

Dated: February 12, 2008.

David I. Maurstad,

Federal Insurance Administrator of the
National Flood Insurance Program,
Department of Homeland Security, Federal
Emergency Management Agency.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[FWS-R2-ES-2008-0031; 92220-1113-
0000-C3]

RIN 1018-AU68

Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Rio Grande Silvery Minnow in the Big Bend Reach of the Rio Grande in Texas

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Proposed rule; notice of
availability of draft environmental
assessment; reopening of public
comment period.

SUMMARY: We, the U.S. Fish and
Wildlife Service (Service), announce the
reopening of the public comment period
on the proposed rule and draft
environmental assessment regarding our
proposal to establish a nonessential
experimental population of Rio Grande
silvery minnow (*Hybognathus amarus*),
a Federally listed endangered fish, into
its historic habitat in the Big Bend reach
of the Rio Grande in Presidio, Brewster,
and Terrell counties, Texas.

Comments previously submitted on
the proposed rule or draft EA need not
be resubmitted as they have been
incorporated into the public record and
will be fully considered in preparation
of the final rule and final environmental
assessment.

DATES: We will accept public comments
received or postmarked on or before
March 10, 2008.

ADDRESSES: You may submit comments
by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: RIN 1018-AU68; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will not accept e-mail or faxes. We
will post all comments on [http://](http://www.regulations.gov)

www.regulations.gov. This generally
means that we will post any personal
information you provide us (see the
Public Comments Solicited section
below for more information).

FOR FURTHER INFORMATION CONTACT:

Adam Zerrenner, Field Supervisor,
Austin Ecological Services Field Office,
10711 Burnet Road, Suite 200, Austin,
TX 78758; telephone 512/490-0057;
facsimile 512/490-0974. If you use a
telecommunications device for the deaf
(TDD), call the Federal Information
Relay Service (FIRS) at 800-877-8339.

SUPPLEMENTARY INFORMATION:

Background and Additional Information

We propose to reestablish the Rio
Grande silvery minnow under section
10(j) of the Endangered Species Act of
1973, as amended (Act), and to classify
it as a nonessential experimental
population (NEP) (72 FR 50918). On the
Rio Grande, the geographic boundaries
of the NEP would extend from Little
Box Canyon downstream of Fort
Quitman, Hudspeth County, Texas,
through Big Bend National Park and the
Rio Grande Wild and Scenic River, to
Amistad Dam and the nearby railroad
bridge (Big Bend reach of the Rio
Grande). On the Pecos River, the
geographic boundaries of the NEP
would extend from the river's
confluence with Independence Creek to
its confluence with the Rio Grande. This
proposed reestablishment is part of the
recovery actions that the Service,
Federal and State agencies, and other
partners are conducting throughout the
species' historic range. The proposed
rule provides a plan for establishing the
NEP and provides for limited allowable
legal taking of Rio Grande silvery
minnows within the defined NEP area.
A draft environmental assessment (EA)
has been prepared on this proposed
action and is available for comment (see
ADDRESSES section below).

For background and other information
on the proposed rule and draft EA, refer
to our notice published in the **Federal
Register** on September 5, 2007 (72 FR
50918).

Public Comments Solicited

On September 5, 2007, we published
a proposed rule, notice of availability of
a draft environmental assessment, and
notice of a public hearing regarding our
proposal to establish a nonessential
experimental population of the Rio
Grande silvery minnow in the Big Bend
reach of the Rio Grande in Texas (72 FR
50918). We accepted public comments
regarding the proposed rule and draft
environmental assessment for 60 days,

ending November 5, 2007. During the
comment period, we held a public
hearing on October 10, 2007, in Alpine,
Texas. In response to requests from
interested parties, we are reopening the
comment period for an additional 15
days (see **DATES**) to offer all interested
parties an opportunity to submit data
and information to be considered in
developing a final rule and final EA.

We want the final rule to be as
effective as possible and the final EA on
the proposed action to evaluate all
potential issues associated with this
action. Therefore, we invite the public,
Tribal and government agencies, the
scientific community, industry, and
other interested parties to submit
comments or recommendations not
previously submitted concerning any
aspect of the proposed rule and the draft
EA. Comments should be as specific as
possible.

To issue a final rule to implement this
proposed action and to determine
whether to prepare a finding of no
significant impact or an environmental
impact statement, we will take into
consideration all comments and any
additional information we receive. Such
communications may lead to a final rule
that differs from this proposal.

You may submit your comments and
materials concerning the proposed rule
and draft EA by one of the methods
listed in the **ADDRESSES** section. We will
not accept comments sent by e-mail or
fax or to an address not listed in the
ADDRESSES section. We will not accept
anonymous comments; your comments
must include your first and last name,
city, State, country, and postal (zip)
code. Finally, we will not consider
hand-delivered comments that we do
not receive, or mailed comments that
are not postmarked by the date specified
in the **DATES** section. Comments must be
submitted to

<http://www.regulations.gov> before
midnight (Eastern Standard Time) on
the date specified in the **DATES** section.

We will post your entire comment—
including your personal identifying
information—on [http://](http://www.regulations.gov)
www.regulations.gov. If you provide
personal identifying information in
addition to the required items specified
on the previous paragraph, such as your
street address, phone number, or e-mail
address, you may request at the top of
your document we withhold this
information from public review.
However, we cannot guarantee that we
will be able to do so.

Comments and materials we receive,
as well as supporting documentation we
used in preparing this proposed rule,
will be available for public inspection
on <http://www.regulations.gov>, or by

appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, TX 78758; telephone 512/490-0057.

You may obtain copies of the original proposed rule and the draft EA from the Austin Ecological Services Field Office at the address listed above or by visiting

our Web site at <http://www.fws.gov/southwest/es/AustinTexas/>.

Author

The primary author of this notice is the staff of the U.S. Fish and Wildlife Service's Austin Ecological Services Field Office.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*).

Dated: February 14, 2008.

Kenneth Stansell,

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

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