [Census of Agriculture - 2022 Census Publications - State and County Profiles - Tennessee](#)

² "An Economic Report to the Governor of the State of Tennessee: The State's Economic Outlook, January 2025." *University of Tennessee, Tennessee Department of Finance and Administration, Tennessee Department of Economic and Community Development, Tennessee Department of Revenue, and Tennessee Department of Labor and Workforce Development*; [An Economic Report to the Governor of the State of Tennessee, 2025 : Publication - Haslam College of Business](#)

In question 5 of the proposed rule document, FWS asks what specific areas should be considered for exclusion under section 4(b)(2) of the Endangered Species Act. TFBF requests agricultural and cultivated lands be considered for exclusion. The continuation of production agriculture and a safe, efficient, and stable food supply is of utmost importance and, therefore, justifies exemption from critical habitat designation. Taking land out of production for use as critical habitat will reduce a farmer's available resources to grow their products, resulting in slimmer margins and more difficulty making ends meet. Reductions in agricultural production will negatively impact not just the local, state and national economies, but also the abundant food supply we enjoy. Additionally, the previously mentioned benefits for mussels of maintaining open space and reduced likelihood of runoff-related impacts further exemplify the value of agricultural and cultivated land for protecting species, rather than being deemed a threat.

Farmers take pride in being stewards of the land bestowed upon them to produce the world's food, fiber, and fuel. Part of this responsibility is actively working to protect our natural resources and species under threat. We urge FWS to consider impacts on farmers, their farms, and the overall agricultural industry when making decisions for critical habitat designations.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Eric Mayberry".

Eric Mayberry

President

Tennessee Farm Bureau Federation