

ENVIRONMENTAL PROTECTION AGENCY**48 CFR Parts 1516 and 1552**

[FRL-5161-1]

Acquisition Regulation**AGENCY:** Environmental Protection Agency.**ACTION:** Extension of comments on proposed rule.**SUMMARY:** This document extends the due date for comments by 30 days for the proposed revision to the EPA Acquisition Regulation (EPAAR) coverage on cost-plus-award fee (CPAF) contracts (60 FR 5888, January 31, 1995).**DATES:** Written comments on this proposed rule must be received on or before April 3, 1995.**FOR FURTHER INFORMATION CONTACT:** Environmental Protection Agency, Office of Acquisition Management (3802F), 401 M Street SW, Washington, DC 20460, Attn: Louise Senzel (202) 260-6204.

Dated: February 13, 1995.

Betty L. Bailey,

Director, Office of Acquisition Management.

[FR Doc. 95-4593 Filed 2-24-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition to List the Dakota Skipper as Endangered or Threatened****AGENCY:** U.S. Fish and Wildlife Service, Interior.**ACTION:** Notice of 12-month petition finding.**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Dakota skipper (*Hesperia dacotae* Skinner) under the Endangered Species Act of 1973, as amended. The Service finds that the petition does not present substantial scientific or commercial information indicating that the listing may be warranted at this time.**DATES:** The finding announced in this document was made on February 16, 1995.**ADDRESSES:** Comments, or questions concerning this petition should be submitted to the Chief, Division of Endangered Species, U.S. Fish and

Wildlife Service, Bishop Henry Whipple Federal Building, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Carlita Shumate, Invertebrate Species Coordinator, Division of Endangered Species, at the above address (612/725-3276).**SUPPLEMENTARY INFORMATION:****Background**

Section 4(b)(3)(B) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.), requires that, for any petition to revise the List of Endangered and Threatened Wildlife and Plants that presents substantial scientific and commercial information, the Service make a finding within 12 months of the date of the 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 of higher priority. Section 4(b)(3)(C) requires that petitions for which the requested action is found to be warranted but precluded should be treated as though resubmitted on the date of such finding, i.e., requiring a subsequent finding to be made within 12 months. Such 12-month findings are to be published promptly in the Federal Register.

On January 21, 1994, The Service received a petition dated January 15, 1994, from Brendan McManus of the Biodiversity Legal Foundation, to list the Dakota skipper (*Hesperia dacotae*) as endangered or threatened and designate critical habitat. The Service made a 90-day finding that the petition presented substantial information indicating that the requested action may be warranted. The 90-day finding was announced in the Federal Register on July 28, 1994 (59 FR 38424). A status review of the species was continued.

The Dakota skipper was designated a category 2 candidate species in the May 22, 1984, Notice of Review (49 FR 21664) and has remained in category 2 to date (January 6, 1989, 54 FR 572; November 21, 1991, 56 FR 58830; and November 15, 1994, 59 FR 59020). A category 2 candidate is a species for which information in the Service's possession indicates that listing is possibly appropriate, but for which insufficient information on biological vulnerability and threats is not currently available to support a proposal for listing under the Act.

The Service has reviewed the petition, literature cited in the petition, information presented by various parties in response to the 90-day finding, other available literature and information, and has consulted with biologists and researchers familiar with the Dakota skipper. On the basis of the best scientific and commercial information available, the Service finds listing is not warranted at this time. The review concludes that there is not persuasive evidence that elevation of the species to category 1 is appropriate and, therefore, the species will be retained in category 2.

The Dakota skipper is a small to medium-sized butterfly found in mid- and tall grass prairie. Information on current status can be summarized as follows. Dakota skippers are reported in Iowa, Minnesota, North and South Dakota, and Manitoba, Canada. The species was formerly found in Illinois. The species is currently known in 12 counties (19 population sites) in Minnesota, 17 counties (32 population sites) in North Dakota, and seven counties (18 population sites) in South Dakota, and in one county (one population site) in Iowa (Royer and Marrone 1992; Ronald Royer, Minot, North Dakota, State University, *in litt.* 1994; Robert Dana, Minnesota Department of Natural Resources, *in litt.* 1994). Unknown Dakota skipper populations may exist; nine of the fifteen respondents to the 90-day notice indicated that additional areas need to be surveyed, including areas of North Dakota, Minnesota, and Iowa.

The Dakota skipper faces loss and degradation of its prairie habitat due to certain harmful burning, haying, grazing and pesticide use practices. Invasion of prairie by alien plants, natural succession, and habitat loss through physical conversion of prairie to other purposes are also negative factors. The Dakota skipper (and its habitat) are in long-term decline, but the demise of the species does not appear imminent. The Service believes additional information is required concerning the species and its threats before making the determination that the species is endangered or threatened within the definition of the Act. Timely protection and appropriate prairie management might eliminate the need to list the species.

Further details regarding the biological status of the species are contained in the administrative finding. Interested persons may obtain a copy of the finding by contacting the office indicated in the ADDRESSES section of this notice.

References Cited

Royer, R.A., and G.M. Marrone. 1992. Conservation status of the Dakota skipper (*Hesperia dacotae*) in North and South Dakota. Report to U.S. Fish and Wildlife Svc., Denver, CO. 44 pp.

Author

The primary author of this document is Charles G. Kjos, U.S. Fish and Wildlife Service, Twin Cities Field Office, Bloomington, MN 55425-1665, telephone 612/725-3548.

Authority

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

Dated: February 16, 1995.

Mollie H. Beattie,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 95-4780 Filed 2-24-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 641

[I.D. 021595A]

Reef Fish Fishery of the Gulf of Mexico; Regulatory Amendment Public Hearings

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

ACTION: Public hearings; request for comments.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene two public hearings on a draft

proposed Regulatory Amendment to the regulations implementing the Fishery Management Plan for the Reef Fish Fishery of the Gulf of Mexico. The draft proposed Regulatory Amendment, developed under an FMP framework procedure for adjusting management measures, would decrease the current 20 inch minimum size for red grouper to 18 inches for both commercial and recreational fisheries. A reduction of the current five fish daily bag limit for red grouper in the recreational fishery (five fish for all grouper species combined) may also be considered along with the proposed minimum size limit change. A final Regulatory Amendment to reduce the minimum size limit for red grouper to 18 inches was previously submitted to NMFS for review, approval, and implementation. NMFS subsequently informed the Council that it should consider new fishery information regarding the impacts of the proposed regulatory changes which became available to the Council. Also, NMFS requested that the Council evaluate more completely the expected biological and regulatory impacts of the proposed measures. At the public hearings, the Council will make available for public review and comment the draft proposed Regulatory Amendment and other available information. Based on the public hearing testimony and on a consideration of the new fishery information, the Council intends to make the appropriate changes in the Regulatory Amendment and resubmit it to NMFS.

DATES: Written comments on the draft proposed Regulatory Amendment or on the additional fishery information from NMFS will be accepted until March 10, 1995. The hearings are scheduled from 7 p.m. to 10 p.m. as follows:

1. Thursday, March 9, 1995, in Tampa, FL; and

2. Thursday, March 9, 1995, in Sarasota, FL

ADDRESSES: Copies of the draft proposed Regulatory Amendment are available from, Mr. Steven M. Atran, Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, Suite 331, Tampa, FL 33609; FAX: 813-225-7015. Written comments on this document should be addressed to the same individual.

The hearings will be held at the following locations:

1. Tampa, FL—Ramada Airport Hotel, 5303 West Kennedy Boulevard, Tampa, FL 33609

2. Sarasota, FL—Holiday Inn Lido Beach, 233 Ben Franklin Drive, Sarasota, FL 34236

FOR FURTHER INFORMATION CONTACT: Steven M. Atran, Populations Dynamics Statistician, 813-228-2815.

SUPPLEMENTARY INFORMATION: These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Julie Krebs (see **ADDRESSES**) by March 1, 1995.

Additional opportunity for public testimony on this issue will be scheduled at the Council meeting in New Orleans on Wednesday, March 15, beginning at 8:45 a.m. Persons testifying at this meeting must turn in registration cards before the start of the testimony.

Dated: February 21, 1995.

David S. Crestin,

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

[FR Doc. 95-4646 Filed 2-24-95; 8:45 am]

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