

PROPOSED RULES

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE

Proposed Endangered Status for the Snail Darter

The Fish and Wildlife Service has evidence on hand that the snail darter *Percina (Imostoma) sp.* 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 snail darter, are as follows:

1. *The present or threatened destruction, modification, or curtailment of its habitat or range.* The snail darter *Percina (Imostoma) sp.* is known only from portions of gravel shoals in the main channel of the Little Tennessee River between River Miles 4 and 17 in Loudon County, Tennessee. River Miles 4 and 17 are shown on a map entitled "Tellico Project," prepared by the Tennessee Valley Authority (TVA), Bureau of Water Control Planning, August 1965 (map 65-MS-453 K 501). River Mile 17 is 2 river miles below the U.S. Highway 411 bridge over the Little Tennessee River, and is near Rose Island; River Mile 4 is 1½ miles below Davis Ferry.

In this area the snail darter occurs only in the swifter portions of shoals over clean gravel substrate in cool, low-turbidity water. Food of the snail darter is almost exclusively snails which require a clean gravel substrate for their survival. The proposed impoundment of water behind the proposed Tellico Dam would result in total destruction of the snail darter's habitat.

2. *Overutilization for commercial, sporting, scientific, or educational purposes.* Not applicable.

3. *Disease or predation.* Not applicable.

4. *The inadequacy of existing regulatory mechanisms.* Not applicable.

5. *Other natural or manmade factors affecting its continued existence.* Not applicable.

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.

Final promulgation of the regulations on the snail darter and on critical habitat 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 August 18, 1975 will be considered. 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; 87 Stat. 884).

Dated: June 11, 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:

It is proposed to amend § 17.12 by adding in alphabetical order the following to the list of Fishes:

§ 17.12 Endangered native wildlife.

Common name	Scientific name	Range	Portion of range where endangered
Fishes:			
Snail Darter	<i>Percina (Imostoma) sp.</i>	River miles 4 through 17, Little Tennessee River, Tenn., as shown on map 65-MS-453 K 501, prepared by the Tennessee Valley Authority, Bureau of Water Control Planning, August 1965, and entitled "Tellico Project".	Entire range.

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