

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; Findings on Two Petitions, and of Review of Three Species**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition findings and review.

SUMMARY: The Service announces findings that a petition to determine endangered status for the Samoan fruit bat and that a petition to determine endangered status for the Puerto Rican crested toad, Caribbean coot, West Indian ruddy duck, and West Indian whistling duck have presented substantial information indicating that such action may be warranted. The Service also announces reviews of the status of the Samoan fruit bat, Caribbean coot, and West Indian ruddy duck.

DATE: 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 two petitions.

1. A petition from Professor Paul Alan Cox of Brigham Young University, dated November 19, 1984, and received by the Service on November 27, 1984, requests determination of endangered status for the Samoan fruit bat (*Pteropus samoensis samoensis*), which is found in American Samoa and Western Samoa. Observations by the petitioner, who spent several years studying this bat in the field, suggest that it has become extremely rare through destruction of its habitat and killing by people for use as food. 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 Commonwealth of Puerto Rico, dated December 27, 1984, and received by the Service on January 3, 1985, requests determination of endangered status for the Puerto Rican crested toad (*Peltophryne* [= *Bufo*] *lemur*), Caribbean coot (*Fulica caribaea*), ruddy duck (*Oxyura jamaicensis*), and West Indian Whistling duck (*Dendrocygna arborea*). The toad is known from Puerto Rico and, historically, from Virgin Gorda, British Virgin Islands. The birds are found in most of the West Indies. For purposes of the finding, the petition is considered to cover only the West Indian subspecies of the ruddy duck (*O. j. jamaicensis*). The petition indicates that all four species have declined in numbers in Puerto Rico, and other information available to the Service supports this suggestion. Although more data will be needed before any of these species can be formally proposed for addition to the List of Endangered and Threatened Wildlife, the Service has made the finding that the 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 status reviews of the Samoan fruit bat, Caribbean coot, and West Indian ruddy duck. Reviews of the Puerto Rican crested toad and West Indian whistling duck are already in progress, as those species were covered by the Service's Review of Vertebrate Wildlife in the **Federal Register** of December 30, 1982 (47 FR 58454-58460). The Service plans to include all four species in a

forthcoming revised Review of Vertebrate Wildlife.

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 Samoan fruit bat, Puerto Rican crested toad, Caribbean coot, West Indian ruddy duck, and West Indian whistling duck will be considered in making such findings regarding these species.

The authors of this notice are George E. Drewry, Ronald M. Nowak, and Jay M. Sheppard, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1975 (FTS 235-1975)).

Authority: Endangered Species Act (16 U.S.C. 1531 *et seq.*; Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 122; 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: June 28, 1985.

Susan Recce,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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