

FOR FURTHER INFORMATION CONTACT: Mr. Robert F. Johnson, Jr., U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111 (612/725-3276).

SUPPLEMENTARY INFORMATION:

Background

Epioblasma sampsoni was described by Lea (Lea, Isaac, 1861, Proceedings of the Academy of Natural Sciences of Philadelphia 13:392) and was originally listed as Endangered on June 14, 1976 (41 FR 24064). The Service's listing regulations at 50 CFR 424.20 state: At least once every 5 years the Director shall conduct a review of each listed species to determine whether it should be removed from the list, be changed from an endangered to a Threatened status, or be changed from a Threatened to an Endangered status. As part of this review process, the Service contracted with Dr. Arthur Clarke to determine the present status of this species.

Dr. Arthur Clarke has recently completed a survey of the historic range of *Epioblasma sampsoni*. During the course of the survey Dr. Clarke interviewed many commercial clambers and shell buyers. These individuals were shown specimens of *E. Sampsoni* and illustrations of the species were given to the individuals. Mr. Virgil Carroll of Mt. Carmel, Illinois, Mr. Nelson Cohen of Terre Haute, Indiana, and Mr. David Nelson of Newport, Indiana, provided the most information. These individuals indicated that to their knowledge nothing even resembling *E. sampsoni* has been seen from the Wabash or White Rivers for decades. Other clambers were consulted and together their combined expertise covered the Wabash River from its mouth to more than 350 miles upstream. A substantial reward was offered for information concerning *E. sampsoni* and this effort was also unsuccessful. The gravel and sand bars where this species was found no longer exist in the Ohio River from the vicinity of Cincinnati to the mouth of the Wabash. A series of dams have been constructed in this area eliminating the gravel and sand bar habitat.

Records exist from an unknown location in Tennessee. Dr. Clarke feels that since this record is far out of the range of the species it is incorrect. Meyer (1974) and Clark (1976) did not find any *E. sampsoni* specimens during their surveys. Dr. Clarke was unable to find specimens or recent evidence of this species. He believes it to be extinct and feels it should be removed from the List of Endangered and Threatened Wildlife.

Summary of Factors Affecting the Species

50 CFR 17 Part 424.11 requires that certain factors must be considered before a species can be listed, reclassified or delisted. These factors and their effects on *E. sampsoni* are as follows:

A. *Present or threatened destruction, modification, or curtailment of its habitat or range.* This species has not been collected alive for over 50 years and is believed to be extinct. The gravel and sand bars that were the primary habitat of this species in the Ohio River have been destroyed by siltation that resulted from the construction of a number of dams. Chemical pollutants have also contributed to a decrease in water quality in the Ohio and Wabash Rivers.

B. *Overutilization for commercial, recreational, scientific, or educational purposes.* Not applicable.

C. *Disease or predation.* Not applicable.

D. *The inadequacy of existing regulatory mechanisms.* Not applicable.

E. *Other natural or manmade factors affecting its continued existence.* Not applicable.

Available Conservation Measures

The proposed action would result in the removal of this species from the List of Endangered and Threatened Wildlife. Federal agencies would no longer be required to consult with the Secretary to insure that any action authorized, funded or carried out by such agency does not jeopardize the continued existence of Sampson's pearly mussel or adversely modify the habitat of this species. Federal restrictions on taking this species would no longer apply.

International Effects

Epioblasma (=Dysnomia) sampsoni is listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Promulgation of this proposal as a final rule may result in the removal of this species from Appendix I.

Public Comments Solicited

The Service intends that rules finally adopted be as accurate and effective as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, private interests, or any other interested party concerning any aspect of this proposed rule are hereby solicited. The Service particularly requests information concerning the present range and distribution of this species.

Endangered and Threatened Wildlife and Plants; Proposed Removal of *Epioblasma (=Dysnomia) sampsoni*, Sampson's Pearly Mussel, From the List of Endangered and Threatened Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service proposes to remove *Epioblasma (=Dysnomia) sampsoni* (Lea, 1861), Sampson's pearly mussel, from the U.S. List of Endangered and Threatened Wildlife. This action is based on a review of all available data that indicate that this species is extinct. This mussel was restricted to portions of the Wabash River in Illinois and Indiana, and the Ohio River near Cincinnati. No specimens have been collected in over 50 years despite repeated sampling within its range.

DATES: Comments from the public must be received by September 123, 1983. Public hearing requests must be received by August 29, 1983.

ADDRESSES: Comments and materials concerning this proposal and request for a public hearing should be sent to the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Comments and materials received will be available for public inspection by appointment during normal business hours by contracting the Regional Endangered Species Staff at the above address.

The Endangered Species Act provides for a public hearing on this proposal, if requested. Requests must be filed within 45 days of the date of the proposal. Such requests should be made in writing and addressed to the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111.

All comments and additional information received will be considered by the Service in any further actions on this proposal.

National Environmental Policy Act

A draft Environmental Assessment has been prepared and is on file in the Regional Office, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111, and may be examined by appointment during regular business hours. This assessment will form the basis for a decision on whether any final action on this proposal would be a major Federal action that significantly affects the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 (implemented at 40 CFR Parts 1500-1508).

Author

The primary author of this proposal is Robert F. Johnson, Jr., U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111 (612/725-3276).

References

Clark, C.F., 1976. The Freshwater Naiades of the Lower End of the Wabash River, Mt. Carmel, Illinois to the South. *Sterkiana*, No. 61, pp 1-14.

Clarke, A.H. Determination of the Precise Geographical Areas Occupied by Four Endangered Species of Mollusks. Final Report to U.S. Fish and Wildlife Service on Contract No. 14-16003-81-019. December, 1981.

Meyer, E.R., 1974. Unioid mussels of the Wabash, White and East Fork of the White Rivers, Indiana. *Virginia Journal of Science*, 25(1):20-25.

List of Subjects in 59 CFR Part 17

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

Proposed Regulation Promulgation

PART 17—[AMENDED]

Accordingly, it is proposed that Part 17, Subpart B of Chapter I, Title 50 of the U.S. Code of Federal Regulations be amended as follows:

1. The authority citation for Part 17 reads as follows:

Authority: Pub. L. 93-205, 87 Stat. 834; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; and Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531 *et seq.*)

§ 17.11 [Amended]

2. It is proposed to amend § 17.11(h) by removing the entry for Sampson's pearly mussel (*Epioblasma* (= *Dysnomia*) *sampsoni*) from the List of Endangered and Threatened Wildlife.

Dated: June 10, 1983.

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-19115 Filed 7-14-83; 8:45 am]

BILLING CODE 4310-55-M