

## 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.*

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## 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; *Batrisesodes venyivi* (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.