

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Reopening of the Comment Period for the Draft Recovery Plan for the Aquatic and Riparian Species of Pahrnagat Valley**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of reopening of comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces the reopening of the comment period for public review of a draft recovery plan for the aquatic and riparian species of Pahrnagat Valley. This plan undertakes an ecosystem approach by discussing the recovery needs of three native, endangered fish species. The Service solicits any additional review and comment from the public on this draft plan.

DATES: Additional comments on the draft recovery received by November 5, 1997 will be considered by the Service.

ADDRESSES: Persons wishing to review the draft recovery plan may obtain a copy by contacting the Acting State Supervisor, Nevada State Office, U.S. Fish and Wildlife Service, 4600 Kietzke Lane, Suite 125C, Reno, Nevada 89502 (telephone: 702-784-5227), or the Assistant Regional Director, Klamath and California Ecoregions, U.S. Fish and Wildlife Service, Eastside Federal Complex, 911 NE 11th Avenue, Portland, Oregon 97232-4181 (telephone: 503-231-6241). Written comments and materials regarding the plan should be addressed to Mr. Chester C. Buchanan, Acting State Supervisor, at the above Reno, Nevada address. Comments and materials received are available on request for public inspection, by appointment, during normal business hours at the above Reno, Nevada address.

FOR FURTHER INFORMATION CONTACT: Ms. Stephanie Byers at the above Reno, Nevada address (telephone: 702-784-5227).

SUPPLEMENTARY INFORMATION:**Background**

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of the Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the

United States. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for reclassification or delisting, and estimate time and cost for implementing the recovery measures needed.

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*) requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that public notice and an opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing participation plans developed with all affected parties and interests.

On May 28, 1997, the Service received a letter from the County Commissioners of Lincoln County, Nevada, requesting the extended comment period. The Service appreciates the assistance of the Commissioners and therefore reopens the comment period on this plan. After completing the plan, the Service will continue to work with the Commissioners and other local parties in the implementation of the recovery plan.

Three native, endangered fish species are endemic to the Pahrnagat Valley in Lincoln County, Nevada. The Pahrnagat roundtail chub is found in only 12 km of the Pahrnagat River. The White River springfish is found only in the spring pool of Ash Spring. The Hiko White River springfish is found in the spring pools of Hiko and Crystal Springs. Populations of Pahrnagat roundtail chub vary between 150 to 250 adult fish. The White River springfish population is stable with approximately 7,000 fish. The Hiko White River springfish population is critically low (<35) in Crystal Spring and more common (approximately 5,500 fish) in Hiko Spring. The principle causes of decline for these species are habitat modification and nonnative fish introductions. Critical habitat has been designated for the two subspecies of springfish. Ninety-five percent of the habitats occupied by these species are on private lands. Recovery of these species will require removal and/or control of nonnative fishes, and restoration and protection of occupied habitats developed in cooperation with local landowners.

Public Comments Solicited

The Service solicits any and all additional written comments on the recovery plan described. All comments received by the date specified will be considered prior to approval of the plan.

Authority

The authority for this action is section 4(f) of the Act, 16 U.S.C. 1533(f).

Dated: July 30, 1997.

David L. McMullen,

Acting Regional Director.

[FR Doc. 97-20783 Filed 8-6-97; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; 90-Day Finding for a Petition to List the Harlequin Duck (*Histrionicus histrionicus*) in Eastern North America as Endangered or Threatened**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding and initiation of status review.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to list the eastern North America population of the harlequin duck (*Histrionicus histrionicus*) as an endangered or threatened species throughout its range under the Endangered Species Act of 1973, as amended. The Service finds that the petition presents substantial scientific or commercial information indicating that listing the population may be warranted. The Service is initiating a status review to determine if listing the population is warranted.

DATES: The finding announced in this document was made on July 31, 1997. To be considered in the 12-month finding for this petition, information and comments should be submitted to the Service by October 6, 1997.

ADDRESSES: Information, comments, or questions concerning this petition should be submitted to the Field Supervisor, New England Field Office, U.S. Fish and Wildlife Service, 22 Bridge Street, Concord, New Hampshire 03301-4986. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Linda Welch at the Maine Field Office, U.S. Fish and Wildlife Service, 1033 South Main Street, Old Town, Maine 04468 (telephone 207/827-5938).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate that the petitioned action may be warranted. This finding is to be based on all information available to the Service at the time the finding is made. To the maximum extent practicable, this finding is to be made within 90 days of receipt of the petition, and the finding is to be published promptly in the **Federal Register**. If the finding is that substantial information was presented, the Service also is required to promptly commence a review of the status of the species if one has not already been initiated under the Service's internal candidate assessment process.

The Service has made a 90-day finding on a petition to list the eastern North America population of the harlequin duck (*Histrionicus histrionicus*) as endangered or threatened. The petition, dated September 21, 1995, was submitted by the Northern Rockies Biodiversity Project, Whitefish, Montana and by the Biodiversity Legal Foundation, Boulder, Colorado and was received by the Service on September 25, 1995.

When it received the petition the Service was under a moratorium on listing actions as a result of the passage of Public Law 104-6, which, along with a series of continuing budget resolutions, eliminated the Service's endangered species listing budget through April, 1996. This suspension of the listing program prohibited the Service from processing the petition to list the eastern North America population of the harlequin duck. In addition, the moratorium resulted in a substantial backlog of listing actions, which prompted the Service to issue guidance instituting a biological priority-based system for reducing the listing backlog. This system placed emergency listings and finalization of proposed rules to list species ahead of petition findings (61 FR 64475). For these reasons, this 90-day finding was made well over 90 days after the petition was received.

The petitioners contend that the eastern North America population of the

harlequin duck has undergone a precipitous decline, that there are a number of threats to the population which will cause further declines, and that, therefore, urgent protective measures are necessary. Anecdotal historical observations cited in the petition and in the more recent published literature suggest that the species may have undergone a precipitous decline in the late 1800's and early 1900's and that a somewhat less precipitous decline has continued through the present time. The petitioners described possible threats to the population that are present throughout all or a significant portion of its range, including, but not limited to, oil pollution and spills, land use practices, illegal hunting, and hydropower development. The petitioners also discussed the population's vulnerability to demographic factors and loss of genetic diversity due to the low numbers of individuals.

The Service has reviewed the petition, the literature cited in the petition, information in the Service's files, information submitted by State wildlife agencies and other knowledgeable individuals, and all other currently available information. On the basis of the best scientific and commercial information available, the Service finds that the petition presents substantial information that listing this population may be warranted.

Listing Factors and Basis for Determination

A species can be determined to be endangered or threatened due to one or more of five factors described in section 4(a)(1) of the Act. These five factors are: (1) Present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms; or (5) other natural or manmade factors affecting its continued existence. The Service has found that there is substantial information indicating that listing the eastern North America population of the harlequin duck as endangered or threatened may be warranted due to one or more of these five factors.

In reviewing the information, the Service found that—(1) There is substantial information to show that numbers of the Harlequin ducks in the eastern population have declined in the past and a lesser level of decline may be continuing; (2) there is substantial information that shows that oil spills have occurred and could occur in the

future causing adverse impacts on the population's wintering areas.

Information Solicited

When it makes a finding that substantial information exists to indicate that listing a species may be warranted, the Service is also required to promptly commence a review of the status of the species. The Service is soliciting additional information concerning the following: (1) Whether the eastern North America population of the harlequin duck is distinct from the Pacific, Greenland, and Iceland populations; (2) the size and distribution of the eastern North America population; (3) the status and trends of breeding and wintering groups of the eastern North America population; and (4) whether or not the eastern North America population is endangered or threatened based on the listing criteria described in section 4(a)(1) of the Act.

Author

The primary author of this document is Debbie Mignogno, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035-9589.

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Dated: July 31, 1997.

Jay L. Gerst,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 97-20672 Filed 8-6-97; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[Docket No. 970728182-7182-01; I.D. 071697A]

RIN 0648-AG16

Magnuson-Stevens Act Provisions; Financial Disclosure

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.