

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE

Proposed Endangered Status for the Red Hills Salamander

The Fish and Wildlife Service has evidence on hand that the Red Hills salamander (*Phaeognathus hubrichti*) is an endangered species as defined by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543, 87 Stat. 884), hereinafter referred to as "the act."

Section 4(a) of the act states that the Secretary of the Interior (and the Secretary of Commerce) may determine a species to be an "endangered" species, or a "threatened" species, because of any of five factors. These factors, and their application to the Red Hills salamander, are as follows:

1. *The present or threatened destruction, modification or curtailment of its habitat or range.*

The entire geographic range of *Phaeognathus hubrichti* is confined to a small area of south central Alabama. Within its range there are approximately 60,000 acres of habitat currently capable of supporting populations of the Red Hills salamander. Within the Red Hills geographic province, *P. hubrichti* appears to be confined to moist, cool mesic forested ravines associated with the Tallahatta and Hatchetigbee geologic formations. It inhabits burrows along the slopes of mesic ravines shaded by an overstory of predominantly hardwood trees. Undisturbed, the forest floor is moist and relatively cool. Spiders, millipedes, and other invertebrate life which constitute the bulk of the diet of *P. hubrichti* are abundant.

Of the approximately 60,000 acres of remaining habitat approximately 60 percent is currently owned or leased by paper companies which use primarily clearcut techniques of forest management. This technique of forest management coupled with site preparation for replanting completely destroys the habitat of the Red Hills salamander. The remainder of the available habitat, the majority of which is in private ownership, is also subject to alteration. The conversion from forest land to pasture or cropland is occurring in this area and is equally destructive. The specialized habits of this species along with its low reproductive rate and inability to disperse preclude its movement into adjacent areas.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.*

Overcollecting for commercial, scientific and educational purposes appears to have contributed to the decline of this species at some localities. The population at the type locality, which is well known to collectors, has been reduced.

3. *Disease or predation.*—Not applicable.

4. *The inadequacy of existing regulatory mechanisms.*

There are currently no regulatory mechanisms to protect *Phubrichti*.

5. *Other natural or manmade factors affecting its continued existence.*

The specialized, fossorial mode of existence of this species with its low reproductive rate and inability or reluctance to disperse has apparently contributed to its precarious status.

PUBLIC COMMENTS SOLICITED

The Director intends that finally adopted rules be as responsive as possible to the conservation of endangered and threatened species; he therefore desires to obtain the comments and suggestions of the public, other concerned governmental agencies, and private interests on these proposed rules. The Director has notified the governor of the State of Alabama of this review and has requested his comments and recommendations.

Final promulgation of the regulations on the Red Hills salamander will take into consideration the comments received by the Director. Such comments and any additional information received may lead the Director to adopt final regulations that differ from this proposal. The Director has under preparation an environmental assessment concerning this matter.

SUBMITTAL OF WRITTEN COMMENTS

Interested persons may participate in this rulemaking by submitting written comments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received no later than December 1, 1975, will be considered. Supporting data and comments received will be available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

This notice of proposed rulemaking is issued under the authority contained in the Endangered Species Act of 1973 (16 U.S.C. 1531-43; 37 Stat. 884).

Dated: September 26, 1975.

LYNN A. GREENWALT,
Director,
Fish and Wildlife Service.

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.

In section 17.12 in the list of reptiles and amphibians, add the following in alphabetical order:

§ 17.12 Endangered native wildlife.

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Reptiles and amphibians:

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Salamander, Red Hills; *Phaeognathus hubrichti*. (Range: South central Alabama; Portion of range where endangered: Entire range.)

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