Richard N. Smith,
Acting Director, U.S. Fish and Wildlife Service.
[FR Doc. 94-1704 Filed 01-26-94; 8:45 am]
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50 CFR Part 17 18-94

Endangered and Threatened Wildlife and Plants; Notice of Finding on a Petition to Add Pinus albicaulis (Whitebark Pine) to the List of Threatened and Endangered Species.

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to amend the List of Endangered and Threatened Wildlife and Plants. The Service finds that the petitioners have not presented substantial information indicating that listing *Pinus albicaulis* (whitebark pine) may be warranted.

DATES: The finding announced in this notice was made on January 13, 1994. Comments and information concerning this petition finding may be submitted until further notice.

ADDRESSES: Questions, comments, or information concerning this petition should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, 2617 East Lincolnway, suite A, Cheyenne, Wyoming 82001. The petition, finding, and supporting data are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Jane P. Roybal (see **ADDRESSES** above) (307/772-2374).

SUPPLEMENTARY INFORMATION

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.), requires that the U.S. Fish and Wildlife Service (Service) make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate that the petitioned action may be warranted. This finding is to be based on all information available to the Service at the time. 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 finding is positive, the Service also is required to promptly commence a review of the status of the involved species.

The Service has made a 90-day finding on a petition to list *Pinus albicaulis* (whitebark pine). The petition, dated February 5, 1991, was submitted by the Great Bear Foundation, Missoula, Montana, and was received by the Service on February 11, 1991. The petitioners requested that the Service list the whitebark pine as endangered in western Montana, northern Idaho, western Wyoming, and northeastern Washington, and as either threatened or endangered in the Cascade region of Oregon and Washington, and that critical habitat be designated.

Under the Act, the Service is required to address the status of plant species over their entire range (unlike vertebrate species where distinct population segments may be listed). Therefore, the Service views the petition as a petition to list the whitebark pine throughout its range, which extends from central California to western Wyoming, north through Oregon, Washington, and Montana to Alberta and British Columbia.

The petitioner submitted information and literature references on the status of the whitebark pine, stating that in significant portions of the species' range, populations are declining so rapidly that the ability of the tree species to regenerate itself is in question. The petition identifies three major factors involved in the "precipitous" decline of the whitebark pine: white pine blister rust (*Cronartium ribicola*), mountain pine beetle (*Dendroctonus ponderosae*), and fire suppression. The petition indicates that white pine blister rust, an introduced disease, has become established throughout most of the whitebark pine's range with "extensive" infestation and mortality occurring in the moist mountain regions of Montana, northern Idaho, Oregon, and the Washington Cascades. The petition also states that mountain pine beetle infestations have had devastating effects on whitebark pine populations in Montana and Wyoming. The petitioner also points out that fire suppression has played a role in the population decline by allowing other tree species to invade whitebark pine habitat and replace it, as well as facilitating the spread of white pine blister rust and mountain pine beetle infestation.

While recent mountain pine beetle infestations have killed most of the mature trees in some areas (Reynolds 1990), infestations appear to reach epidemic levels only where specific conditions exist. Whitebark pine populations have been severely reduced by white pine blister rust in many moist mountain habitats where the climate allows the blister rust to complete its life cycle (Kendall and Arno 1990). However, in drier portions of the whitebark pine's range, climatic conditions are not favorable for infection, and damage due to white pine blister rust is negligible (Charles Wellner, retired U.S. Forest Service, *in litt.*, 1991). Thus, throughout portions of its range, the whitebark pine remains common in suitable habitats and/or populations do not appear to be declining (Dr. Clinton Williams, U.S. Forest Service, *in litt.*, 1991; Chester Buchanan, U.S. Fish and Wildlife Service, *in litt.*, 1991; R.T. Ogilvie, Royal British Columbia Museum, pers. comm., 1992).

The Service has reviewed the petition, the literature cited in the petition, other available literature and information, and has consulted with biologists and researchers familiar with the whitebark pine. After reviewing the best scientific and commercial information available, the Service finds the petition does not present substantial information that listing the whitebark pine may be warranted. In making this finding, the Service does recognize that white pine blister rust, mountain pine beetle infestations, and successional replacement and competition by more shade-tolerant conifers do pose a real threat to the whitebark pine in portions of its range. Some whitebark pine populations have undergone dramatic declines due to one or a combination of these factors, and the degree of population decline may be severe in local or, in some cases, over broad geographic areas. However, in other portions of the species' range, where different climatic conditions exist, these same factors are not stand-threatening, and healthy whitebark pine stands continue to persist.

Whitebark pine is usually restricted to remote, higher elevation areas and generally is not valued as a timber species. Consequently, little inventory or monitoring work has been completed in much of its range. In many areas, there are little or no quantitative data on its distribution, status, or the extent of decline due to the various factors mentioned above. However, available data do not indicate the species may be threatened or endangered throughout a significant portion of its range.

In regard to the petitioner's request that critical habitat be designated for the whitebark pine, the designation of critical habitat is not a petitionable action under the Act.

References Cited

Kendall, K.C. and S.F. Arno. 1990. Whitebark pine—An important but endangered

wildlife resource. Pages 264–273 in Proceedings—Whitebark pine ecosystems: ecology and management of a high-mountain resource. USDA, U.S. Forest Service, Intermtn. Res. Sta., General Tech. Report INT–270.

Reynolds, Frances. 1990. Whitebark pine ecosystems; the threats and the challenge. In Forestry Research West, USDA, U.S. Forest Service. 3pp.

Author

This notice was prepared by Jane P. Roybal (see **ADDRESSES** above).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531–1544).

List of Subjects in 50 CFR Part 17

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

Dated: January 13, 1994.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

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50 CFR Part 17

RIN 1018–AC25

Endangered and Threatened Wildlife and Plants; Proposal to List the Spruce-Fir Moss Spider as an Endangered Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to list the spruce-fir moss spider (*Microhexura montivaga*) as an endangered species under the Endangered Species Act of 1973, as amended (Act). This spider is currently known from four mostly small populations located in western North Carolina and eastern Tennessee. The spider's damp high-elevation forest habitat is deteriorating rapidly due primarily to air pollution and exotic insects. The species' current low numbers also increase its vulnerability to harm from other threats. Listing *Microhexura montivaga* as an endangered species would provide protection under the Act.

DATES: Comments from all interested parties must be received by March 28, 1994. Public hearing requests must be received by March 14, 1994.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, 330 Ridgefield Court, Asheville, North Carolina 28806. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. John Fridell at the above address (telephone 704/665–1195, Ext. 225).

SUPPLEMENTARY INFORMATION:

Background

The spruce-fir moss spider was originally described by Crosby and Bishop (1925) based on collections made from a site in western North Carolina in 1923 (Coyle 1981). Only a few specimens were taken, and little was known about the species until its rediscovery approximately 50 years later by Dr. Frederick Coyle (Western Carolina University, Cullowhee, North Carolina) and Dr. William Shear (Hampden-Sydney College, Hampden-Sydney, Virginia) (Coyle 1981). *Microhexura montivaga* is one of only two species belonging to the genus *Microhexura* in the family *Dipluridae* (Coyle 1981; Harp 1991, 1992). The other species in the genus, *M. idahoana*, occurs only in the Pacific Northwest (Coyle 1981). Diplurids belong in the primitive suborder *Mygalomorphae*, which are often popularly referred to as "tarantulas" (Harp 1991, 1992). The genus *Microhexura* is the northernmost representative of the family *Dipluridae* and is also one of the smallest of the mygalomorph spiders, with adults measuring only 3.0 to 5.6 millimeters (roughly ¼ to 7/16 inch) (Coyle 1981). Coloration of *M. montivaga* ranges from light brown to a darker reddish brown, and there are no markings on the abdomen (Harp 1992). The carapace is generally yellowish brown (Harp 1992). The most reliable field identification characteristics for the spruce-fir moss spider are a pair of very long posterior spinnerets and the presence of a second pair of book lungs, which appear as light patches posterior to the genital furrow (Harp 1992).

The typical habitat of the spruce-fir moss spider is found in well-drained moss (and liverwort) mats growing on rocks or boulders, in well-shaded situations in mature, high-elevation Fraser fir (*Abies fraseri*) and red spruce (*Picea rubens*) forests (Coyle 1981, Harp 1992). The moss mats cannot be too dry (the species is very sensitive to desiccation) or too wet (large drops of water can also pose a threat to the spider) (Harp 1992). The spider constructs its tube-shaped webs in the interface between the moss mat and rock surface (Coyle 1981, Harp 1992), though occasionally the web extends into the interior of the moss mat (Harp 1992). The tubes are thin-walled and typically broad and flattened with short side branches (Coyle 1981, Harp 1992). There is no record of prey having been found in the webs of the spruce-fir moss spider nor has the species been observed taking prey in the wild, but the abundant springtails (collembolans) in the moss mats provide the most likely source of food for the spider (Coyle 1981, Harp 1992).

Males of the species mature during September and October, and females are known to lay eggs in June. The egg sac is thin-walled and nearly transparent, and it may contain seven to nine eggs. The female remains with the egg sac and, if disturbed, will carry the egg sac with her fangs. Spiderlings emerge in September (Coyle 1981). The means of dispersal of the spiderlings from the parental moss mat is not known, but "ballooning," a process by which the spiders use a sheet of silk played out into the wind to carry them into the air, has been suggested as a possible means of long-range dispersal (Harp 1992). The life span of the species is also unknown, but Coyle (1981) estimated that it may take 4 years for the species to reach maturity.

From 1989 through 1992, status surveys were conducted for the spruce-fir moss spider (Harp 1991, 1992). Based on the results of these surveys, the spider is presently known to exist at only four locations—three sites in North Carolina and one in Tennessee. Of the four remaining populations, only one appears to be relatively stable. This population is located along the Avery/Caldwell County line in North Carolina. The other two populations in North Carolina are located in Swain County. Both of these Swain County populations are extremely small, with only one spruce-fir moss spider having been found at each of these two sites in recent years (Harp 1991, 1992). The spruce-fir forests at these two Swain County sites are rapidly declining. The Tennessee population is located in Sevier County. This population was considered healthy in 1989 but is currently believed to be declining in numbers and is endangered by habitat loss/alteration (Harp 1992). The high-elevation spruce-fir forests throughout much of the species' historic range are being decimated by the balsam wooly adelgid (*Adelges piceae*), an exotic insect pest, and possibly by air pollution (acid precipitation) and other factors not yet fully understood. The death and thinning of the forest canopy results in locally drastic changes in microclimate, including increased temperatures and decreased moisture