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October 24, 2023

Attn: Ken Collins  
Field Supervisor  
Oklahoma Ecological Services Field Office  
Tulsa, Oklahoma 74129

Re: Draft Recovery Plan for Arkansas River Shiner

Dear Mr. Collins:

The Department appreciates this second opportunity to review and provide feedback on the draft Recovery Plan for the Arkansas River Shiner (*Notropis girardi*). As stated in our earlier comments, the Department acknowledges the necessity of a Recovery Plan for the Arkansas River Shiner, which has been listed under the Endangered Species Act since 1998. Our initial comments primarily centered on the recovery criteria within the draft plan. While several of our more specific suggestions were incorporated, our concerns about the recovery criteria were not addressed in the revised Recovery Plan.

Our primary concern remains the lack of clear and measurable criteria in several recovery criteria. It appears that the revised plan has not integrated these changes, particularly in Criteria 4 through 6. For instance, Criterion 4 still lacks a quantifiable measure for river connectivity and necessary baseflows, and Criterion 5 continues to rely on future research rather than concrete, measurable recovery criteria. We reiterate our recommendation to remove Criterion 6, which pertains to implementing long-term management commitments and conservation strategies. The inclusion of sub-criteria that focus on answering research questions remains problematic within Criterion 6 and are not clear and objective recovery criteria.

Establishing and maintaining viable populations of Arkansas River Shiner (as addressed in Criteria 1-3) is contingent upon suitable flow regimes, hydrologic conditions, and water quality and quantity parameters. Given the uncertainties surrounding these factors, Criteria 4-6 are somewhat redundant, especially considering that there is insufficient knowledge to establish specific, measurable criteria. We maintain that Criteria 1-3, which address the primary factors for delisting the Arkansas River Shiner, are more appropriate for achieving recovery and that Criteria 4-6 represent actions that should be identified within the Recovery Implementation Strategy.

While we appreciate the Service's emphasis on developing watershed-scale partnerships, we maintain that stakeholders, including NMDGF, should have been engaged earlier in the Recovery Plan's development process, particularly in shaping the recovery criteria. As the Department actively leads

data collection on Arkansas River Shiner populations in New Mexico and collaborates closely with the New Mexico Fish and Wildlife Conservation Office, our firsthand knowledge and expertise are vital for generating meaningful and measurable criteria and recovery actions. We remain open to engaging in the Recovery Implementation Strategy, and reiterate the need for a more inclusive and collaborative approach to the recovery planning process.

Once again, we thank you for the opportunity to provide comments on the revised Recovery Plan for the Arkansas River Shiner. If you have any questions, require additional information, or wish to discuss our concerns further, please do not hesitate to contact Joanna Hatt at (505) 476-8092 or via email at [joanna.hatt@dgf.nm.gov](mailto:joanna.hatt@dgf.nm.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Patten', is written over a light blue horizontal line.

Kirk Patten  
Chief, Fisheries Management Division