

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB88

Endangered and Threatened Wildlife and Plants; Reopening of Public Comment Period, Notice of Public Hearing, and Notice of Availability of Documents Associated With Proposed Designation of Critical Habitat for the Rio Grande Silvery Minnow**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule; reopening of comment period, notice of public hearing, and notice of availability of draft documents.

SUMMARY: The Fish and Wildlife Service provides notice that the public comment period on the proposal to designate critical habitat for the Rio Grande silvery minnow (*Hybognathus amarus*), an endangered species, is reopened. We anticipate that public interest in the proposal to designate critical habitat will be high. Thus, we have scheduled a public hearing to be held in Albuquerque, New Mexico (see **DATES** and **ADDRESSES**). The reopening of the comment period will allow all interested parties to submit comments on the proposal, the draft Economic Analysis, and the draft Environmental Assessment prepared for the designation, which are now available (see **ADDRESSES**). We are seeking comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested parties concerning the proposed designation and the draft documents.

DATES: The comment period for this proposal is now reopened and will close on May 7, 1999. All comments on the proposal, the draft Economic Analysis, and draft Environmental Assessment will be accepted through May 7, 1999. A public hearing on the proposal and the draft documents is scheduled for April 29, 1999 from 6:30 p.m. to 9:00 p.m.

ADDRESSES: Written comments and materials should be sent to the Field Supervisor, New Mexico Ecological Services Field Office, 2105 Osuna NE, Albuquerque, New Mexico 87113. Copies of the draft documents are also available from the Field Office. Comments and materials received will be available for public inspection during normal business hours, by appointment, at the above address. The public hearing will be held at the Indian Pueblo

Cultural Center, 2401 12th Street NW, Albuquerque, New Mexico.

FOR FURTHER INFORMATION CONTACT:

Jennifer Fowler-Propst, Field Supervisor, New Mexico Ecological Services Field Office, at the above address 505-346-2525.

SUPPLEMENTARY INFORMATION:**Background**

The Fish and Wildlife Service proposed to list the Rio Grande silvery minnow as an endangered species with critical habitat on March 1, 1993 (58 FR 11821). The public comment period, originally scheduled to close on April 30, 1993, was extended until August 25, 1993, (58 FR 19220; April 13, 1993) to conduct public hearings and allow submission of additional comments. Public hearings were held in Albuquerque and Socorro, New Mexico, on the evenings of April 27 and 28, 1993, respectively.

We published the final rule to list the Rio Grande silvery minnow on July 20, 1994 (59 FR 36988). At that time, we found that critical habitat was not determinable because there was insufficient information to perform required analyses of the impacts of the designation. We contracted an economic analysis of the designation in September 1994; the draft analysis was provided to us in February, 1996 and we transmitted it to all interested individuals on April 26, 1996. We notified the public that, because of the moratorium on final listing actions and determinations of critical habitat imposed by Public Law 104-6, no work would be conducted on the analysis or on the final decision concerning critical habitat. However, we solicited comments from the public and agencies for use when such work resumed.

On February 22, 1999, the United States District Court for the District of New Mexico, in *Forest Guardians and Defenders of Wildlife v. Bruce Babbitt*, CIV 97-0453 JC/DIS, ordered us to publish a final determination with regard to critical habitat for the Rio Grande silvery minnow within 30 days of that order. Subsequently, on March 22, 1999, the Court ordered that we would be allowed an additional 90 days for the final designation. The current deadline is for publication of the final determination by June 23, 1999.

The Fish and Wildlife Service is using the extension granted by the Court to seek public input to the process of designating critical habitat. Comments on the draft Economic Analysis and draft Environmental Assessment will be considered in our final determination of critical habitat. Written comments we

have already received on the draft Economic Analysis in 1996 have been retained and will be considered during this open comment period.

Author: The primary author of this document is Jennifer Fowler-Propst, New Mexico Ecological Services Field Office (see **ADDRESSES** section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1532 *et seq.*).

Dated: March 30, 1999.

David Yazzie,

Acting Regional Director, Fish and Wildlife Service.

[FR Doc. 99-8208 Filed 4-6-99; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AF33

Endangered and Threatened Wildlife and Plants; Notice of Public Hearing and Extension of Comment Period on the Proposed Rule for Listing Nine Bexar County, Texas Invertebrates as Endangered.

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of extension of comment period and announcement of public hearing.

SUMMARY: The U.S. Fish and Wildlife Service gives notice that the public comment period is extended and a public hearing will be held on the proposed determination of endangered status for nine Bexar County invertebrates. The species proposed for listing (63 FR 71855; December 30, 1998) are *Rhadine exilis* (no common name) and *Rhadine infernalis* (no common name), small, essentially eyeless ground beetles; *Batrissodes ventyivi* (Helotes mold beetle), a small, eyeless mold beetle; *Texella cokendolpheri* (Robber Baron Cave harvestman), a small, eyeless harvestman (daddy-longlegs); *Cicurina baronia* (Robber Baron cave spider), *Cicurina madla* (Madla's cave spider), *Cicurina venii* (no common name), *Cicurina vespera* (vesper cave spider), and *Neoleptoneta microps* (Government Canyon cave spider), all small eyeless, or essentially eyeless, spiders. All interested parties are invited to submit comments on this proposal.

DATES: A public hearing will be held from 7:30 p.m. to 9:00 p.m. on April 20, 1999 in San Antonio, Texas. Information displays and an opportunity to ask questions will be available from 5:30 to 7:00 p.m. on April 20, 1999. The extended comment period closes May 31, 1999.

ADDRESSES: The public hearing and information displays will be held at the Lee High School cafeteria located at 1400 Jackson Keller Road in San Antonio, Texas. Written comments and materials concerning the proposal should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 10711 Burnet Road, Suite 200, Austin, Texas 78758-4460. Comments and materials received will be available for public inspection by appointment during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Alisa Shull, U.S. Fish and Wildlife Service (see **ADDRESSES** section) (telephone 512-490-0057; facsimile 512-490-0974).

SUPPLEMENTARY INFORMATION:

Background

These nine invertebrates are obligate cave-dwelling species (troglobites) of local distribution in caves in northern Bexar County, Texas. The life habits of the species are not well known. They are probably predaceous on the eggs, larvae, or adults of other cave invertebrates.

Threats to these species and their habitats include destruction and/or deterioration of habitat by commercial, residential, and road construction; filling of caves, and loss of permeable cover; potential contamination from such things as septic effluent, sewer leaks, run-off, and pesticides; predation by and competition with non-native fire ants; and vandalism.

In 1994 we began discussions with a coalition of landowners, developers, and other interested parties about creating a conservation agreement that might preclude the need for listing these species. We have been working since then with interested parties to develop a conservation strategy and agreement. However, all the details necessary to accomplish this goal have not yet been agreed to. These issues relate primarily to determining what is needed for species conservation, responsibility and commitment for implementation and funding, and the amount of time required to implement the conservation measures. If these issues are resolved before a final listing decision is made, the final listing decision may differ from that proposed for some or all of these species.

Public hearings are designed to gather relevant information the public may have that we should consider in determining the status of and threats to these species. During the hearing the Service will present information about the proposed action of listing the nine Bexar County invertebrates as endangered. We invite the public to submit information and comments either at the hearing on April 20, 1999, or in writing. We request that comments be as specific as possible.

This hearing will be held from 7:30 to 9:00 pm. In the event there are a large number of people who wish to comment, the time allotted for oral statements may have to be limited. Persons wishing to comment at the hearing are encouraged to provide a written copy of their statement at the start of the hearing. There is no limit on the length of written comments. Written comments may also be submitted at any time during the open comment period and are given equal consideration to oral comments. Written comments should be sent to: Supervisor, USFWS, 10711 Burnet Road, Suite 200, Austin, Texas 78758, and must be received by May 31, 1999.

From 5:30 to 7:00 p.m., prior to the public hearing, several information booths will be set up at the hearing site (see **ADDRESSES**) to allow the public to gather information and ask questions. The best time to ask questions or discuss issues will be from 5:30 to 7:00 p.m. at the information displays. Although the Service will present information at the beginning of the hearing about the proposed action of listing the nine Bexar County invertebrates as endangered, the format of the hearing will not allow for questions and answers or two-way dialogue during the hearing.

Additional information that would be particularly useful to the Service in making a final listing determination includes any additional biological data; the location of any additional caves containing these species or caves where searches have been conducted and the species not found; areas planned for development or other activities that might affect any of the nine invertebrates; and existing local, state, or Federal regulations that provide protection for these species and their habitat.

Author: The primary author of this notice is Christina Longacre (see **ADDRESSES** section) (telephone 512/490-0057; facsimile 512/490-0974).

Authority

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

Dated: March 29, 1999.

Nancy M. Kaufman,

Regional Director, Fish and Wildlife Service.

[FR Doc. 99-8678 Filed 4-5-99; 11:55 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 990301058-9058-01; I.D. 011499B]

RIN 0648-AL56

Fisheries of the Northeastern United States; Amendment 12 to the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Amendment 8 to the Fishery Management Plan for the Atlantic Mackerel, Squid, and Butterfish Fisheries; and Amendment 12 to the Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement Amendment 12 to the Fishery Management Plan (FMP) for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Amendment 8 to the FMP for the Atlantic Mackerel, Squid, and Butterfish Fisheries; and Amendment 12 to the FMP for the Atlantic Surf Clam and Ocean Quahog Fisheries. This proposed rule would implement framework provisions for amending management measures for these fisheries, restrict the size of domestic harvesting vessels permitted in the Atlantic mackerel fishery without restricting the size of processing vessels, and implement an operator permit requirement for the surf clam and ocean quahog fisheries. These amendments are intended to meet the requirements of the Sustainable Fisheries Act of October 1996 (SFA).

DATES: Comments must be received on or before May 24, 1999.

ADDRESSES: Comments on this proposed rule should be sent to Jon C. Rittgers, Acting Regional Administrator,