

Desert, and the lack of credible studies on the biological status of the species, the Service finds that the petition did not present substantial information indicating that the listing of the Mohave ground squirrel may be warranted. Given these data uncertainties, the Mohave ground squirrel will remain a species of concern to the Service.

#### References Cited

A complete list of references used in the preparation of this finding is available, upon request, from the Ventura Field Office (see **ADDRESSES** section).

#### Author

The primary author of this document is Kate Symonds, Ventura Field Office (see **ADDRESSES** section).

#### Authority

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

Dated: August 4, 1995.

**John G. Rogers,**

*Acting Director, Fish and Wildlife Service.*

[FR Doc. 95-22171 Filed 9-6-95; 8:45 am]

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#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition to List the Mono Lake Brine Shrimp as Endangered

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Mono Lake brine shrimp (*Artemia monica*) under the Endangered Species Act of 1973, as amended (Act). This aquatic crustacean occurs only in Mono Lake, Mono County, California. A recent decision by the California State Water Resources Control Board to revise the water rights of the City of Los Angeles in the Mono Basin has apparently removed the threat of habitat degradation to the Mono Lake brine shrimp. As a result of the protections offered by this decision, the Service finds that the Mono Lake brine shrimp does not meet the definition of an endangered or a threatened species at the present time.

**DATES:** The finding announced in this document was made on July 24, 1995. Comments from all interested parties will be accepted until further notice.

**ADDRESSES:** Data, information, comments, or questions concerning this petition should be sent to the U.S. Fish and Wildlife Service, Field Supervisor, Ventura Field Office, 2493 Portola Road, Suite B, Ventura, California 93003.

#### FOR FURTHER INFORMATION CONTACT:

Cathy R. Brown (see **ADDRESSES** section) telephone 805-644-1766; facsimile 805/644-3958.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that for any petition to revise the Lists of Endangered and Threatened Wildlife and Plants that contains substantial scientific and commercial information a finding be made within 12 months of the date of receipt of the petition on whether the petitioned action is: (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals. Such 12-month findings are to be published promptly in the **Federal Register**.

In a petition dated June 16, 1987, and received by the Service on June 19, 1987, the Service was requested by Dr. Dennis D. Murphy, of the Center for Conservation Biology, Stanford University, to list the Mono Lake brine shrimp as an endangered species. The petition cited threats to this species that would result from increasing salinity caused by continued water diversions from the streams tributary to Mono Lake. The Service's 90-day finding, that substantial information existed indicating that the petitioned action may be warranted, was published in the **Federal Register** on August 19, 1988 (53 FR 31721). A status review was initiated at that time. A timely finding on the subject petition was precluded by higher priority listing actions until the present time.

The Mono Lake brine shrimp is a species of fairy shrimp found only in Mono Lake, Mono County, located east of the Sierra Nevada Mountain Range in northeastern California. It is a branchiopod crustacean in the order Anostraca whose members have stalked compound eyes. It is characterized by an elongated body trunk of 20 or more segments, and the absence of a carapace.

Mono Lake may be the second oldest continuously existing lake in North America with an estimated age ranging from 500,000 to one million years (Vorster 1985). It is a terminal lake, that is, a closed system with no outlet flows. Lake level is maintained by five principal inflowing streams that

originate in the Sierra Nevada mountain range from meltwater of the previous winter's snowpack. When the net inflow is less than the net evaporation, salinity concentrations increase as the lake's surface elevation declines. Beginning in 1941, the City of Los Angeles Department of Water and Power (Los Angeles) diverted water from four of the five streams flowing into Mono Lake for its municipal and domestic use. The water exports have caused a decline of 14 meters (m) (45 feet (ft)) in lake surface elevation and a 100 percent increase in lake salinity (Dana and Lenz 1986). Mono Lake surface elevation was about 1,956 m (6,417 ft) above mean sea level and the water salinity was about 48 grams per liter (parts per thousand (ppt)) before water exports began in 1941 (Vorster 1985, Botkin *et al.* 1988). Currently, the lake surface elevation is about 1,943 m (6,375 ft) with a salinity of 100 ppt (M. Davis, Mono Lake Committee, pers. comm., 1994).

High salinities deleteriously affect Mono Lake brine shrimp reproduction. In addition, female age at reproduction increases significantly, and the number of ovoviviparous broods per year and brood size decrease significantly as salinity increases from 76 ppt to 118 ppt (Dana and Lenz 1986). Some of these negative effects on adult Mono Lake brine shrimp fecundity occur at present lake salinities. At the current salinity of about 100 ppt, about 50 percent of Mono Lake brine shrimp cysts do not hatch (Dana and Lenz 1986).

In September 1994, the California State Water Resources Control Board issued Water Rights Decision #1631, revising Los Angeles's water rights to provide greater protection to public trust values of Mono Lake. The State Board's decision establishes an average lake level of 1,948 m (6,392 ft), with an estimated salinity of 69 ppt. These conditions are expected to be beneficial to brine shrimp reproduction and should provide adequate protection for the long-term viability of the Mono Lake brine shrimp.

On the basis of the best available scientific and commercial information, the Service finds that listing the Mono Lake brine shrimp is not warranted because the taxon is not in danger of extinction or likely to become so in the foreseeable future. The Service will reclassify the Mono Lake brine shrimp as a category 3C candidate for listing and will continue to monitor its status. Category 3C candidates are those taxa that have proven to be more abundant or widespread than previously believed and/or those that are not subject to any identifiable threat. If information becomes available indicating that the

Mono Lake brine shrimp is threatened with extinction, the Service would reevaluate this decision.

## References

A complete list of references used in the preparation of this finding is available upon request from the Ventura Field Office (see **ADDRESSES** section).

## Author

The primary author of this document is Cathy R. Brown, Ventura Field Office (see **ADDRESSES** section).

## Authority

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

Dated: July 24, 1995.

**John G. Rogers,**

*Acting Director, Fish and Wildlife Service.*

[FR Doc. 95-22173 Filed 9-6-95; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 672 and 675

[I.D. 083095A]

#### Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Extension of Allocations to Inshore and Offshore Components

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

**ACTION:** Notice of availability of fishery management plan amendments; request for comments.

**SUMMARY:** The North Pacific Fishery Management Council (Council) has submitted Amendment 38 to the Fishery Management Plan (FMP) for the Groundfish Fishery to the Bering Sea

and Aleutian Islands Area and Amendment 40 of the FMP for Groundfish of the Gulf of Alaska. These amendments would extend through December 31, 1998, the authority to allocate pollock and Pacific cod for processing by the inshore and offshore components of the industry and continue the Western Alaska Community Development Quota (CDQ) program. This action is necessary to continue for an additional 3-year period the allocations of pollock and Pacific cod for processing by inshore and offshore components, as well as the CDQ program. The Council intends these amendments to promote management and conservation of groundfish, enhance stability in the fisheries, and further the goals and objectives contained in the FMPs that govern these fisheries. Comments are requested from the public. Copies of the proposed FMP amendments may be obtained from the Council (see **ADDRESSES**).

**DATES:** Comments on the proposed amendments must be submitted by October 30, 1995.

**ADDRESSES:** Comments on the proposed FMP amendments must be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, 709 West 9th Street, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802-1668, Attention: Lori J. Gravel. Copies of the proposed amendments and the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis prepared for the amendments may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

**FOR FURTHER INFORMATION CONTACT:** Jay Ginter, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that each Regional Fishery Management Council submit any fishery management plan or plan amendment it prepares to NMFS for review and

approval, disapproval, or partial disapproval. The Magnuson Act also requires that NMFS, upon reviewing the plan or amendment, immediately publish a notice that the plan or amendment is available for public review and comment. NMFS will consider the public comments received during the comment period in determining whether to approve the amendment.

Proposed Amendments 38 and 40 would extend through 1998 the provisions of Amendment 18 to the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and Amendment 23 to the FMP for Groundfish of the Gulf of Alaska. Amendments 18 and 23 are scheduled to expire at the end of 1995. The Council voted unanimously at its June 1995 meeting to extend the provisions of the expiring Amendments 18 and 23 through December 31, 1998, under Amendments 38 and 40. The only significant change would be to move the western border of the Catcher Vessel Operational Area 30 minutes longitude to the east, from 168°00' to 167°30' W. long. The intent of the Council is to promote management and conservation of groundfish, enhance stability in the fisheries, and further the goals and objectives contained in the FMPs that govern these fisheries during the period of time the Council is developing its comprehensive plan for improving the Alaska groundfish and crab fisheries.

NMFS will consider the public comments received during the comment period in determining whether to approve the proposed amendments. The proposed regulations are scheduled to be published within 15 days of this document's publication.

Dated: August 30, 1995.

**Richard H. Schaefer,**

*Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 95-22081 Filed 8-31-95; 4:34 pm]

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