

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AE89

Endangered and Threatened Wildlife and Plants; Extension of Comment Period and Notice of Public Hearing on Proposed Threatened Status for *Rumex Orthoneurus* (Chiricahua Dock)**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule; extension of comment period and notice of public hearing.**SUMMARY:** The U.S. Fish and Wildlife Service (Service) gives notice that a public hearing will be held and the comment period extended on the proposed rule to list the plant *Rumex orthoneurus* (Chiricahua or Blumer's dock) as threatened. The hearing and the extension of the comment period will allow all interested parties to submit oral or written comments on the proposal.**DATES:** The comment period for this proposal will be extended from July 30, 1998, to October 1, 1998. Comments must be received by the closing date. Any comments that are received after the closing date may not be considered in the final decision on the proposal. The public hearing will be held from 7 p.m. to 9 p.m. on August 18, 1998, in Silver City, New Mexico.**ADDRESSES:** The public hearing will be held at Light Hall Auditorium, Western New Mexico University, 1000 College Street, Silver City, New Mexico. Written comments should be sent to the State Supervisor, U.S. Fish and Wildlife Service, 2321 W. Royal Palm Road, Suite 103, Phoenix, Arizona 85021. Comments and materials received will be available for public inspection, by

appointment, during normal business hours at the above Service address.

FOR FURTHER INFORMATION CONTACT:

Jeffrey A. Humphrey, at the above address, 602/640-2720.

SUPPLEMENTARY INFORMATION:**Background**

The U.S. Fish and Wildlife Service (Service) proposes to list *Rumex orthoneurus* (commonly known as Chiricahua or Blumer's dock) as threatened pursuant to the Endangered Species Act of 1973, as amended (Act). This plant is a rare Southwest endemic occurring within riparian and cienega (marshy wetland) habitats at elevations ranging from 1,950 to 2,763 m (6,398 to 9,065 ft). The plant is known from the Chiricahua, Pinaleno, Huachuca, Sierra Ancha, and White mountains in Arizona. In New Mexico, the plant is known from the Mogollon and San Francisco mountains. The plant is also believed to extend into northern New Mexico in the Pecos Wilderness and to have been extirpated from the Lincoln National Forest. A site in Mexico in the Sierra de los Ajos has also been reported. Habitat loss and degradation due to livestock grazing, recreation, water diversions and development, road construction and maintenance, and wildfire imperil the continued existence of this species. This proposal, if made final, would extend the Act's protection to this plant. A proposed rule to list this species as threatened was published in the **Federal Register** (63 FR 15813) on April 1, 1998.

Pursuant to 50 CFR 424.16(c)(2), the Service may extend or reopen a comment period upon finding that there is good cause to do so. Full participation of the affected public in the species listing process, allowing the Service to consider the best scientific and commercial data available in making a final determination on the proposed action, is deemed as sufficient cause.

Section 4(b)(5)(E) of the Act, as amended (16 U.S.C. 1531 *et seq.*), requires that a public hearing be held if it is requested within 45 days of the publication of a proposed rule. In response to four such requests, the Service will hold a public hearing on the date and at the address described above.

Anyone wishing to make an oral statement for the record is encouraged to provide a written copy of their statement and present it to the Service at the start of the hearing. In the event there is a large attendance, the time allotted for oral statements may have to be limited. Oral and written statements receive equal consideration. There are no limits to the length of written comments presented at the hearings or mailed to the Service. Legal notices announcing the dates, times, and locations of the hearings will be published in newspapers concurrently with the **Federal Register** notice.

The current comment period on this proposal closes on July 30, 1998. In order to accommodate this public hearing, the Service extends the public comment period. Written comments may now be submitted until October 1, 1998, to the Service office in the **ADDRESSES** section.

Author

The primary author of this notice is Jeffrey A. Humphrey (see **ADDRESSES**).

Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531-1544).

Dated: July 24, 1998.

Renne Lohoefer,

Acting Regional Director, Region 2, Fish and Wildlife Service.

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