

curtailment of this trout's aquatic habitat and range through degradation of riparian and stream habitat. The petition provides information regarding effects of habitat degradation and its relationship to Great Basin redband trout. The petitioners indicate that habitat degradation from improper livestock grazing practices, irrigation, stream channel manipulation, and timber harvest affects redband trout by increasing erosion of banks, increasing sedimentation, reducing stream bottom complexity, widening and shallowing of the stream cross section, increasing stream temperature, reducing streamside vegetation, fragmenting populations, dewatering streams, reducing watertables, and reducing the amount of large woody debris (Fleicher 1994, Bowers et al. 1979, Lee et al. 1997, USDA 1996). The petitioners present the effects of such degradation for each individual basin and as widespread occurrences in the Great Basin.

The petitioners provide evidence that introgression and competition by introduced fishes are threats to the continued existence of Great Basin redband trout. Introgression (i.e., introduction of a gene from one gene complex into another) resulting from Great Basin redband trout interbreeding with stocked hatchery rainbows reduces the native redband offspring's ability to survive harsh Great Basin conditions; introduced non-native fishes (both hatchery rainbows and exotic species like brook trout, carp, bass, catfish and crappie) compete with native redband for resources and can degrade the habitat (Hosford and Pribyl 1983, Kowtow 1995, Lee et al. 1997).

The petitioners also assert that threats to Great Basin redband trout remain because of the inadequacy of existing regulations. Emergency fishing regulations, conservation/protective designations by government agencies and professional societies, water quality protection measures, and other current and planned conservation measures have failed to stop the decline of Great Basin redband trout.

We reviewed the petition, as well as other available information, published and unpublished studies and reports, and agency files. On the basis of the best scientific and commercial information available, we find that there is sufficient information to indicate that listing of the Great Basin redband trout as threatened or endangered, throughout all or parts of its range, may be warranted. The petitioners also requested that critical habitat be designated for this species. Designation of critical habitat is not petitionable under the Act. However, if the 12-month

finding determines that the petitioned action to list the Great Basin redband trout is warranted, then the designation of critical habitat would be addressed in the subsequent proposed rule.

Information Solicited

When we make a finding that substantial information exists to indicate that listing a species may be warranted, we are also required to promptly commence a review of the status of the species. To ensure that the status review is complete and based on the best available scientific and commercial data, we are soliciting information concerning the following—(1) information on historic distribution and information on current distribution in each basin; (2) habitat conditions in each basin; (3) basic biology including age-frequency distribution of the population(s) in each basin; (4) ongoing efforts to protect Great Basin redband trout and their habitat; (5) threats to the species and its habitat; (6) any information regarding distinct vertebrate population segment status of Great Basin redband trout as one unit or as six individual units; and (7) metapopulation dynamics and interactions between lake and stream morph fishes. In addition to information pertaining to the Great Basin redband trout, we are requesting any information in categories 1–7, above, that relates to Interior redband trout. "Interior redband trout" is a common term referring to any rainbow/redband type trout found east of the crest of the Cascade Mountains.

References Cited

A complete list of all references cited herein is available on request from the Oregon State Office (See ADDRESSES section).

Author

The primary author of this document is Antonio Bentivoglio, biologist, Oregon State Office, U.S. Fish and Wildlife Service (see ADDRESSES section).

Authority

The authority for this action is the Endangered Species Act of 1973 as amended (16 U.S.C. 1531 *et seq.*).

Dated: November 6, 1998.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 90-Day Finding for a Petition To List Agave Eggersiana and Solanum Conocarpum as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding and initiation of status review.

SUMMARY: The Fish and Wildlife Service (Service) announces a 90-day finding for a petition to list two plants, *Agave eggersiana* and *Solanum conocarpum* (marron bacora), under the Endangered Species Act of 1973, as amended. The Service finds that the petition presents substantial information indicating that listing these species may be warranted. A status review is initiated.

DATES: The finding announced in this document was made on October 16, 1998. To be considered in the 12-month finding for this petition, information and comments should be submitted to the Service by January 15, 1999.

ADDRESSES: Questions, comments, data, or information concerning this petition should be sent to the Field Supervisor, Boquerón Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622. 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. Susan Silander (see ADDRESSES section); telephone 787/851-7297, facsimile 787/851-7440.

SUPPLEMENTARY INFORMATION:

Background

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 to demonstrate that the petitioned action may be warranted. This finding is to be based on all information available to the Service at the time the finding is made. To the maximum extent practicable, the finding shall be made within 90 days following receipt of the petition and promptly published in the **Federal Register**. Following a positive finding, section 4(b)(3)(B) of the Act requires the Service to promptly commence a status review of the species.

The Service published Listing Priority Guidance for Fiscal Years 1998 and 1999 on May 8, 1998 (63 FR 25502). The guidance clarifies the order in which the Service will process rulemakings giving highest priority (Tier 1) to processing emergency rules to add species to the Lists of Endangered and Threatened Wildlife and Plants (Lists); second priority (Tier 2) to processing final determinations on proposals to add species to the Lists, processing new proposals to add species to the Lists, processing administrative findings on petitions (to add species to the Lists, delist species, or reclassify listed species), and processing a limited number of proposed or final rules to delist or reclassify species; and third priority (Tier 3) to processing proposed or final rules designating critical habitat. Processing of this petition finding is a Tier 2 action.

The Service has made a 90-day finding on a petition to list two plants, *Agave eggersiana* and *Solanum conocarpum* as endangered. The petition, dated November 20, 1996, was submitted by the Department of Planning and Natural Resources, Division of Fish and Wildlife, of the U.S. Virgin Islands.

Agave eggersiana, of the family Agavaceae (century plant family), is known only from the island of St. Croix of the U.S. Virgin Islands. Members of the genus *Agave* are robust perennial herbs with large succulent or fibrous leaves with a stiff spine at the apex. The inflorescence (mode of flower bearing) is paniculate, racemose or spikelike, often from 5 to 7 meters (m) (16 to 23 feet (ft)) in height, and the flowers are borne in umbellate (flat-topped inflorescence whose rays arise from a common point) or cymose (a broad, more or less flat-topped flower whose central flowers open first) clusters. Flowers are large, with a funnelliform or tubular yellow or green perianth. The fruit is a many-seeded capsule with flattened black seeds. *Agave eggersiana* is currently known from an apparently small number of wild and cultivated plants on privately owned land in St. Croix, (D. Nellis, pers. comm. 1997). It is known to be in cultivation in St. Croix and at the Fairchild Botanical Garden in Florida. Habitat on the island of St. Croix is under intense pressure for both residential and tourism development (Acevedo-Rodriguez 1996, R. Boulon and B. Kojis, pers. comm. 1996). *Agave eggersiana* was considered a category 2 candidate for listing as endangered or threatened by the Service, as published in the Notice of Review dated September 30, 1993 (58 FR 51144). At that time, a category 2

species was one for which the Service had information that proposing as endangered or threatened may be appropriate but for which sufficient information was not currently available to support a proposed rule. Designation of category 2 species was discontinued in the February 28, 1996, Notice of Review (61 FR 7596).

Solanum conocarpum (marron bacora), of the family Solanaceae, is known only from the island of St. John of the U.S. Virgin Islands. *Solanum conocarpum* is an unarmed shrub which may reach 3 m (9.8 ft) in height. Leaves are from 3.5 to 7 centimeters (cm) (1.4 to 2.7 inches (in)) long and 1.6 to 3 cm (.62 to 1.2 in) wide, oblong-elliptic or oblanceolate (a leaf broader at the distal third than at the middle), coriaceous (leathery texture), glabrous (not hairy), with a yellowish midvein. The plant's young parts are densely covered with appressed (flatly pressed), multicellular hairs. The flowers are usually paired and in nearly sessile (not stalked) lateral or terminal cymes (flat-topped flower cluster). The corolla (inner circle of floral envelopes) is light violet, greenish at the center and about 2 cm (.78 in) wide. The fruit, a berry, is ovoid-conical, 2 to 3 cm (.78 to 1.2 in) long, and turns from green to yellow (Acevedo-Rodriguez 1996).

Solanum conocarpum is only known from a few old collections and from two recent collections. Old collections and reports indicate that the species may have occurred on St. Thomas and one herbarium specimen from Virgin Gorda has been located; however, the identification is questionable since the specimen has no flowers or fruit. Only two plants are currently known to exist and both are located on the island of St. John. One individual is found within the Virgin Islands National Park (Park) and the other is located on privately owned land (Acevedo-Rodriguez 1996, Woodbury and Weaver 1987, R. Boulon and B. Kojis, pers. comm. 1996). Privately owned land on St. John is under intense pressure for residential and tourism development. One individual is known from the Park, and while the National Park Service is aware of its presence, management practices such as trail and facility maintenance and construction may affect the species. Both feral pigs and donkeys are present in the Park and may adversely impact the vegetation. Information provided by the Virgin Island Department of Planning and Natural Resources indicates that the species may be functionally dioecious (male and female flowers on different plants), thereby making its rarity even more critical. *Solanum conocarpum* was among the

plants being considered as a category 1 candidate by the Service, as published in the Notices of Review dated September 27, 1985 (50 FR 39526) and February 21, 1990 (55 FR 6184). Category 1 candidates were species for which the Service had substantial information supporting the appropriateness of proposing to list them as endangered or threatened. In the Notice of Review of September 30, 1993 (58 FR 51144), the species was reclassified to category 2 due to a lack of available information on the species distribution and abundance.

The Service has reviewed the petition, its accompanying information, and other literature and information in our files. On the basis of the best scientific and commercial information available, the Service finds that the petition presents substantial information that listing these two plant species may be warranted. The finding is based on information which indicates that the species are restricted to very few localities and subject to potential impacts from both residential and tourism development. The Service is in need of additional information on the species, including its distribution and abundance, biology, the location of any additional populations, and current or planned activities in the areas where the plants occur and there possible impacts. Within nine months from the date the petition finding is made, a finding will be made as to whether listing *Agave eggersiana* and *Solanum conocarpum* is warranted, as required by section 4(b)(3)(B) of the Act.

References Cited

- Acevedo-Rodriguez, Pedro. 1996. Flora of St. John. The New York Botanical Garden, Bronx, New York. 581 pp.
- Center for Plant Conservation. 1992. Report on the Rare Plants of Puerto Rico. Missouri Botanical Garden, St. Louis, Missouri.
- Woodbury, R.O. and P.L. Weaver. 1987. The Vegetation of St. John and Hassel Island, U.S. Virgin Islands. U.S. Department of the Interior, National Park Service. 101 pp.

Author

The primary author of this document is Susan Silander, Boquerón Field Office (see ADDRESSES section).

Authority

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

Dated: October 16, 1998.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 90-Day Finding for a Petition to List *Silene spaldingii* (Spalding's catchfly) as Endangered or Threatened

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding and initiation of status review.

SUMMARY: We (U.S. Fish and Wildlife Service) are announcing a 90-day finding on a petition to list *Silene spaldingii* (Spalding's catchfly) under the Endangered Species Act of 1973, as amended (Act). We find that the petition presents substantial information indicating that listing this plant species may be warranted. With publication of this finding, we are initiating a status review for this species, which occurs in southeastern Washington, adjacent portions of Idaho and Oregon, and northwestern Montana.

DATES: The finding announced in this document was made on November 5, 1998. To be considered in the 12-month finding for this petition, information and comments concerning this finding should be submitted to us by January 15, 1999.

ADDRESSES: Data, information, comments, or questions concerning this finding should be submitted to the Supervisor, Snake River Basin Office, U.S. Fish and Wildlife Service, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709. The petition finding and supporting data are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Edna Rey-Vizgirdas, botanist, at the above address (telephone: 208/378-5243).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that we make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or

commercial information indicating that the requested action may be warranted. This finding is to be based on all information available to us at the time the finding is made. To the maximum extent practicable, this finding is to be made within 90 days following receipt of the petition, and the finding is to be published promptly in the **Federal Register**. If the finding is that substantial information was presented, we also are required to promptly commence a review of the status of the species involved, if one has not already been initiated under our internal candidate assessment process.

The processing of this petition conforms with our listing priority guidance published in the **Federal Register** on May 8, 1998 (63 FR 25502). This guidance clarifies the order in which we will process rulemakings giving highest priority (Tier 1) to processing emergency listings, second priority (Tier 2) to resolving the listing status of outstanding proposed listings, resolving the conservation status of candidate species, processing administrative findings on petitions to add species to the Lists of Endangered and Threatened Wildlife and Plants, or reclassify species from threatened to endangered status, and delisting or downlisting (reclassifying from endangered to threatened status) actions. The processing of critical habitat designations are the lowest priority actions and are placed in Tier 3. The processing of this petition finding is a Tier 2 action.

We have made a 90-day finding on a petition to list *Silene spaldingii* (Spalding's catchfly). The petition, dated February 23, 1995, was submitted by the Biodiversity Legal Foundation (BLF) of Boulder, Colorado, the Montana and Washington Native Plant Societies, and Mr. Peter Lesica of Missoula, Montana (BLF *et al.* 1995). The petition requested listing of *Silene spaldingii* within the conterminous United States as threatened or endangered under the Act, and was received by us on February 27, 1995. The petition requested that the species be listed as threatened or endangered across its entire known historic range, which includes southeastern Washington, adjacent portions of Oregon and Idaho, and northwestern Montana. The petition submitted information stating that this species is threatened by improper livestock grazing practices, competition with non-native and woody vegetation, improper herbicide application, inbreeding depression, and fire suppression.

A member of the pink family (Caryophyllaceae), *Silene spaldingii* is a

long-lived perennial herb that grows 20 to 40 centimeters (cm) (8 to 16 inches (in)) tall (Lesica 1993, Lesica and Heidel 1996). It has four to seven pairs of lance-shaped leaves, and a spirally arranged inflorescence (flower cluster) consisting of small greenish-white flowers which range from 1 to 2 cm (0.4 to 0.8 in) long (Lesica 1993, Lesica and Heidel 1996). The foliage is lightly to densely covered with sticky hairs. The species was originally described by Watson (1875).

The distribution and habitat of *S. spaldingii* are limited. This species is primarily restricted to slopes, flats, or swales (marshy lands) in mesic grasslands or steppe vegetation of the Palouse region in southeastern Washington, northwestern Montana, and adjacent portions of Idaho and Oregon; one plant was located in British Columbia, directly adjoining a Montana population. Large-scale ecological changes in the Palouse region over the past several decades, including agricultural conversion, changes in fire frequency, and alterations of hydrology, have resulted in the decline of numerous sensitive plant species including *S. spaldingii* (Tisdale 1961). More than 98 percent of the original Palouse prairie habitat has been lost or modified by agricultural conversion, grazing, invasion of non-native species, altered fire regimes, and urbanization (Noss *et al.* 1995).

Silene spaldingii is currently known from approximately 94 occurrences or sites in Idaho, Oregon, Montana, and Washington; only 12 percent of these (11 sites) contain more than 100 individuals (Heidel 1995, Lichthardt 1997, Idaho Conservation Data Center 1998, Montana Natural Heritage Program (MNHP) 1998, Oregon Natural Heritage Program (ONHP) 1998, Washington Natural Heritage Program (WNHP) 1998). This species is State listed as endangered in Oregon, and threatened in Washington. In Idaho and Montana, there are no State Endangered Species Acts, but *Silene spaldingii* is listed by the Idaho Conservation Data Center and MNHP as very rare (Lesica and Heidel 1996, Lichthardt 1997, Idaho Conservation Data Center 1998, MNHP 1998, ONHP 1998, WNHP 1998). The estimated total number of individuals for *S. spaldingii* is fewer than 14,000 (Heidel 1995).

Habitat degradation and competition associated with the invasion of exotic plant species continues to threaten this species, including sites on public lands. For example, the population of *S. spaldingii* in the Kramer Palouse Biological Study Area in Washington declined from 147 to 10 individuals during the period from 1981 to 1994,