
DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service**50 CFR Part 17****Endangered and Threatened Wildlife and Plants; Notice of Findings on Four Petitions, and of Review of One Species****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Notice of petition findings and review.

SUMMARY: The Service announces findings that a petition to reclassify the American alligator to threatened due to similarity of appearance throughout South Carolina has presented substantial information indicating that such action may be warranted, that petitions to add the spiny river snail and desert tortoise to the List of Endangered and Threatened Wildlife have also presented substantial information, and that a petition to list McKay's bunting and the St. Matthew vole has not presented substantial information. The Service also announces a review of the status of the alligator in South Carolina.

DATES: Relevant information or comments may be submitted until further notice.

ADDRESSES: Information, comments, or questions should be submitted to the Associate Director—Federal Assistance (OES), U.S. Fish and Wildlife Service, Washington, D.C. 20240. The petitions, findings, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the Service's Office of

Endangered Species, Suite 500, 1000 North Glebe Road, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-2771 or FTS 235-2771).

SUPPLEMENTARY INFORMATION: Section 4(b)(3)(A) of the Endangered Species Act of 1973, as amended in 1982, requires the Service to make a finding on whether a petition to add a species to the Lists of Endangered and Threatened Wildlife and Plants, or to remove or reclassify a species, presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, such a finding is to be made within 90 days of receipt of the petition, and the finding is then to be promptly published in the *Federal Register*. If the finding is positive, the Service is also required to promptly commence a review of the status of the involved species. Recently, the Service received and made findings on the following four petitions.

1. A petition from the South Carolina Wildlife and Marine Resources Department, dated July 27, 1984, and received by the Service on August 15, 1984, requested reclassification of the American alligator (*Alligator mississippiensis*) to threatened due to similarity of appearance throughout the State of South Carolina. At present, the alligator is classified as endangered in some parts of South Carolina and threatened in other parts of the State. The Service has made the finding that this petition does present substantial information indicating that the requested action may be warranted.

2. A petition from the American Malacological Union, dated August 13, 1984, and received by the Service on August 22, 1984, requested determination of either endangered or threatened status for the spiny river snail (*Io fluviialis*) of Tennessee and Virginia. The Service has made the finding that this petition does present substantial information indicating that the requested action may be warranted.

3. A petition from the National Audubon Society, dated August 29, 1984, and received by the Service on the same day, requested determination of endangered status for McKay's bunting (*Plectrophenax hyperboreus*) and the St. Matthew vole (*Microtus abbreviatus fisheri*), both found on St. Matthew Island, Alaska. The petition expressed concern that prospective development on the island could jeopardize these two

species and their habitats. This contention, however, is contradicted by detailed additional information available to the Service. Specifically, the proposed development would effect, at most, only about five percent of the island. The petition's expressed fear that development would lead to an increase in the number of predatory arctic foxes, and to introduction of new predators and competitors, does not appear valid, based on experience on other arctic islands and because of various controls and prohibitions. The Service, therefore, has made the finding that this petition does not present substantial information indicating that the requested action may be warranted.

4. A petition submitted jointly by Defenders of Wildlife, the National Resources Defense Council, and the Environmental Defense Fund, dated September 11, 1984, and received by the Service on September 14, 1984, requested determination of endangered status for the desert tortoise (*Gopherus agassizii*) throughout its entire range in Arizona, California, Nevada, and Utah. Currently, only the Beaver Dam Slope, Utah, population of this species is classified as endangered. The Service has made the finding that this petition does present substantial information indicating that the requested action may be warranted.

As required in the case of a positive finding, the Service hereby initiates a review of the status of the American alligator in South Carolina. Reviews of the spiny river snail and desert tortoise are already in progress, as those species were covered, respectively, by the Service's Review of Invertebrate Wildlife in the *Federal Register* of May 22, 1984 (49 FR 21664-21675), and Review of Vertebrate Wildlife in the *Federal Register* of December 30, 1982 (47 FR 58454-58460).

Section 4(b)(3)(B) of the Act requires that within 12 months of receipt of a petition found to present substantial information, a finding be made as to whether the petitioned action is not warranted, warranted, or warranted but precluded by other listing activity. All comments and information received in response to the status reviews of the spiny river snail, American alligator, and desert tortoise will be considered in making such findings regarding these species.

The authors of this notice are Linda M. Hurley and Ronald M. Nowak, Office

of Endangered Species, U.S. Fish and
Wildlife Service, Washington, D.C.
20240 (703/235-1975 or FTS 235-1975).

Authority: Endangered Species Act (16
U.S.C. 1531 *et seq.*; Pub. L. 93-205, 87 Stat.
804; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-
632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225;
Pub. L. 97-304, 96 Stat. 1411).

List of Subjects in 50 CFR Part 17

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

Dated: March 25, 1985.

J. Craig Potter,

*Assistant Secretary for Fish and Wildlife and
Parks.*

[FR Doc. 85-7826 Filed 4-1-85; 8:45 am]

BILLING CODE 4310-55-M