
DEPARTMENT OF INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; 90-Day Findings and Commencement of Status Reviews for Five Petitions to List Six Species as Threatened or Endangered**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition findings.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces 90-day findings on pending petitions to add six species to the Lists of Endangered and Threatened Wildlife and Plants. Five petitions to list six species have been found to present substantial information indicating that the requested actions may be warranted. Through issuance of this notice, the Service is commencing a formal review of the status of these species.

ADDRESSES: Data, information, comments, or questions concerning the status of the petitioned species described below should be submitted to the Assistant Regional Director, Fish and Wildlife Enhancement, U.S. Fish

and Wildlife Service, Eastside Federal Complex, 911 NE, 11th Avenue, Portland, Oregon 97232. The petitions, findings, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

DATES: The findings announced in this notice were made on October 2, 1990. Comments and materials related to these petition findings may be submitted to the Assistant Regional Director, at the above address until further notice.

FOR FURTHER INFORMATION CONTACT: Karla Dramer, Listing Coordinator, at the above address (503/231-6131 or FTS 429-6131).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*) (Act), 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 a requested action may be warranted, then the Service initiates a status review on that species. The Service announces 90-day findings on five petitions to list six species as endangered or threatened. The Service has, therefore, initiated status reviews on two plants (*Mimulus clivicola* and *Chorizanthe robusta* var. *Hartwegii*), three butterflies (*Speyeria zerene behrensii*, *Speyeria zerene myrtleae*, and *Coenonympha tullia yontocket*), and a fish (*Oregonichthys crameri*). Section 4(b)(3)(B) of the Act requires the Service to make a finding as to whether or not the petitioned actions are warranted, within 1 year of the receipt of a petition that presents substantial information.

The Service has determined that the following petitions present substantial information that the requested actions may be warranted.

On May 11, 1989, the Service received a partial petition from Mr. Steve Paulson, representing Friends of the Clearwater, Lenore, Idaho, to list a plant, *Mimulus clivicola* (bank monkeyflower) as endangered. On June 28, 1989, the petitioner submitted supporting information thereby completing the petition. The petitioner

stated that *Mimulus clivicola* is threatened due to its extremely limited occurrence, road construction projects, disturbance by cattle, spraying programs, competition from introduced species, and human disturbance.

The range of *Mimulus clivicola* extends from northern Idaho and adjacent Washington, southward to the southern end of the Snake River Canyon in Union County, Oregon. Prior to 1989, five extant populations of this species were known in Idaho, and six extant sites were known in Oregon; the status of this species in Washington is unclear. A 1989 field effort by the Idaho Department of Fish and Game's Natural Heritage Program on the Nez Perce and Clearwater National Forests confirmed a total of 56 populations at 29 sites. Although a number of new populations were discovered as a result of this survey, the total area known to be occupied by this plant in Idaho is less than 30 acres. The majority of sites contain less than 200 flowering individuals. A 1988 field investigation by the Idaho Natural Heritage Program suggests that many of the historic sites of *M. clivicola* have disappeared, primarily due to habitat modification. The 1989 Heritage report states that seven known populations of bank monkeyflower have been extirpated by road construction and maintenance, invasion and exotic weeds, inundation by Dworshak Reservoir, and recreational disturbances. No new sites were found in Oregon in 1989. The Service finds that the petition to list *Mimulus clivicola* presents substantial information because of the plants limited distribution and documented threats facing some sites.

On June 29, 1989, the Service received a petition from Dr. Dennis Murphy of the Stanford University Center for Conservation Biology to list Behren's silverspot butterfly (*Speyeria zerene behrensii*) and Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*) as endangered.

The range of Behren's silverspot butterfly extends from the immediate coast of northern Sonoma County to southern Mendocino County, California. Myrtle's silverspot butterfly had a former distribution from the coastal areas of San Francisco Bay and the Pacific Ocean from San Mateo County northward into Sonoma County. The petitioner stated that these two animals merit protection under the Act because they are endangered by natural and anthropogenic factors. The salt spray meadows and coastal dunes inhabited by these butterflies may be threatened

by invasive exotic vegetation, levels of fire that are too intensive, livestock grazing, urban development, and other human influences. The taking of specimens by butterfly collectors is an unknown, but potentially damaging activity. Because of the documented threats facing these two animals, the Service finds that the petition presented substantial information that the requested action may be warranted.

On January 8, 1990, the Service received a petition from Dr. Dennis Murphy of the Stanford University Center for Conservation Biology to list the Yontocket ringlet butterfly (*Coenonympha tullia yontocket*) as a threatened or endangered species. The petition stated that the Yontocket ringlet butterfly merits protection under the Act because the butterfly is known only from a single coastal dune locality in Del Norte County, California. The area is used for target shooting, driving off-road vehicles, dumping garbage, and some camping. Invasive exotic vegetation is also likely to threaten the species. The taking of specimens by butterfly collectors is an unknown, but potentially damaging activity. Some of the habitat may be developed for urban housing and/or improved camping facilities. A substantial amount of survey work has been conducted on butterflies in this region, providing a good information base for this group of insects. The Service finds that the petition to list the Yontocket ringlet butterfly has presented substantial information that the petitioned action may be warranted because of the species limited distribution and documented threats to its dune habitat.

On April 10, 1990, the Service received a petition from Dr. Douglas F. Markle of Oregon State University in Corvallis, Oregon, to list the Oregon chub (*Oregonichthys crameri*) as an endangered species and to designate critical habitat. Dr. Markle submitted taxonomic, biological, distributional and historic information and cited numerous scientific articles in support of the petition. The petition and accompanying data described the species as imperiled because of a 98 percent reduction in the range of the species and potential threats at existing known population sites.

The Oregon chub in the Willamette River drainage has had a history of anecdotal consideration as a different taxon from the Umpqua River drainage populations. Recently, the Umpqua chub has been formally described as taxonomically separate from

Oregonichthys crameri. The name Oregon chub therefore, refers only to *Oregonichthys* within the Willamette River drainage.

The Oregon chub formerly inhabited sloughs and overflow ponds throughout the Willamette River drainage, but the only remaining known populations are limited to a 30 kilometer stretch above the Dexter Dam. Decline of the species is attributed to loss and alteration of its backwater habitats. The construction of flood control structures coincides with the period of decline. The introduction of exotic species may have exacerbated the situation and may limit the potential for expansion beyond its present restricted range. Remaining populations occur near rail and highway corridors any may be threatened by potential chemical spills, siltation from logging activities, and changes in water level or flow conditions from construction, diversions, or natural desiccation. The Service finds that the petition to list the Oregon Chub has presented substantial information.

On May 16, 1990, the Service received a petition from Steve McCabe, president, and Randall Morgan, of the Santa Cruz Chapter of the California Native Plant Society to list the Scotts Valley spineflower (*Chorizanthe robusta* var. *hartwegii*) as endangered.

The petition reported that only three populations of the Scotts Valley spineflower are currently known, represented by approximately 10,000 individuals. This taxon is apparently restricted to dry sandy meadows on outcrops of Santa Cruz mudstone and Purisma formation sandstones in the Scotts Valley area of Santa Cruz County, California. The petition indicated that all three populations are threatened by two proposed housing developments on privately owned lands.

Dr. John Hunter Thomas, Professor of Biological Sciences at Stanford University, has questioned the taxonomic validity of var. *hartwegii*. After the rediscovery of this taxon by Morgan in 1989 however, Dr. James L. Reveal, Professor of Botany at the University of Maryland, confirmed the distinctiveness of var. *hartwegii*, and with Morgan, published the new combination *C. robusta* var. *hartwegii*.

Dr. Thomas has also raised the possibility that the taxon occurs at Fort Ord, Monterey County, 40 miles to the south of Scotts Valley. Dr. Reveal has indicated that identification of specimens at Fort Ord cannot be confirmed as *C. robusta* var. *hartwegii*. Although the identify of these specimens has not been clearly determined, a number of environmental factors at the

Fort Ord site point to the conclusion that these specimens are unlikely to be *C. robusta* var. *hartwegii*. A review of historical specimens as well as recent fieldwork in what appears to be suitable habitat has failed to locate any other populations of Scotts Valley spineflower. It therefore seems unlikely that additional large or protected sites exist. Because of the ongoing threat of development within this plant's entire known range, the Service finds that the petition has presented substantial information that the petitioned action may be warranted.

Based on scientific and commercial information contained in the above petitions, referenced in the petitions, and otherwise available to the Service at this time, the Service has determined that the petitions to list *Mimulus clivicola* (bank monkeyflower), Behren's silverspot butterfly (*Speyeria zerene behrensi*), Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*), Yontocket ringlet butterfly (*Coenonympha tullia yontocket*), Oregon chub (*Oregonichthys crameri*), and Scotts Valley spineflower (*Chorizanthe robusta* var. *hartwegii*) present substantial information that listing may be warranted for these species.

These findings initiate a status review for each of the above species. The Service would appreciate any additional data, comments, and suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning the status of these species.

Author

This notice was prepared by Robert Parenti (Boise Field Station), Constance Rutherford (Ventura Field Station), Dennis Lassuy (Portland Field Station) and Leslie Propp (Portland Regional Office).

List of Subjects in 50 CFR Part 17

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

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.

Dated: October 24, 1990.

Richard N. Smith,

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

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