

B. Regulatory Flexibility Act

The proposed rule may have significant economic impact upon a substantial number of small businesses, within the meaning of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601 et seq., and an Initial Regulatory Flexibility Analysis is deemed necessary. However, the DoD has determined that it is necessary to delay preparation of an analysis, under authority of 5 U.S.C. 608, in order to ascertain the extent of the impact on small businesses in the transition from a voluntary program to a mandatory one. The impact of the proposed coverage has been minimized by excluding contracts under \$25,000 and by providing a tailoring process to adjust the program to the size, nature and extent of the company's government contracting, but at this time the overall effect on small business has not been determined. The initial analysis will be provided to the Chief Counsel for Advocacy, U.S. Small Business Administration at a later date. Comments are invited from small businesses and other interested parties. Comments from small entities concerning the affected DFARS Subpart will also be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite DAR Case 88-610D in correspondence.

C. Paperwork Reduction Act

The rule does contain information collection requirements which require the approval of OMB under 44 U.S.C. 3501 et seq. While the initial burden associated with establishing a Code of Conduct Program may be high, the Department expects the on-going burden, once the Code of Conduct Programs are in place, to be minimal. A request for an information collection requirement has been submitted to OMB for review and approval.

List of Subjects in 48 CFR Parts 203, 209 and 252**Government procurement.**

Charles W. Lloyd,

Executive Secretary, Defense Acquisition Regulatory Council.

Therefore, it is proposed that 48 CFR Parts 203, 209 and 252 be amended as follows:

1. The authority citation for 48 CFR Parts 203, 209 and 252 continues to read as follows:

Authority: 5 U.S.C. 301, 10 U.S.C. 2202, DoD Directive 5000.35, and DoD FAR Supplement 201.301.

PART 203—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST**203.7000 [Amended]**

2. Section 203.7000 is amended by inserting in the second sentence of 203.7000 Policy, between the word "contractors" and the word "have" the word "must" in lieu of the word "should" and by modifying the third sentence by deleting the words "For example" from the beginning of the sentence and replacing "a" with "A" at the beginning of the sentence.

203.7002 [Amended]

3. Section 203.7002 is revised by adding between the words "Contract" and "Clause" in the title, the words "Provision and" and by adding a new sentence before the existing first sentence, "The contracting officer shall insert the provision at 252.203-7004, Mandatory Code of Conduct Program, in solicitations where the resulting contract is expected to equal or exceed \$25,000."

PART 209—CONTRACTORS QUALIFICATIONS

4. Subsection 209.104-1 is added to read as follows:

209.104-1 General standards.

(d) In this regard, contractors shall have a written code of conduct program that includes those management controls (see 203.700) that are suitable to the size of the company, the nature of the entity, and the extent of its involvement in government contracting.

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

5. Section 252.203-7004 is added to read as follows:

252.203-7004 Mandatory Code of Conduct Program.

As prescribed in 203.7002, insert the following provision in all solicitations where the resulting contract is expected to equal or exceed \$25,000.

Mandatory Code of Conduct Program (xxx. 1988)

The Contractor must have a Code of Conduct Program established and in effect prior to award of any contract resulting from this solicitation. Such a program will be tailored to be suitable to the size of the company, the nature of the entity, and the extent of its involvement in government contracting. Elements of the program should include, as appropriate:

(a) A written code of business ethics and conduct and an ethics training program for all employees;

(b) Periodic reviews of company business practices, procedures, policies, and internal controls for compliance with standards of conduct and the special requirements of Government contracting;

(c) A mechanism, such as a hotline, by which employees may report suspected instances of improper conduct, and instructions that encourage employees to make such reports (but see 203.7001);

(d) Internal and/or external audits as appropriate;

(e) Disciplinary action for improper conduct;

(f) Timely reporting to appropriate Government officials of any suspected or possible violation of law in connection with Government contracts or any other irregularities in connection with such contracts; and

(g) Full cooperation with any Government agencies responsible for either investigation or corrective actions.

Failure to comply with the requirements of this provision will render the contractor nonresponsible in regard to this solicitation.

(End of Provision)

[FR Doc. 88-30026 Filed 12-28-88; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; Notice of Finding on Petitions To List an Ozark Cave Crayfish and an Idaho Snail**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of finding on petitions and initiation of status review

SUMMARY: The U.S. Fish and Wildlife Service announces 90-day petition findings for two petitions to amend the Lists of Endangered and Threatened Wildlife and Plants. Substantial information has not been presented that a petition to list the cave-dwelling crayfish *Cambarus aculabrum* may be warranted. Substantial information has been presented that a petition to list the Idaho springsnail *Fonticella idahoensis* may be warranted.

DATES: The findings announced in this notice were made in July 1988 and in October 1988 for the snail and for the crayfish, respectively. Comments and information in respect to the snail should be submitted by February 13, 1989. Other comments and information may be submitted until further notice.

ADDRESSES: Information, comments, or questions regarding the crayfish petition may be submitted to the Jackson Field

Office, U.S. Fish and Wildlife Service, Jackson Mall Office Center, Suite 316, 300 Woodrow Wilson Avenue, Jackson, Mississippi 39213 (telephone 601/965-4900, FTS 490-4900). Information, comments, or questions regarding the snail petition may be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, 4696 Overland Road, Room 576, Boise, Idaho 83705 (telephone 208/334-1931 or FTS 554-1931). The petitions, findings, and supporting data are available for public inspection, by appointment, during normal business hours at the addresses listed above.

FOR FURTHER INFORMATION CONTACT:

Mr. James Stewart at the Jackson, Mississippi, Field Office listed above, or Mr. Charles Lobdell at the Boise, Idaho, Field Office listed above.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act of 1973, as amended in 1982 (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate 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 in the *Federal Register*. If the finding is positive, the Service is also required to promptly commence a review of the status of the involved species.

The Service has received and made a 90-day finding on the following petition from Dr. Arthur Brown. It was dated July 15, 1988, and was received by the Service on July 21, 1988. It requested the Service to list the trogloditic (cave dwelling) crayfish *Cambarus aculabrum* as an endangered species. The petition cited known distribution of the species as limited to two caves in Benton County, Arkansas. It claimed that the caves receive moderate to heavy abuse from spelunkers and are threatened in a variety of other ways. The data was gathered incidental to status work conducted by the petitioner and his students for the Ozark cavefish, *Amblyopsis rosae*.

The Service has reviewed the petition, including a report on the Ozark cavefish by Lawrence D. Willis and Arthur V. Brown, and has communicated with Mr. Willis and examined data on the subject provided by the Missouri Department of Conservation. Both caves where this species is known to occur are in the Springfield Plateau, which lies in the tri-State area of Missouri, Oklahoma, and

Arkansas. The Springfield Plateau is considered isolated in terms of cave crayfish distribution. It has 29 caves known to contain cave crayfish, 20 in Missouri, 6 in Oklahoma, and 3 in Arkansas. For these 29 caves the species of the cave crayfish has been verified in only 7 caves (24 percent of the total.) Our distributional knowledge about the subject species therefore appears to be in a very early stage. Candidate status and formal status review for the species would be premature at this time.

On the basis of the best scientific and commercial information presently available, the Service determined that this petition has not presented substantial information indicating that the action requested may be warranted. The Service will remain very interested, however, in any additional information about this species as it may become available.

The Service received a petition from Dr. Peter Bowler of the University of California, Irvine, on November 12, 1987. The petition requested the Service to list the freshwater snail *Fontelicella idahoensis* (Idaho springsnail) as an endangered species. The species has also been called the Homedale Creek springsnail. Data provided by the petitioner indicates that the species has been eliminated from about 80 percent of its historic range by impoundments in the mainstem Snake River, and that it remains only in an approximately 28 river mile stretch between Bancroft Springs and the C.J. Strike Reservoir. Primary threats cited are pollution and impoundment.

The Service found that substantial information has been presented that the action requested may be warranted.

Review of the status of the Idaho springsnail *Fontelicella idahoensis*, is initiated herewith. The Service would appreciate any additional data, comments, and suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any interested party concerning this species.

Author

This notice was prepared by Dr. George Drewry, Division of Endangered Species and Habitat Conservation, U.S. Fish and Wildlife Service, Washington, DC 20240 (703/235-1975 or FTS 235-1975).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended: Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411; Pub. L.

100-478, 102 Stat. 2306; Pub. L. 100-653, 102 Stat. 3825 (16 U.S.C. 1531 *et seq.*); Pub. L. 99-625, 100 Stat. 3500 (1986), unless otherwise noted.

List of Subjects in 50 CFR Part 17

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

Dated: December 20, 1988.

Becky Norton Dunlop,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 88-29944 Filed 12-28-88; 8:45 am]

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50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Findings on Pending Petitions and Description of Progress on Listing Actions

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition findings.

SUMMARY: The Service announces its findings on pending petitions to add to and revise the Lists of Endangered and Threatened Wildlife and Plants. These findings must be made within 1 year of either the date of receipt of such a petition or of a previous positive finding. The Service also describes its progress in revising the lists during the period from October 1, 1987, to September 30, 1988.

DATES: The findings announced in this notice were made between July 25, 1988, and October 25, 1988. The description of the Service's progress in revising the lists is current as of October 1, 1988.

FOR FURTHER INFORMATION CONTACT: Chief, Division of Endangered Species and Habitat Conservation, U.S. Fish and Wildlife Service, Washington, DC 20240 (703/235-2771 or FTS 235-2771).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended in 1982 (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 or commercial information, a finding be made on the merits within 12 months of the date of receipt of the petition. Provisions of the Endangered Species Act Amendments of 1982 required that such petitions pending on the date of enactment of the Amendments be treated as having been filed on that date, i.e. October 13, 1982. Section 4(b)(3)(C)(i) of the Act requires

that any petition for which a 12-month finding of "warranted but precluded" is made should be treated as having been resubmitted, with substantial scientific or commercial information that the petitioned action may be warranted, on the date of such a finding, i.e. requiring an additional finding to be made within 12 months. This notice reports findings made on or before October 29, 1988, in respect to pending petitions for which such additional findings were due, and describes the Service's progress in revising the Lists of Endangered and Threatened Wildlife and Plants during the sixth year following the enactment of the 1982 Amendments.

The initial (90-day) findings for petitions considered here were announced in the *Federal Register* on January 16, 1984 (49 FR 1919), December 18, 1984 (49 FR 49118), April 2, 1985 (50 FR 13054), May 2, 1986 (51 FR 16363), January 21, 1987 (52 FR 2239), or July 1, 1987 (52 FR 24485).

All but one of the plant species involved in these petition findings were listed individually in a comprehensive notice of review for plants first published in the *Federal Register* on December 15, 1980 (45 FR 82480), and most recently updated as a notice of review published September 27, 1985 (50 FR 39526). The animal species mentioned below, but not named individually, were identified individually in the first announcement of 12-month petition findings published in the *Federal Register* on January 20, 1984 (49 FR 2485), and again in the second annual announcement published on May 10, 1985 (50 FR 19761).

Findings

Section 4(b)(3)(B) of the Act requires that the Service make one of the following 12-month findings on each petition presenting substantial information: (i) The petitioned action is not warranted; (ii) the petitioned action is warranted and will be proposed promptly; or (iii) the petitioned action is warranted but precluded by other efforts to revise the lists, and expeditious progress is being made in listing and delisting species. Petitioned actions found to be warranted are the subjects of proposals that will be published promptly or have already been published in the *Federal Register*. Therefore only findings of "not warranted" and "warranted but precluded" for pending petitions are reported here.

"Not warranted" and "warranted but precluded" findings for pending plant petitions repeat the findings made in October 1987 and announced in the *Federal Register* of July 7, 1988 (53 FR 25511), except for the removal of 17 plant species proposed for listing as threatened or endangered during fiscal year 1988. Findings on the plants are made by notice of review categories; application of these to individual taxa is published in a notice of review for plants published September 27, 1985 (50 FR 39526). The plant notice category number opposite the name of each taxon that is the subject of a pending petition indicates the Service's finding on that taxon. Findings of "not warranted" on the petitioned action are reported by the designation of subcategories 3A, 3B, or

3C for such taxa. Findings of "warranted but precluded" are reported by the designation of category 1, 1*, 1**, 2, 2*, or 2** for such subject taxa. The complete definitions of these category numbers are described on pages 39526 and 39527 in the 1985 general plant notice of review (50 FR 39526). A finding of "warranted but precluded" was also made for a petition to list the plant *Talinum humile* (the Pinos Altos fame flower) received October 15, 1985, from Mr. Paul R. Neal. This plant is being treated as a category 2 candidate species.

The Service's 12-month findings of "not warranted" and "warranted but precluded" on pending animal petitions are presented in Table 1. Each petition mentioned in Table 1 has had one or more previous findings of "warranted but precluded" reported in the *Federal Register*. The word "Yes" in the "Warranted?" column indicates petitions to list, delist, or reclassify species for which the principal findings are "warranted but precluded" from immediate proposal by other efforts to revise the lists. Note in the "Description" column that at least some species mentioned in the original petitions have been individually found to be not warranted. The species so noted were named in previous notices of petition findings. Four of the species (noted by the word "No" in the "Warranted" column) have new 1988 findings of "not warranted" announced here.

TABLE 1.—12-MONTH FINDINGS ON PENDING ANIMAL PETITIONS

Description	Petitioner	Date received	Warranted?*
5 species of sponges (2 others not warranted)	Mr. Ronald M. Cowden	June 17, 1974	Yes.
37 species of cave crustaceans (1 species listed, 12 others not warranted)	National Speleological Society	Sept. 9, 1974	Yes.
6 species of cave amphipods (1 other not warranted)	Dr. John Holsinger	July 12, 1974	Yes.
Uncompahgre fritillary butterfly	Dr. Lawrence F. Gall	Nov. 5, 1979	Yes.
Columbia River tiger beetle	Mr. Gary Shook	Dec. 15, 1979	No.
Shoshone sculpin	Dr. Peter A. Bowler	Dec. 3, 1979	No.
Bonneville cutthroat trout	Desert Fishes Council	Oct. 23, 1979	Yes.
Silver rice rat	Center for Action on Endangered Species	Mar. 12, 1980	No.
Bliss Rapids snail and Snake River physa snail	Dr. Peter A. Bowler	Feb. 7, 1980	Yes.
10 U.S. and 60 foreign species of birds (4 others listed, 5 not warranted)	International Council for Bird Preservation	Nov. 24, 1980	Yes.
Orangefin madtom	Mr. Noel M. Burkhead	Oct. 6, 1983	Yes.
Barbara Anne's tiger beetle and Guadalupe Mountains tiger beetle	W.D. Sumlin III and Christopher D. Nagano	July 24, 1984	Yes.
Spiny River Snail	American Malacological Union	Aug. 13, 1984	Yes.
Desert tortoise in remainder of its range	Dr. Martha L. Stout, Dr. Faith T. Campbell, and Mr. Michael J. Bean	Sept. 14, 1984	Yes.
Lower (Florida) Keys marsh rabbit	Ms. Joel L. Beardsley	Apr. 27, 1985	Yes.
Henne's eucosman moth	Mr. Bruce S. Mannheim, Jr.	May 21, 1985	Yes.
Western yellow-billed cuckoo	Dr. Tim Manolis and coalition of groups	May 20, 1986	No.
Appalachian Bewick's wren	Mr. Rodney Bartgis and Mr. D. Daniel Boone	Aug. 13, 1986	Yes.
White-necked crow	Mr. Alexander R. Brash	July 25, 1986	Yes.

*But precluded by other actions to revise the List of Endangered and Threatened Wildlife.

The four findings of "not warranted" in Table 1 require explanation. The Service was requested by Mr. Gary Shook to list the Columbia River tiger beetle in a petition received by the Service December 15, 1979. Information presented in the petition and a status survey conducted by the petitioner indicated that about 15 populations of this species are found in the lower reaches of the Salmon River in Idaho. The construction of dams, resulting in the inundation and destruction of the species' sandbar habitat, has extirpated this beetle from its former range along the Columbia and Snake Rivers. At the time of the petitioning, potential damming of the Salmon River posed a threat to the continued existence of this species.

Current review of the available data indicates that the damming of the Salmon River is no longer being proposed and the species is substantially less subject to the previously identified threats. Therefore, based on the best scientific and commercial information available, the action requested by this petition is considered not warranted at this time and the status of this species is to be reclassified from 2 to 3C in the next animal notice of review.

A second finding of "not warranted" was made for a petition to list the Shoshone sculpin (*Cottus greeneri*). This petition came from Dr. Peter A. Bowler and was received by the Service on December 3, 1979. Current review of the status shows that the Idaho State University and the Idaho Department of Fish and Game have found additional populations of the species. They have also transplanted approximately 30,000 fish to widely distributed spring habitats. Two of the larger spring complexes are now managed under the protection of the Nature Conservancy. Therefore, based on the best scientific and commercial information available, the action requested by this petition is considered not warranted at this time. The species is to be reclassified from category 1 to subcategory 3C in the next animal notice of review.

The third "not warranted" finding in Table 1 concerns the silver rice rat (*Oryzomys argentatus*). The Service was petitioned to list the species by the Center For Action On Endangered Species on March 12, 1980. In a recent (unpublished MS, in press) thorough study of geographic variation in rice rats of the United States, Drs. Steven Humphrey and Henry Setzer of the Florida Museum of Natural History concluded that no good evidence for the taxonomic recognition of *Oryzomys*

argentatus exists. The Service has therefore determined on the best scientific and commercial information available that the action requested by this petitioner is not warranted, and it therefore is to be relegated to Category 3B.

In a petition received May 20, 1986, the Service was requested to list the western yellow-billed cuckoo, *Coccyzus americanus occidentalis*, as an endangered species in the State of California, Oregon, Washington, Idaho, and Nevada. The petition was submitted by Dr. Tim Manolis, Acting President, Western Field Ornithologists, and was co-signed by representatives of the Animal Protection Institute, Defenders of Wildlife, Sacramento River Preservation Trust, Friends of the River, Planning and Conservation League, Davis Audubon Society, Sacramento Audubon Society, and Sierra Club. The Service determined that the petition presented substantial information indicating that the requested action may be warranted and announced the finding January 21, 1987 (52 FR 2239). At that time the Service acknowledged that difficulties existed in defining separate biologically defensible populations of the western yellow-billed cuckoo for possible listing, and that gaps remained in our knowledge of its status in certain portions of its range. Additional information on the status of the yellow-billed cuckoo in Arizona, California, and New Mexico was obtained as the result of the review.

The American Ornithologists' Union *Checklist of North American Birds* (1957) recognized two subspecies of yellow-billed cuckoo: *Coccyzus americanus americanus* in eastern North America and *C. a. occidentalis* in western North America. This classification was first proposed by Ridgway in 1887. A recent analysis of the geographic variation in this species was conducted by Banks (Condor 90:473-477). On the basis of bill size (length and upper mandible depth), wing length, and plumage color, Banks concluded that the eastern and western birds are not distinguishable and that subspecific recognition is not warranted. Since the Banks investigation is the most current published work on the taxonomic question the Service has accepted his interpretation.

Section 3 of the Act defines "endangered species" as, " * * * a species that is in danger of extinction throughout all or a significant portion of its range" and "species" to include "any subspecies of fish or wildlife or plants, and any distinction population segment of any species of vertebrate fish or

wildlife which interbreeds when mature." Apparently no data exist (such as banding studies or electrophoretic information) regarding the degree of genetic difference between the eastern and western birds to indicate that they form separate subspecies. Based on Banks' (1988) findings regarding morphometrics and plumage color, yellow-billed cuckoos in the petitioned area do not constitute a subspecies, as eastern and western birds are not taxonomically distinct. Therefore, yellow-billed cuckoos in the West do not qualify for listing as a subspecies.

Moreover, there is no indication that yellow-billed cuckoos in the petitioned area constitute a distinct population segment of a species that interbreeds when mature. Cuckoos immediately across the State line from the area referenced in the petition (e.g., such as those along the Arizona border across from California) are part of the same population and often interbreed. Yellow-billed cuckoos in the petitioned states cannot be regarded as a population separate from adjoining states that were not included in the petition. Therefore, the petitioned action is not warranted, because the yellow-billed cuckoos in the petitioned states do not constitute a subspecies or a distinct population segment.

The information in previous 12-month finding notices is current for the species indicated by "Yes" in the "Warranted" column of Table 1. In the case of the desert tortoise the Service has some information to add to the finding announced on July 7, 1988 (52 FR 24485). In an updated review of the species, the Service has documented an accelerated declining trend in tortoise population, especially north and west of the Colorado River. The primary factors causing a threat and resulting in the decline are considered to be as follows: (1) Loss of habitat due to housing developments, pipeline construction and operation, transmission line construction, solar facility development, mining, grazing, a proposed racetrack project, and highway projects; (2) predation of young tortoises by ravens; (3) illegal collecting; and (4) disease. The threats in Nevada have remained similar to earlier reports. The populations north and west of the Colorado River will be placed in Category 1 status in the next animal notice of review.

Progress in Revision of the Lists

Section 4(b)(3)(B)(iii) of the Act states that petitioned actions may be found to be warranted but precluded by other listing actions when it is also found that the Service is making expeditious

progress in revising the lists. The Service's progress in revising the lists in the year following October 1, 1987, the cutoff date of the previous report, is described below. For simplification in reporting, the 12-month period described actually coincides with the 1988 fiscal year; activity during the last 12 days preceding the anniversary of the Amendments will be described in a subsequent notice. The described activities prevented immediate action on the "warranted but precluded" petitioned actions.

The Service's progress in revising the lists during fiscal year 1988 is represented by the publication in the *Federal Register* of final listing actions on 60 species, and proposed listing actions on 39 species. The number of species affected by each type of listing action published during this period is presented in Table 2.

TABLE 2.—LISTING ACTIONS DURING THE PERIOD OCTOBER 1, 1987, THROUGH SEPTEMBER 30, 1988

Type of action	Number of species affected
Final endangered status	39
Final threatened status	18
Final reclassification threatened to endangered	1
Final reclassification endangered to threatened	1
Final delisting	1
Proposed endangered status	26
Proposed threatened status	12
Proposed reclassification from threatened to endangered	1

As of October 1, 1988, the Service's Division of Endangered Species and Habitat Conservation was also reviewing documents that would propose or make final listing actions on 27 species. The type of action and numbers of affected species are given in Table 3.

TABLE 3.—POSSIBLE LISTING ACTIONS FOR WHICH THE SERVICE WAS REVIEWING DRAFT DOCUMENTS ON OCTOBER 1, 1988

Type of action	Number of species affected
Final endangered status	8
Final threatened status	1
Final critical habitat	6
Final reclassification from endangered to threatened	1
Final experimental population	1
Proposed endangered status	6
Proposed threatened status	2
Proposed delisting	1

TABLE 3.—POSSIBLE LISTING ACTIONS FOR WHICH THE SERVICE WAS REVIEWING DRAFT DOCUMENTS ON OCTOBER 1, 1988—Continued

Type of action	Number of species affected
Proposed experimental population	1

The general plant and animal notices of review are important tools for gathering data on species that are candidates for listing and for informing interested parties on the Service's general views on the status of present and past candidate species. The Service is currently preparing a general notice of review for animals, to include both vertebrate and invertebrate species. The most recent previous general notices were for plants on September 27, 1985 (50 FR 39526), for vertebrate animals on September 18, 1985 (50 FR 37958), and for invertebrate animals on May 22, 1984 (49 FR 21664).

Author

This notice was prepared by Dr. George Drewry, Division of Endangered Species and Habitat Conservation, U.S. Fish and Wildlife Service, Washington, DC 20240 (703/235-1975 or FTS 235-1975).

Authority: The authority for this action is the Endangered Species Act of 1973, as amended: Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411; Pub. L. 100-478, 102 Stat. 2306; Pub. L. 100-653, 102 Stat. 3825 (16 U.S.C. 1531 *et seq.*); Pub. L. 99-625, 100 Stat. 3500 (1986), unless otherwise noted.

List of Subjects in 50 CFR Part 17

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

Dated: December 21, 1988.

Becky Norton Dunlop,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 88-29945 Filed 12-28-88; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 671

King and Tanner Crab Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of availability and request for comments on a draft environmental assessment and regulatory impact review/initial regulatory flexibility analysis (EA/RIR/IRFA), and a draft fishery management plan (FMP).

SUMMARY: The North Pacific Fishery Management Council (Council) has prepared a new draft EA/RIR/IRFA dated December 1, 1988, in conjunction with a new draft FMP for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands dated November 28, 1988. The purpose of this notice is to solicit public comments on the new draft EA/RIR/IRFA and the new draft FMP which focuses specifically on the management role of Federal and State agencies when making preseason and inseason decisions.

DATE: Comments on the new draft EA/RIR/IRFA and the new draft FMP are due by 5:00 p.m., on January 17, 1989.

ADDRESSES: Comments should be addressed to Steve Davis, Deputy Director, North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

Copies of the new draft EA/RIR/IRFA and the new draft FMP are available upon request by calling 907-271-2809 or at one of the following locations: (1) Alaska Crab Coalition, 3901 Leary NW., Suite 6, Seattle, WA; (2) Alaska Department of Fish and Game, Unisea Building, Dutch Harbor, AK; (3) North Pacific Fishing Vessel Owner's Association, Fishermen's Terminal C-3, Room 218, Seattle, WA; and (4) United Fishermen's Marketing Association, Fishermen's Hall, Kodiak, AK.

FOR FURTHER INFORMATION CONTACT: Raymond E. Baglin, 907-586-7230.

SUPPLEMENTARY INFORMATION: The Council directed its crab plan team to prepare an FMP for king and Tanner crab fisheries in the Bering Sea and Aleutian Islands area in December 1986. A committee of Council members and industry representatives was established to work with the plan team during the development process. The plan team reviewed the issues and identified and analyzed the biological, socioeconomic, and management impacts of various alternative solutions for public and Council consideration based on all available information. Public comments were received on a draft EA/RIR/IRFA dated June 1, 1988, and a draft FMP dated June 30, 1988 (53 FR 29931, dated August 9, 1988). Based on the comments received on these documents, the Council decided to make