

Springs limpet extend into one of the larger Snake River Plain Aquifer Spring tributaries (Box Canyon Springs) to the Snake River. The Banbury Springs limpet is also found in nearby Banbury Springs. The free-flowing, well oxygenated Snake River habitats required by these species are threatened by proposed large hydroelectric dam developments, current peak-loading operation of existing hydroelectric water projects, water pollution, reduction in oxygen concentration, and possibly competition from a recently introduced hydrobiid snail, *Potomapyrgus antipodarum* (= *P. jenkinsi*). The two large Snake River Plain Aquifer Spring tributaries, Box Canyon Springs and Banbury Springs, are threatened by diversion of water for aquaculture, and small hydroelectric development. This proposal, if made final, would implement the protections provided by the Endangered Species Act (Act) of 1973, as amended. The Service requests comments and data from the public on this proposal.

DATES: Comments from all interested parties must be received by February 19, 1991. Public hearing requests must be received by February 1, 1991.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Boise Field Station, U.S. Fish and Wildlife Service, 4696 Overland Road, Room 576, Boise, Idaho 83705. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Dr. Charles Lobdell at the above address, 208/334-1931 or FTS 554-1931.

SUPPLEMENTARY INFORMATION:

Background

The Bliss Rapids snail (Family Hydrobiidae n. sp.), Snake River Physa snail (*Physa natricina*), and Idaho springsnail (*Fontelicella idahoensis*) are "living fossils," in that they are relicts from ancient lakes. The Bliss Rapids snail and Idaho springsnail are survivors of the late Pliocene (Blancan) Lake Idaho (Taylor 1966). Fossil material of the Pliocene *Lanx* is needed to confirm the identity of the newly discovered species as being conspecific with the Lake Idaho *Lanx*, though this is a new species in any case. Fossils of these species have been found in Lake Idaho deposits 3.5 million years old, where they lived in the surf zone. The Snake River Physa snail is a relict from Pleistocene lakes in the area (Taylor 1988).

The Bliss Rapids snail is pale tan to amber in color, 2-2.5mm long, with three

whorls, and is roughly ovoid in shape. This snail has not been described in the literature. This snail lives only on cobbles and boulders in swift current. In the Snake River, it is found only in and just below the canyon segments in rapids or on boulder bars just below rapids. The Bliss Rapids snail historically was found from boulder bars above King Hill, approximately river mile 546, to lower Salmon Falls Dam, river mile 573 (27 total river miles), and in Box Canyon Springs. The species is currently found throughout its historic range at five sites that are on boulders in swift "white water" rapid areas, and in Box Canyon Springs (Taylor 1982a).

The Utah valvata snail (*Valvata utahensis*) is 4.5mm long, the shell is turbinata (about equally high and wide) with up to four whorls. Call (1884, as cited by Taylor 1982b) described the species from Utah Lake, Utah, as *Valvata Sincera* var. *utahensis*. Walker (1902, as cited by Taylor 1982b) revised the genus *Valvata* and determined *V. utahensis* to be a species. In the Snake River, *V. utahensis* lives on a substratum of fine silt among beds of submergent aquatic plants or among the marginal sedges. Water current is steady, providing continuous oxygen, and fluctuation of river levels is slight. The Utah valvata snail historically was discontinuously distributed in the Snake River. It primarily occurred from river mile 492 (near Grandview) to river mile 585 just above Thousand Springs; a disjunct isolated site is in the American Falls Dam tailwater near Eagle Rock damsite at river mile 709. The Utah valvata snail has been collected at seven locales: Four populations of this species are found at four locales along a 3.5 mile stretch of the mainstem Snake River, below Thousand Springs. The fifth population is located between Thousand Springs and Box Canyon, the sixth population is in Box Canyon, and the seventh population occurs upstream near Eagle Rock damsite.

The amber to brown Snake River Physa snail is about 5-7mm long with 3-3.5 whorls. The Snake River Physa snail was named *Physa natricina* and described by Taylor in 1988. Fossil records of the species were collected from southeastern Idaho and northern Utah. The type locality is the Snake River, Gooding County, Idaho (SW ¼ SE ¼ Sec. 21, T8S, R13E). Modern collections have been made in the Snake River from the vicinity of Bliss to Hammett, Idaho (Taylor 1982c). The species is restricted to the mainstem of the Snake River on gravel to boulder substratum in steady current. Living specimens have been found on boulders

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-ABA2

Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Five Idaho Aquatic Snails

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Fish and Wildlife Service (Service) proposes to list the Idaho springsnail (also called the Homedale Creek springsnail) (*Fontelicella idahoensis*), the Utah valvata snail (*Valvata utahensis*), the Snake River Physa snail (*Physa natricina*), an undescribed limpet species (Banbury Springs limpet) in the genus *Lanx* and the Bliss Rapids snail (an undescribed monotypic genus in the family Hydrobiidae) as endangered. With the exception of the Utah valvata snail which has a population in the American Falls Dam tailwaters near the Eagle Rock damsite, all of the populations of these snails are found only in Snake River environments from the Indian Cove Bridge near Hammett, upstream to the Banbury Springs area in South Central Idaho. The Bliss Rapids snail, Utah valvata snail, and the Banbury

in the deepest accessible part of the river, at the margins of rapids. The Snake River Physa snail historically occurred from river mile 524 (Indian Cove) to river mile 573 (lower Salmon Falls Dam). Presently it is known from two locales between river mile 553 and river mile 570, a reduction in range from 49 river miles to 17 miles.

The Idaho springsnail has a narrowly elongate shell reaching a length of 5-7mm, with up to 5.5-6 whorls. Using material collected near Homedale, Idaho by H.M. Tucker in 1930, H.A. Pilsbry described this species as *Amnicola idahoensis* (Pilsbry 1933, as cited by Taylor 1982d) Gregg and Taylor (1965) established the new genus *Fontelicella* and placed *F. idahoensis* in the proposed new subgenus *Natricola*. This species is found only in the free flowing mainstem of the Snake River; the snail is not found in any of the Snake River tributaries or in marginal springs (Taylor 1982d). Historically, the Idaho springsnail was found from river mile 415 (Homedale) to river mile 553 and has been collected at 10 locales. It is currently known from river mile 524 (Indian Cove) to river mile 553 (Bancroft Springs) in three sites, a reduction of nearly 80 percent from its historic range. The status of this species at Alkali Creek (river mile 533) and Three Island Crossing (river mile 536) has not been verified recently.

The Banbury Springs limpet (*Lanx n. sp.*) has a subcentral apex, with its length and height exceeding its width. The species requires unpolluted, clear and well oxygenated water. This limpet was newly discovered in 1988 at Banbury Springs (river mile 589). A second population was found in nearby Box Canyon Springs in 1989 (river mile 588). According to Frest (1989a), Dr. Dwight Taylor, Dr. Peter Bowler, and Dr. Frest * * * "have surveyed nearly all of the available habitat in the Snake River system in the past 25 years and it is very unlikely that many more additional populations will be found, or that any will be substantial in size." Today the Banbury Springs limpet exists only at the above two locations.

These five species require clean, well-oxygenated water, and a rapid, free-flowing river or large spring habitat for survival. The Utah valvata snail is able to exist in slower flowing micro-environments in these settings, but none can tolerate true impoundment or reservoir (dammed) conditions (Frest 1989b). The free-flowing river habitat for these species has been reduced. Adjacent reaches of the Snake River in southern Idaho have been impounded for large hydroelectric facilities and for

irrigation. The Swan Falls, C. J. Strike, Bliss, Lower Salmon Falls, and Upper Salmon Falls Dams on the mainstem Snake River inundated free-flowing habitat and have extirpated populations of these species. These species remain in the isolated free-flowing segments between the dams and for some species in a few spring tributaries of the Snake River (Taylor 1982a, b, c, and d, Frest 1989a).

The bed of the Snake River is held in Public Trust by the State of Idaho. Snake River water flowing over the bed is subject to State and Federal water law and water can be appropriated for beneficial uses. Water in Box Canyon Springs Creek is also subject to appropriation. Land in the upper half of Box Canyon Springs Creek is privately owned and developed by Earl M Hardy. Land in the lower end of Box Canyon Springs Creek is managed by the Bureau of Land Management (Taylor 1985).

Listing the subject species would result in increased protection of free-flowing river and large spring habitat needed by other candidate species such as the giant Columbia River limpet (*Fisherola nuttalli*) (Taylor 1982a, b, c and d) and the Shoshone sculpin (*Cottus greeneri*). These sites are the last mainstem Snake River habitats with the full range of molluscan species present, and thus represent a unique aquatic community.

Federal action on these five mollusks began as a result of several petitions submitted under section 4(B)(3) of the Act. Dr. Peter Bowler submitted a petition to list the Snake River Physa snail and the undescribed Bliss Rapids snail as endangered on February 7, 1980. A finding that this petition presented substantial information that the requested action may be warranted was published on April 23, 1980 (45 FR 27723). The Idaho springsnail was the subject of a petition submitted on November 12, 1987, by Dr. Bowler. The Service published on December 29, 1988, a finding that the petition to list the Idaho springsnail presented substantial information supporting the listing of the snail as endangered. Following the positive substantiality (90-day) findings, the Service initiated a status review on these species.

Section 4(b)(3)(B) of the Act requires the Service to make a finding within 1-year of the date a petition is received as to whether or not the requested action is warranted. If the Service finds that the requested action is warranted, but precluded by other pending proposals of higher priority, the Service must reevaluate the petition annually and make findings on whether or not the

requested action is warranted. In the case of the Snake River Physa and Bliss Rapids snails, the first 12-month finding was published in the *Federal Register* on January 20, 1984 (49 FR 2485). Annual warranted, but precluded, findings have been made since 1984. This proposed rule constitutes the next 1-year finding that the listing of the Snake River Physa snail and Bliss Rapids snail is warranted. This proposed rule also constitutes the notice of the first 1-year finding that the listing of the Idaho springsnail as an endangered species is warranted.

Randall Morgan and others petitioned the Service to list an undescribed species in the genus *Lanx*, the Banbury Springs limpet, as endangered using the emergency provisions of the Act on November 13, 1989. Whereas the Service's status review does not disclose the existence of an emergency within the meaning of section 4(b)(7) of the Act, it does indicate that proposing the *Lanx* for listing under the normal procedures of section 4 is warranted. This constitutes the required petition findings, and this species is, therefore, included in this proposed rule.

Acting on its own information and volition the Service also proposes endangered status for the Utah valvata snail. This proposed rule is based upon status surveys conducted by Taylor (1982a, c and d and 1988) and Frest (1989b) on the Bliss Rapids, Idaho spring, and Snake River Physa snails, by Taylor (1982b) for the Utah valvata snail, and by Frest (1989a) and the Service for the Banbury Springs limpet. These surveys document the threats facing these species and support this proposed rule.

The petitions and accompanying data described these five snail species as threatened because the reach of the upper Snake River where these species are found is the last remaining free-flowing portion of the river within their historic range (Taylor 1982a, b, c, and d). With the exception of a small population of *Valvata utahensis* at a gently flowing site in the upper Salmon Falls impoundment, none of these species are able to survive in local impoundment habitats which segment their current distributions (Taylor 1982a, b, c, and d).

Summary of Factors Affecting the Species

Section 4 of the Endangered Species Act (16 U.S.C 1531 *et seq.*) and regulations (50 CFR Part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal Lists. A species may be

determined to be an endangered or threatened species due to one or more of the five factors described in Section 4(a)(1). These factors and their application to the Idaho springsnail (*Fontelicella idahoensis*), Utah valvata snail (*Valvata utahensis*), Snake River Physa snail (*Physa natricina*), Bliss Rapids snail (Family Hydrobiidae, n. sp.), and the Banbury Springs limpet (*Lanx* n. sp.) are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range.* Eleven sites support populations of one or more of the snails proposed for listing. Nine of these sites occur in free-flowing Snake River waters between river mile 524 (Indian Cove) and river mile 585 (Thousand Springs). The other two sites occur upriver in tributary springs at Box Canyon Springs (river mile 588) and at Banbury Springs (river mile 589). Box Canyon Springs and free-flowing Snake River waters at Bancroft Springs support the greatest diversity of snails (three species each). Parts of Box Canyon Springs are located on Federal lands that have been designated by the Bureau of Land Management (Bureau) as an area of critical environmental concern. Lands adjacent to the Snake River are patented lands or public lands administered by the Bureau. Activities that could further threaten the continued existence of the Bliss Rapids snail, Utah valvata snail, Idaho springsnail, Banbury Springs limpet, or Snake River Physa snail include proposed large hydroelectric dam developments, peak-loading operations of existing hydroelectric water projects, water pollution, diversion of water for irrigation and aquaculture and small hydroelectric development.

The combined threats would substantially impact all but three of the known snail localities within the main stem Snake River and one of the two tributary spring localities. All known populations of the Bliss Rapids and Snake River Physa snails would most likely be extirpated. The *Lanx* and Idaho springsnail would be confined to a single locality, and the Utah valvata snail to only two sites.

Two proposed hydroelectric dams would damage or destroy two free flowing river reaches inhabited by these snails. The Idaho Power Company studied the area in the early 1980's, and the Federal Energy Regulatory Commission (Commission) denied their license requests when a mid-1980's power supply needs study revealed that the Northwest United States would have a power surplus into the early 1990's. Since Idaho Power's denial, there have

been other preliminary permit filings on the free-flowing river reaches along the upper Snake River gradient from King Hill to Shoshone Falls. Idaho Power continues to review the possibility of constructing dams in this area.

Recently, the City of Tacoma, Washington, revived its interest in constructing a hydropower project (A.J. Wiley, Federal Energy Regulatory Commission No. 9106) on the lower Salmon Falls Dam tailwater (approximately river mile 565). This impoundment would inundate a population of Snake River Physa and three populations of the Bliss Rapids snail. Dike Hydroelectric Company (Federal Energy Regulatory Commission No. 8168) has considered another location, the Bliss Dam tailwaters (river mile 552), for a potential large hydropower development. This development would inundate populations of the Idaho springsnail, the Bliss Rapids snail, and the Snake River Physa snail that occur at Bancroft Springs. Construction of these two proposed dams would inundate four out of six known sites that are currently supporting populations of the Bliss Rapid snail; both of the two known sites that are currently supporting populations of the Snake River Physa snail, and one out of the three known sites in 1989 supporting a population of the Idaho springsnail. These two proposed dams would not inundate habitat for the Utah valvata snail since this snail is well upstream. The Banbury Springs limpet occurs in two tributary springs that flow into the Snake River and these would not be inundated by the two dams.

Peak-loading, the practice of artificially raising and lowering river levels to meet short-term electrical needs by local run-of-the-river hydroelectric projects also may threaten these species. The Bliss Rapids Dam is approximately 6 miles above Bancroft Springs and may adversely affect the three known populations (as of 1989) of the Idaho springsnail, two populations of the Bliss Rapids snail, and a population of the Snake River Physa snail, by restricting littoral habitat during the late summer peak-loading operation. Peak-loading operation of the lower Salmon Falls Power Plant may harm three down river populations of the Bliss Rapids snail, and a population of the Snake River Physa snail. The combined peak-loading effects from the two proposed dams would damage all three populations of the Idaho springsnail, five populations of the Bliss Rapids snail, and both of the Physa snail populations.

These species of snails have not been found between Milner Dam (river mile 639.1) and Shoshone Falls (river mile 614.8) because this river section is essentially dewatered during the irrigation season; the remaining low flows have poor water quality. It is unlikely that these species could exist in this river stretch. During the irrigation season water quality and quantity below Shoshone Falls is poor, but both are gradually improved by inflow from Snake River Plain Spring tributaries.

The quality of water in these habitats has a direct effect on the species' survival. The species require cold, well-oxygenated unpolluted water for survival. Any factor that leads to a deterioration in water quality would likely extirpate these taxa. For example, the Banbury Springs limpet lacks either lungs or gills and respire through unusually heavy vascularized mantles. This species cannot withstand temporary episodes of poor water quality conditions. Because of its stringent oxygen requirements, any factor that reduces dissolved oxygen contact for even a few days would very likely prove fatal to most or all of the populations. Factors that would degrade water quality include reduction in flow rate, warming, and increases in the concentration of fertilizers, herbicides or pesticides from irrigation waste water return. Irrigation runoff and waste water return do not as yet affect the Hagerman Valley Reach of the Snake River (where the snails occur) as severely as upstream and downstream stretches. This canyon reach receives massive unpolluted cold water recharge from the Thousand Springs aquifer complex.

Only two tributary springs of the upper Snake River, Banbury Springs and Box Canyon Springs, contain populations of the species proposed in this rule. The Banbury Springs limpet is found only in the two tributary springs. The Utah valvata and Bliss Rapids snail occur in Box Canyon Springs and the mainstem Snake River. Banbury Springs has no known threats, but Box Canyon Springs is threatened by a small hydroelectric project at the upper end of Box Canyon and a water diversion dam at the lower end of Box Canyon.

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* Not known to be applicable. However, some species have become vulnerable to over-collection following listing under the Act.

C. *Disease or predation.* Not known to be applicable.

D. *The inadequacy of existing regulatory mechanisms.* The Federal Energy Regulatory Commission

(Commission) is the agency responsible for issuing licenses for hydroelectric projects. The Commission solicits input from the Service regarding environmental impacts that may result from proposed projects. The Service's comments regarding impacts to candidate species, such as the five invertebrates proposed herein, are advisory in nature. The Commission relies upon the developer and the Service to resolve issues with respect to candidate species. Unless the developer is willing to mitigate voluntarily for impacts to these species, it is unlikely that the Commission would require mitigation by a project proponent. Consequently, the Commission's review of projects does not provide protection to the snails and limpet addressed in this proposed rule.

The U.S. Army Corps of Engineers (Corps) is also involved in the permitting of projects on the Snake River through their authority under section 404 of the Clean Water Act. The Corps issues individual and nationwide permits for projects that would result in the fill of navigable waters of the United States. Nationwide permits are issued for relatively small projects (hydroelectric projects producing less than 5 megawatts and some bridge crossings) that presumably have minimal environmental impacts. Projects requiring individual permits undergo more extensive environmental review and the permits often include conditions that mitigate for environmental impacts. Virtually any project within the range of these mollusks would require a permit as described in section 404 of the Clean Water Act. The Corps does solicit input from the Service regarding impacts to wildlife resources. Although the Corps gives full consideration to the Service's comments on permits, these comments regarding candidate species are advisory. In practice, the Corps' actions under the Clean Water Act do not adequately protect the five invertebrates considered herein.

If these species were federally listed as endangered, the Corps and the Commission would be required to initiate formal consultation pursuant to section 7 of the Act on any project that may affect one or more of these species. Such consultation would result in a Biological Opinion on whether or not the project proposed to be authorized is likely to jeopardize the continued existence of the species. If these species were listed, both the Commission and Corps would be required to insure that any project they authorize would not be likely to jeopardize the continued existence of these species. Conditions

that would provide protection to the species could be incorporated into permits or licenses issued. The provisions of section 7 of the Act are more fully discussed later in this proposed rule.

E. *Other natural or manmade factors affecting their continued existence.* Although not fully understood, an introduced hydrobiid snail (*Potomapyrgus antipodarum* (= *P. jenkinsi*)) may complicate survival for these native species. This non-native species occurs throughout the range of these invertebrates (Bowler 1989a; 1989b). This exotic species may have been introduced by the trout aquaculture industry in this area. This hydrobiid snail is native to New Zealand and has also spread to Europe and Australia. By December, 1988, *P. antipodarum* was the dominant species in the riffle-rapid habitat of the Hagerman Reach and the Bliss Dam tailwater (Bowler 1989a). It formed dark mats of hundreds of individuals in habitat formerly preferred by native species. Subsequent observations during the summer of 1989 indicate that it may be more tolerant to the effects of hydroelectric peak-loading (which results in rapid water level fluctuation) than the native snail fauna.

Potomapyrgus antipodarum may reproduce without fertilization and can build large populations rapidly.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these species in determining to propose this rule. Based on this evaluation, the preferred action is to list the Idaho springsnail (*Fantelicella idahoensis*), Utah valvata snail (*Valvata utahensis*), Snake River Physa snail (*Physa natricina*), Bliss Rapids snail (undescribed), and the Banbury Springs limpet (*Lanx n. sp.*) as endangered because these species have very restricted ranges and are vulnerable to adverse habitat modification and to water quality changes from dams, hydroelectric projects, and irrigation associated with agriculture. These species may also be vulnerable to competition from an exotic snail. For reasons discussed below, critical habitat is not being proposed at this time.

Critical Habitat

Section 4(a)(3) of the Act, as amended, requires that critical habitat be designated to the maximum extent prudent and determinable concurrently with the determination that a species is endangered or threatened. The Service determines that critical habitat designation for these species is not

prudent. Some populations are in localized springs and over-collecting by malacologists or vandalism could occur if their whereabouts were widely known. Regulations implementing section 4 of the Act provide that a designation of critical habitat is not prudent when a species is threatened by taking or other human activity and identification of critical habitat can be expected to increase the degree of such threat (50 CFR 424.12).

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain activities. Recognition through listing encourages and results in conservation actions by Federal, State, and private agencies, groups and individuals. The Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. The protections required of Federal agencies and the prohibitions against taking and harm are discussed, in part, below.

Section 7(a) of the Act, as amended, requires Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) of the Act requires Federal agencies to confer with the Service on any action that is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat. If a species is listed subsequently, Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service.

Federal actions that may be affected by this proposal are the granting of licenses by the Commission for hydroelectric/power dam development and the issuing of permits under Section 404 of the Clean Water Act by the Corps. The Commission would be required to consult with the Service on the previously mentioned hydroelectric/power dam proposals (A.J. Wiley, Idaho

Power Company and Dike Hydroelectric Company). The Corps would be required to consult with the Service on the Box Canyon water diversion dam. In addition, joint consultation by the Corps and the Commission with the Service would be necessary if any of the projects under licensing consideration by the Commission include plans for filling.

The Act and implementing regulations found at 50 CFR 17.21 set forth a series of general prohibitions and exceptions that apply to all endangered wildlife. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to take (includes harass, harm, pursue, hunt, shoot, wound, kill, trap, or collect; or to attempt to engage in any such conduct), import or export, ship in interstate or foreign commerce in the course of commercial activity, or sell or offer for sale in interstate or foreign commerce any listed animal species. It also is illegal to possess, sell, deliver, carry, transport, or ship any such wildlife that has been taken illegally. Certain exceptions apply to agents of the Service and State conservation agencies.

Permits may be issued to carry out otherwise prohibited activities involving endangered wildlife species under certain circumstances. Regulations governing permits are at 50 CFR 17.22 and 17.23. Such permits are available for scientific purposes, to enhance the propagation or survival of the species, and/or for incidental take in connection with otherwise lawful activities.

Public Comments Solicited

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule are hereby solicited. Comments particularly are sought concerning:

- (1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to these species;
- (2) The location of any additional populations of these species and the reasons why any habitat should or

should not be determined to be critical habitat as provided by Section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of these species; and

(4) Current or planned activities in the subject area and their possible impacts on these species.

The final decision on this proposal will take into consideration the comments and any additional information received by the Service, and such communications may lead to a final regulation that differs from this proposal.

The Act provides for a public hearing on this proposal, if requested. Requests must be received within 45 days of the date of publication of the proposal. Such requests must be made in writing and addressed to the Field Supervisor at the Boise Field Station address referred to in the ADDRESSES section.

National Environmental Policy Act

The Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

References Cited

Bowler, P.A. 1989a. Additional information letter dated January 26, 1989, to Charles Lobdell, U.S. Fish and Wildlife Service, Boise, Idaho, with attachment on *Potomopyrgus jenkinsi*. 5 pp.
 Bowler, P.A. 1989b. Letter dated May 15, 1989, to Robert Smith, U.S. Fish and Wildlife Service, Portland, Oregon. 1 pp.
 Call, R.E. 1884. On the Quaternary and Recent Mollusca of the Great Basin, with descriptions of new forms. U.S. Geol. Survey Bull. 11, 64 pp.
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 Frest, T.J. 1989b. Letter dated May 11, 1989 to Robert Smith, U.S. Fish and Wildlife Service, Portland, Oregon, containing status information on Snake River Snails. 2 pp. with attachment.
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 Taylor, D.W. 1966. Summary of North American bluncan nonmarine mollusks. *Malacologia* 4(1):1-172.
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 Taylor, D.W. 1985. Candidate threatened or endangered mollusks in Box Canyon ACEC, Gooding County, Idaho. Report to the Bureau of Land Management, Shoshone, Idaho, dated September 5, 1985. 19 pp.
 Taylor, D.W. 1988. New species of *Physa* (Gastropoda: Hygrophila) from the western United States. *Malacological Review* 21:43-79.
 Walker, B. 1902. A revision of the carinate Valvatas of the United States. *Nautilus* 15:121-125.

Author

The primary author of this proposed rule is James F. Gore, Boise Field Station (See address section).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and record-keeping requirements, and Transportation.
 Proposed Regulation Promulgation.

PART 17—[AMENDED]

Accordingly, it is hereby proposed to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 stat. 3500; unless otherwise noted.

2. It is proposed to amend § 17.11(h) by adding the following, in alphabetical order under Snails to the List of Endangered and Threatened Wildlife:

§ 17.11 Endangered and threatened wildlife.

- * * * * *
- (h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Snails							
Limpet, Banbury Springs	<i>Lanx n. sp</i>	USA (ID)	NA	E		NA	NA

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
Snail, Bliss Rapids	Family Hydrobiidae n. sp.....	USA (ID)	NA	E	.....	NA	NA
Snail, Snake River Physa.....	<i>Physa natricina</i>	USA (ID)	NA	E	.....	NA	NA
Snail, Utah valvata.....	<i>Valvata utahensis</i>	USA (ID)	NA	E	.....	NA	NA
Springsnail, Idaho.....	<i>Fontelicella idahoensis</i>	USA (ID)	NA	E	.....	NA	NA

Dated: December 3, 1990.

Richard N. Smith,

Acting Director, U.S. Fish and Wildlife Service.

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