

INDIRECT COST CALCULATIONS—Continued

[Applied to Direct Cost]

D. Total Indirect Cost Factor (Sum of A through C)

A. Government Overhead Costs	49.25%
B. Commission General and Administrative	28.76%
C. Office General and Administrative	21.49%
Total	99.50%

Appendix B to the Proposed Rule

FEDERAL MARITIME COMMISSION

[Summary of Proposed Fees]

CFR citation and application or service	Proposed fee
Part 514—TARIFFS AND SERVICE CONTRACTS	
514.21(i): Tariff filing	34 cents per filing object.
Filing service contract essential terms	\$3.29 per filing object.
Part 552—FINANCIAL REPORTS OF VESSEL OPERATING COMMON CARRIERS BY WATER IN THE DOMESTIC OFFSHORE TRADES	
552.2(f) General Rate Increase	\$11,951
552.2(c) Application for Extension of Time for Filing	\$55
552.2(d) Application for Submission of Alternative Data	\$165
552.2(e) Application for Waiver of Detailed Reporting Requirements	\$103
Part 560—AGREEMENTS BY COMMON CARRIERS AND OTHER PERSONS SUBJECT TO THE SHIPPING ACT, 1916	
560.401(c) Agreement Filings Requiring Detailed Justification and Commission Action	\$1,402
Agreement Filings not Requiring Detailed Justification but Requiring Commission Action	\$695
Agreement Filing for Terminal and Carrier Exempt Agreements	\$120
Part 572—AGREEMENTS BY COMMON CARRIERS AND OTHER PERSONS SUBJECT TO THE SHIPPING ACT OF 1984	
572.401(f) Agreement Filings Requiring Information Form and Commission Action	\$1,402
Agreement Filings not Requiring Information Form but Requiring Commission Action	\$695
Agreement Filing Reviewed Under Delegated Authority	\$353
Agreement Filing for Terminal and Carrier Exempt Agreements	\$120

[FR Doc. 94-18381 Filed 7-27-94; 8:45 am]
BILLING CODE 6730-01-W

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

145-94

Endangered and Threatened Wildlife and Plants; Notice of 90-day Finding on a Petition to List the Dakota Skipper as an Endangered or Threatened Species.

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to add the Dakota skipper (*Hesperia dacotae*) to the List of

Endangered and Threatened Wildlife and Plants. The Service finds that the petition presents substantial information indicating that listing the species as an endangered or threatened species may be warranted. The Service solicits further information regarding occurrence and distribution of the species and threats to its continued existence and will prepare a 12-month finding.

DATES: The finding announced in this notice was made on July 1, 1994. Comments and materials related to this petition finding may be submitted to the Division of Endangered Species at the address below and must be received by September 26, 1994 to be considered in the 12-month finding.

ADDRESSES: Data, information, comments, or questions concerning the status of the petitioned species described below should be submitted to the Chief, Division of Endangered

Species, U.S. Fish and Wildlife Service, Bishop Henry Whipple Building, 1 Federal Drive, Fort Snelling, Minnesota 55111. The complete file for this petition finding is available for public inspection, by appointment, during normal business hours, at the above address.

FOR FURTHER INFORMATION CONTACT: Robert Adair, Chief, Division of Endangered Species, at the above address (612/725-3276).

SUPPLEMENTARY INFORMATION: Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (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 indicating 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 Service finds that a petition presents substantial information indicating that the requested action may be warranted and the species is not in a current notice of review as a candidate for listing, the Service initiates a status review on that species. Section 4(b)(3)(B) of the Act requires the Service to make a finding as to whether or not the petitioned action is warranted within 12 months of receipt of a petition that presents substantial information.

Brendan McManus of the Biodiversity Legal Foundation submitted to the Service a petition dated January 15, 1994, to list the Dakota skipper (*Hesperia dacotae*) as an endangered or threatened species pursuant to the Act. The petition was received January 21, 1994. The petitioner submitted biological, distributional, and other information in support of the petition.

Hesperia dacotae is a Category 2 candidate species (56 FR 58804). In July 1978, the Service proposed listing the species as a threatened species under the Act (USFWS 1978); however, the proposal was withdrawn, due to the 1978 amendments to the Act. A category 2 taxon is one for which information in possession of the Service indicates that proposing to list as endangered or threatened is possibly appropriate, but for which conclusive data on biological vulnerability and threat are not currently available to support a proposed rule.

The Dakota skipper is a small- to medium-sized hesperine skipper with a wingspan of 2.4 to 3.2 centimeters (cm) (0.9 to 1.3 inches (in)) and hooked antennae. The dorsal surface of the wings ranges from tawny-orange to brown (female with tawny-orange to white spots), while the ventral surface of the wings ranges from yellow-orange to gray-brown. This species has a short, stout body, and a characteristic rapid, skipping flight (Royer and Marrone 1992, U.S. Fish and Wildlife Service (USFWS) 1993).

Populations of the Dakota skipper are known to occur in Minnesota, North Dakota, South Dakota, and Manitoba, Canada. In addition, the species was formerly found in Illinois and Iowa. The species is currently known in 16 counties (30 population sites) in Minnesota, 16 counties (28 population sites) in North Dakota, and 11 counties (18 population sites) in South Dakota (Royer and Marrone 1992, U.S. Fish and Wildlife Service (USFWS) 1993).

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.

The petitioner contends that the Dakota skipper should be listed as an endangered or threatened species because of the following factors:

1. Present and threatened destruction, modification, and curtailment of habitat due to loss of suitable grassland habitat;

2. Inadequacy of existing regulatory mechanisms, since there is no protection for the species or its habitat nationally or within most of the States within the species' range; and

3. Other natural or manmade factors affecting the species' continued existence, including the production of only one egg per adult female per year and the species' inability to adapt to a changing habitat.

In 1993 (USFWS 1993), the Service concluded that the Dakota skipper may be threatened by the following factors:

1. Conversion of native tall-grass prairie to other land uses.

2. Management practices, including complete burns, pesticide use, grazing, detrimental haying, and wetland enhancement.

3. Habitat alteration and degradation by naturalized alien species.

4. The small number of isolated populations and individuals, which may result in a limited gene pool depressing reproductive vigor and cause the species to be vulnerable to any human-caused or natural environmental disturbance (USFWS 1993).

Overgrazing, inappropriately timed fires and haying, alteration and conversion of prairie habitat to crop production, and invasion of native prairie by naturalized, alien plants are probably the greatest threats to the survival of *H. dacotae*, which requires undisturbed, virgin prairie habitat to survive.

The Service has reviewed the petition, its supporting documents and data, as well as other available information, published and unpublished studies and reports, and agency files. All documents are on file in the office indicated in the **ADDRESSES** section of this notice.

After reviewing the best scientific and commercial information available, the Service finds that the petitioner has presented substantial information which indicates that listing of the Dakota skipper as an endangered or threatened species may be warranted. However, the Service is in need of additional information to completely identify the status of the species in all areas of its historic range and to further identify activities that may be contributing to its decline.

With this notice, the Service announces a positive 90-day finding on the petition that the following actions may be warranted for the Dakota skipper: Elevation to Category 1 status and subsequent listing as an endangered or threatened species. The Service solicits further information regarding occurrence and distribution of the species, threats to its continued existence, and any additional comments and suggestions from the public, other concerned government agencies, the scientific community, industry, and any other parties. The following issues are of particular interest to the Service:

1. Additional historic and current population data which may assist in determining long term population trends;

2. Management methods used on substantial tracts of native prairie that include actions such as burning, haying, insect and plant control, plowing, and grazing, but which do not adversely affect the Dakota skipper and its habitat; and

3. Data pertaining to existing available prairie habitat which may be suitable Dakota skipper habitat and present and/or possible future disturbance to those areas.

After consideration of additional information submitted during the indicated time period (See **DATES** section), the Service will prepare a 12-month finding.

The petitioner also requested that critical habitat be designated. If the 12-month finding determines that the petitioned action to list the Dakota skipper as an endangered or threatened species is warranted, then the designation of critical habitat would be addressed in the subsequent proposed rule.

References Cited

- Royer, R.A., and G.M. Marrone. 1992. Conservation status of the Dakota skipper (*Hesperia dacotae*) in North and South Dakota. Report prepared for U.S. Fish and Wildlife Service, Denver, Colorado. 44pp.
- U.S. Fish and Wildlife Service. 1993. Candidate status for two species of butterflies. Unpublished report submitted to U.S. Fish and Wildlife Service, Region 3.
- U.S. Fish and Wildlife Service. 1978. Proposed endangered or threatened status or critical habitat for 10 butterflies or moths. **Federal Register** 43(128):28938-28945.

Author: The primary author of this notice is Carlita Shumate (see **ADDRESSES** section), 612/725-3276.

Authority: The authority for this action is the Endangered Species Act of 1973, as amended; 16 U.S.C. 1531-1544; unless otherwise noted.

Dated: July 1, 1994.

Bruce Blanchard,
Deputy Director, U.S. Fish and Wildlife
Service.

[FR Doc. 94-18439 Filed 7-27-94; 8:45 am]

BILLING CODE 4310-65-P

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of Extension of Comment Period on Data Pertaining to the Subspecies Taxonomy of the California Gnatcatcher

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of extension of public comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) gives notice that the comment period on the data pertaining to the subspecies taxonomy of the California gnatcatcher is extended. The notice of availability opening the public comment period was published on June 2, 1994 (59 FR 28593) and opened the comment period until August 1, 1994. This notice extends the comment period until August 31, 1994.

DATES: Comments and materials must be received by August 31, 1994.

ADDRESSES: Copies of the subject data are available from the U.S. Fish and Wildlife Service, Carlsbad Field Office, 2730 Loker Avenue West, Carlsbad, California 92008. Comments and materials concerning these data should be submitted to the above address. The data, public comments, and other materials received will be available for public inspection during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Gail Kobetich, Field Supervisor, at the address listed above (telephone 619/431-9440, facsimile 619/431-9624).

SUPPLEMENTARY INFORMATION:

Background

On March 30, 1993, the U.S. Fish and Wildlife Service (Service) published a final rule in the *Federal Register* determining the coastal California gnatcatcher to be a threatened species (58 FR 16741). In its decision to list the gnatcatcher, the Service relied, in part, on taxonomic studies conducted by Dr. Jonathan Atwood of the Manomet Bird Observatory, Manomet, Massachusetts. As is the standard practice in the scientific community, the Service did not request, nor was it offered, the data collected and used by Dr. Atwood in reaching his conclusions. Instead, the Service depended upon the conclusions

published by Dr. Atwood in a peer-reviewed scientific article on the subspecific taxonomy of the California gnatcatcher (Atwood 1991).

In response to a suit filed by the Endangered Species Committee of the Building Industry Association of Southern California and the other plaintiffs, the United States District Court of the District of Columbia vacated the listing of the coastal California gnatcatcher because the Service did not make available Atwood's data for public review and comment. In response to the court decision, Dr. Atwood released his data to the Service, which the agency made available to the public for review and comment on June 2, 1994. On June 16, 1994, the court reinstated threatened status for the coastal California gnatcatcher until the Secretary of the Interior determines whether the listing should be revised or revoked, in light of his review of the subject data and public comments received during the comment period. This final finding will be published in the *Federal Register*.

On July 1, 1994, the plaintiffs requested a 100-day extension in the comment period. Because the Secretary had no objection to a 30-day extension, both parties stipulated that the comment period shall be extended to August 31, 1994.

References Cited

Atwood, J.L. 1991. Subspecies limits and geographic patterns of morphological variation in California gnatcatchers (*Poliaptila californica*). *Bull. So. Calif. Acad. Sci.* 90:118-133.

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1361 *et seq.*)

List of Subjects

50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and Record Keeping Requirements, and Transportation.

50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Dated: July 18, 1994.

Thomas J. Dwyer,
Acting Regional Director, Region 1, U.S. Fish and Wildlife Service.

[FR Doc. 94-18361 Filed 7-27-94; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 681

[I.D. 072094A]

RIN 0648-AF82

Crustacean Fisheries of the Western Pacific Region

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

ACTION: Notice of availability of a fishery management plan amendment and request for comments.

SUMMARY: NMFS issues this notice that the Western Pacific Fishery Management Council (Council) has submitted Amendment 8 to the Fishery Management Plan for the Crustacean Fisheries of the Western Pacific Region (FMP) for review by the Secretary of Commerce (Secretary), and is requesting comments from the public. Amendment 8 would implement administrative changes to the FMP to address problems encountered during the first year of a limited entry and quota management program.

DATES: Written comments on the amendment must be received on or before September 19, 1994.

ADDRESSES: All comments should be sent to, Rodney R. McInnis, Acting Regional Director (RD), Southwest Region, National Marine Fisheries Service, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213. Copies of the amendment are available upon request from the Council, 1164 Bishop Street, suite 1405, Honolulu, HI 96813 (808-522-2220).

FOR FURTHER INFORMATION CONTACT: Svein Fougner, NMFS, (310) 960-4034, or Alvin Katekaru, NMFS (808) 973-2939.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act 16 U.S.C. 1801 *et seq.* (Magnuson Act) requires that a Regional Fishery Management Council submit any amendment to a fishery management plan it has prepared to the Secretary for review, disapproval, or partial disapproval. The Magnuson Act also requires that the Secretary, upon receiving an amendment, immediately publish a notice that the amendment is available for public review and comment. The Secretary will consider all public comments received during the public comment period in determining