

INSIGHTS

## Edwards Aquifer Blindcats: A Potentially Endangered Species With Amanda Glen and Ann Navaro

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By: [Daniel J. Pope](#) and [Ann D. Navaro](#)

The Edwards Aquifer is the primary source of drinking water for many people in central Texas. The deep caverns of the aquifer are also home to two species of blind catfish.

On this episode of the Bracewell Environmental Law Monitor, host [Daniel Pope](#) is joined by guests [Amanda Glen](#), senior natural resources technical director at [SWCA](#), a global environmental consulting firm, and [Ann Navaro](#), partner in Bracewell's [environment, lands and resources](#) practice.

Tune in to hear Daniel, Amanda and Ann discuss two species of blind catfish that live deep in the Edwards Aquifer, underneath the city of San Antonio. The toothless blind catfish and the widemouth blind catfish have been proposed to be listed under the Endangered Species Act, and Amanda and Ann discuss the considerations and potential ramifications of these listings.

### Featured Guests

Name: [Amanda Glen](#)

**About:** Amanda leads SWCA's biology technical practice nationally. With over 25 years of experience, Amanda specializes in the Endangered Species Act and provides guidance on permitting and compliance for matters involving protected wildlife, plants and habitats.

Company: [SWCA](#)

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Name: [Ann Navaro](#)

**About:** Ann Navaro is a partner in Bracewell's Washington, DC office. She advises on and litigates under the federal laws and policies governing natural resources and the environment. After more than 25 years as a top litigator and policy adviser to the federal government, Ann brings exceptional insight and acumen to clients seeking to build infrastructure, produce

valuable natural resources, or improve government policies and programs affecting their businesses.

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## Episode Highlights

[03:12] **Discovery of the Blind Catfish:** The part of the Edwards Aquifer where the blind catfish were discovered is an artesian part of the aquifer that's under intense pressure. Around 1920, a well was drilled into this highly pressurized aquifer system. When water started coming out, so did the catfish.

[10:42] **Uncertainty About the Population Size of the Blind Catfish:** There's a big difference between the original opinion about the population size of the blind catfish and the opinion today. When the Fish and Wildlife Service first considered what to do with these two blind catfish species, the professional opinion was that there must be a lot of fish in the aquifer. Today, the opinion is that these catfish are extremely rare and are, in fact, among the rarest fish in the world.

[15:12] **What Constitutes Harm Under the Endangered Species Act:** Section 9 of the Endangered Species Act makes it illegal to take an endangered species for any purpose. So, if a blind catfish is removed from its habitat and dies at any point in the removal process, that constitutes harm.

[21:49] **Litigation Over the Constitutionality of the Endangered Species Act:** As recently as the early 2020s, opponents of the Endangered Species Act have challenged the law's constitutionality. A Texas research institute argued against the law's protections over the Bone Cave harvestman, and a group of property owners challenged the Act's protections of the Utah prairie dog in the mid-2010s.

[31:39] **Edwards Aquifer Is a Source of Drinking Water:** The Edwards Aquifer is a source of drinking water for people in San Antonio. Section 9 prohibitions could impact the water source for many central Texas residents.

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