

S7.7.7 If  $V_2$  is greater than  $V_1$ , insert a standard known resistance ( $R_o$ ) between the positive side of the propulsion battery and the vehicle chassis. With the  $R_o$  installed, measure the voltage and record the voltage ( $V_2'$ ) between the positive side of the propulsion battery and the vehicle chassis as shown in figure 5. Calculate the electrical isolation ( $R_i$ ) according to the formula shown. This electrical isolation value (in ohms) divided by the nominal operating voltage of the propulsion battery (in volts) must be equal to or greater than 500.

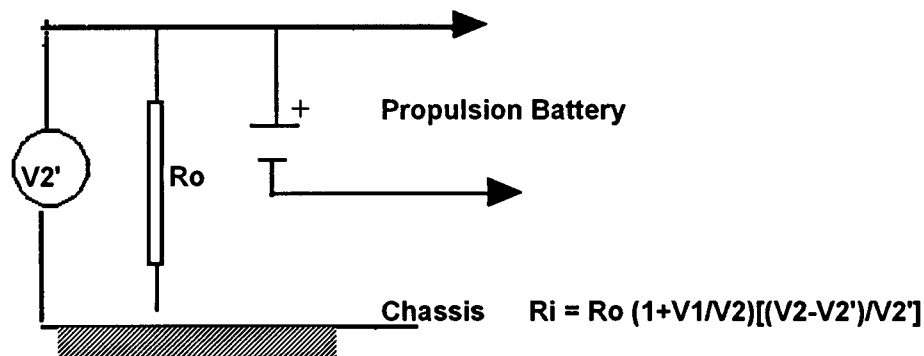


Fig. 5 S7.7.7 MEASUREMENT LOCATION FOR  $V_2'$  VOLTAGE

Issued on: October 1, 1998.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018-AE86

#### Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on Proposed Endangered Status for Devils River Minnow (*Dionda diaboli*)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) gives notice that the comment period on the proposed determination of endangered status for the Devils River minnow (*Dionda diaboli*) is reopened. This fish is found in Val Verde and Kinney counties, Texas, and Coahuila, Mexico. All interested parties are invited to submit comments on this proposal.

**DATES:** The comment period, which originally closed on July 27, 1998, now closes November 12, 1998.

**ADDRESSES:** Written comments and materials concerning the proposal should be sent to the Field Supervisor, Austin Ecological Services Field Office, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas, 78758. Comments and materials received will be available for public

inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Nathan Allan, Fish and Wildlife Biologist (see ADDRESSES section) (telephone 512/490-0057; facsimile 512/490-0974).

#### SUPPLEMENTARY INFORMATION:

##### Background

The current range of the Devils River minnow is limited to three stream systems in Val Verde and Kinney counties, Texas, and one drainage in Coahuila, Mexico. The species' range has been significantly contracted and fragmented. In addition, the numbers of Devils River minnows collected during fish surveys has declined dramatically over the past 25 years; the species has declined from one of the most abundant fish to one of the least abundant. Based on the current information, the decline of the species in both distribution and abundance may be attributed in large part to the effects of habitat loss and modification and the introduction of nonnative fish into habitats of the Devils River minnow.

On March 27, 1998, the Service published a proposed rule to list the Devils River minnow as endangered under the Endangered Species Act (Act) of 1973, as amended (63 FR 14885-14892). Section 4(b)(5)(E) of the Act requires that a public hearing be held if requested within 45 days of the

proposal's publication in the **Federal Register**. Because of the past public interest in the listing of this species, the Service opened the public comment period for 120 days and held a public hearing on May 28, 1998, in Del Rio, Texas. A notice of the public hearing was published in the **Federal Register** on May 14, 1998. Over 40 individuals attended the hearing and made 19 oral comments. Also, a number of written comments were received during the original comment period. All of these comments will be considered in the final determination on whether or not to add the species to the list of threatened and endangered species.

The purpose of reopening the comment period at this time is to accept public comments on the proposal to list the Devils River minnow as an endangered species in light of new information that has been received by the Service. New information on the distribution and abundance of the species has been provided by the Texas Parks and Wildlife Department (Department). In addition, a Conservation Agreement for the Devils River minnow between the Service, the Department, and the City of Del Rio was signed on September 2, 1998.

On May 28, 1998, biologists from the Department collected about 140 Devils River minnows from Phillips Creek. Phillips Creek is a small tributary,

located on private land, entering the Devils River from the northeast, about 2 miles downstream from the Highway 163 bridge (Baker's Crossing). This site is a small spring-fed stream that does not provide surface flow to the Devils River under normal conditions. No information is available to indicate that fishes have ever been sampled from this site in the past. This information provides significant evidence confirming that the Devils River minnow still occurs in the Devils River watershed. Additional surveys are needed to determine the actual status of the species in the Devils River, but the confirmation of the species in the drainage is important in ensuring that those populations have not been lost.

The Service has been working with the Department, in cooperation with local landowners, over the past year in an effort to develop a conservation agreement that would expedite conservation measures needed to ensure the continued existence of the species. Preliminary drafts of the Conservation Agreement (Agreement) were made available to local landowners for comments and a draft version was also distributed at the Public Hearing. The Agreement was signed by the Service, the Department, and the City of Del Rio on September 2, 1998. The Agreement included a Conservation Strategy (Strategy) to describe the specific procedures required for conservation of the Devils River minnow. In making the final listing determination, the Service agreed to consider the ongoing implementation of the conservation actions as described in the Strategy. The Service will consider the effect of those actions on removing threats to the species, as described in the proposed rule, in making a final determination on this listing.

The ten conservation actions that were included in the Strategy are: (1) Determine the current status of the Devils River minnow and monitor changes; (2) Maintain genetically representative, captive populations of Devils River minnow at two fish hatchery facilities for reintroduction, and as insurance against extinction; (3) Reintroduce Devils River minnows, reared in captive populations, in order to reestablish populations in nature; (4) Continue and enhance protection of the San Felipe Creek watershed; (5) Provide technical assistance to landowners on riparian protection and management; (6) Review live bait harvest and selling practices in the Devils River area to develop methods and take appropriate actions (e.g., regulation, education) to prevent the further establishment of exotic, aquatic species within the

historical range of Devils River minnow; (7) Document the abundance and ranges of exotic fish in the Devils River, and San Felipe, Las Moras, and Sycamore creeks; (8) Obtain and analyze changes in flow data for the Devils River, and San Felipe, Las Moras, and Sycamore creeks; (9) With progeny of the captive population, use a simulated environment to determine ecological and life history requirements of the Devils River minnow; and (10) Determine *in situ* predator/prey interactions between smallmouth bass and the Devils River minnow.

The comment period on the proposal will remain open until November 12, 1998. Written comments may be submitted until that date to the Service office in the ADDRESSES section.

Author the primary author of this notice is Nathan Allan (see ADDRESSES section) (telephone 512/490-0057; facsimile 512/490-0974).

#### Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: October 3, 1998.

#### Geoffrey S. Haskett,

*Acting, Regional Director, Fish and Wildlife Service, Region 2.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 630

[Docket No. 970829218-8244-02; I.D. 080597E]

RIN 0648-AK39

#### Atlantic Swordfish Fisheries; Dealer Permitting and Import Documentation Requirements

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to amend the regulations governing the Atlantic swordfish fishery to prohibit the import into the United States of Atlantic swordfish or Atlantic swordfish pieces, weighing less than 33 pounds dressed weight (lb dw) (15 kg) unless documented as coming from an Atlantic swordfish weighing 33 lb dw or greater; to require dealer permitting and

reporting for importation of swordfish from any source; and to implement a certificate of eligibility (COE) program for all swordfish imports.

These measures are necessary to implement a 1995 recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT) with respect to controlling the harvest of undersized Atlantic swordfish and to facilitate the collection of information relating to the trade in Atlantic swordfish which may hinder conservation efforts by the United States and ICCAT.

**DATES:** Comments must be submitted on or before December 7, 1998. See **SUPPLEMENTARY INFORMATION** for times and locations of public hearings.

**ADDRESSES:** Comments on the proposed rule and on the proposed information collections should be submitted to Rebecca Lent, Highly Migratory Species Management Division, Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Copies of the Environmental Assessment / Regulatory Impact Review (EA/RIR) supporting this action are available from Steve Meyers or Jill Stevenson at (301)713-2347 or by writing to the preceding address. See **SUPPLEMENTARY INFORMATION** for the schedule and location of public hearings. Comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule should be sent to Rebecca Lent and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

**FOR FURTHER INFORMATION CONTACT:** Steve Meyers or Jill Stevenson, 301-713-2347; fax: 301-713-1917.

**SUPPLEMENTARY INFORMATION:** The U.S. Atlantic swordfish fishery is managed under the Fishery Management Plan for Atlantic Swordfish and regulations at 50 CFR part 630 issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act (ATCA), 16 U.S.C. 971 *et seq.* Regulations issued under the authority of ATCA carry out the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

The fishable biomass of the North Atlantic swordfish stock is estimated to have declined 68 percent between 1963 and 1996. The South Atlantic swordfish stock has been under increased fishing