

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Findings on Certain Petitions

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of findings on certain petitions.

SUMMARY: The Service reports the initial findings that have been made on the substantiality of information for certain petitions received during the period of September 15, 1983, through November 30, 1983, as required by the Endangered Species Act Amendments of 1982.

DATE: Comments may be submitted until further notice.

ADDRESSES: Interested persons or organizations are requested to submit comments to the Associate Director—Federal Assistance, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments and materials relating to this notice are available for public inspection by appointment during normal business hours at the Service's Office of Endangered Species, Suite 500, 1000 North Glebe Road, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240; (703/235-2771).

SUPPLEMENTARY INFORMATION: Section 4(b)(3)(A) of the Endangered Species Act of 1973, as amended in 1982, requires that the Service make a finding whether a petition to list, reclassify, or delist a species presents substantial scientific or commercial information that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and the finding is to be published promptly thereafter in the *Federal Register*. Similarly, section 4(b)(3)(D)(i) of the Act requires a finding within 90 days on a petition to revise critical habitat, with prompt publication of the finding. When a positive finding is made on a petition to list, reclassify, or delist a species, the Service is required to promptly commence a review of the status of the species.

Below is a list of those petitions received since September 15, 1983, for which findings are required by section

4(b)(3)(A) or 4(b)(3)(D)(i); the administrative record for these findings was completed by December 29, 1983, and the findings made on that date are

indicated for each taxon. The criteria in 50 CFR 424.14 was used to define and evaluate petitions and to distinguish them from comments.

EVALUATION OF PETITIONS

| Species | Action | Petitioner | Date | Substantial information |
|---|------------|----------------------------|--------------------|-------------------------|
| Orangefin madtom, <i>Noturus gilberti</i> | List | Mr. Noel Burkhead..... | Oct. 6, 1983..... | Yes. |
| Roanoke logperch, <i>Percina rex</i> | List | Mr. Noel Burkhead..... | Oct. 6, 1983..... | Yes. |
| Dolloff Cave spider, <i>Meta dolloff</i> | List | Mr. Thomas S. Briggs | Oct. 25, 1983..... | Yes. |

For the two fishes in this notice the required status review began with the December 30, 1982, vertebrate notice of review (47 FR 58454-58460). The orangefin madtom is known from the Roanoke River drainage in Virginia and North Carolina and one tributary of the James River in Virginia. The Roanoke logperch is known only from the Roanoke River drainage, including the Dan and Chowan Rivers, all within the State of Virginia. The required status review for the Dolloff Cave spider begins with this notice. It is known only from three neighboring caves in Santa Cruz County, California. The Service hereby solicits data concerning these species now under review for listing. Especially sought is information regarding taxonomy, distribution, any recommended critical habitat for the native species, and threats. Comments received will be considered in any future actions for these taxa.

If a petition is found to present substantial information indicating that an action may be warranted, the Service must decide within 12 months of its receipt whether the requested action is warranted in accord with sections 4(b)(3)(B) and 4(b)(3)(D)(ii) of the Act, as amended.

This notice was prepared by Dr. James D. Williams of the Service's Office of Endangered Species in Washington (703/235-1975), with evaluations by appropriate staff biologists in the Washington Office and Endangered Species Program staff of the Service's Regional Offices and Field Stations.

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

(Endangered Species Act of 1973, as amended; Pub. L. 93-205, 87 Stat. 884; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 98-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531 *et seq.*))

Dated: January 9, 1984.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

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