

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: January 4, 2006.

**David I. Maurstad,**

*Acting Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. E6-2417 Filed 2-17-06; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-P-7911]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Department of Homeland Security.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Doug Bellomo, P.E., Hazard Identification Section, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director has resolved any appeals resulting from this notification.

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44

CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Mitigation Division Director certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

*Regulatory Classification.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 13132, Federalism.* This rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This rule meets the applicable standards of Executive Order 12988.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, flood insurance, reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.4**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
	Existing	Modified	
Armour Branch Gypsum Creek: At confluence with Gypsum Creek ..... Approximately 1,120 feet upstream of Rockwood Road	◆1,321 None	◆1,322 ◆1,368	City of Eastborough, City of Wichita.
Big Slough South: Approximately 500 feet upstream of confluence with Arkansas River.	◆1,257	◆1,258	City of Wichita, Sedgwick County, (Unincorporated Areas).
Approximately 2,830 feet upstream of South Meridian Avenue.	◆1,288	◆1,286	
Calfskin Creek: At confluence with Cowskin Creek ..... Approximately 5,070 feet upstream of South 119th Street West.	◆1,314 ◆1,322	◆1,316 ◆1,324	
Cowskin Creek: At confluence with Wichita Valley Center Floodway .....	None	◆1,279	City of Colwich, City of Maize, City of Wichita, Sedgwick County, (Unincorporated Areas).
Approximately 4,000 feet downstream of State High- way 296.	◆1,369	◆1,368	

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
	Existing	Modified	
Dry Creek of Gypsum Creek: At confluence with Gypsum Creek .....	◆ 1,291	◆ 1,290	City of Wichita.
Approximately 150 feet upstream of the confluence with Gypsum Creek.	◆ 1,291	◆ 1,290	
Dry Creek North of Cowskin Creek: At confluence with Cowskin Creek .....	None	◆ 1,347	Sedgwick County, (Unincorporated Areas).
At West 167th Street North .....	None	◆ 1,386	
Dry Creek South of Cowskin Creek: At confluence with Cowskin Creek .....	None	◆ 1,292	Sedgwick County, (Unincorporated Areas).
At South Maize Road .....	None	◆ 1,317	
Dry Creek of Spring Creek: Just downstream of East Madison Avenue .....	◆ 1,267	◆ 1,266	City of Derby, Sedgwick County, (Unincorporated Areas).
Approximately 50 feet upstream of East 55th Street South.	None	◆ 1,331	
East Branch Gypsum Creek: At confluence with Gypsum Creek .....	◆ 1,336	◆ 1,334	City of Wichita.
Approximately 100 feet upstream of East Central Parkway.	None	◆ 1,343	
East Branch Gypsum Creek (Splitflow): At convergence with East Branch Gypsum Creek .....	◆ 1,341	◆ 1,340	
At divergence from East Branch Gypsum Creek .....	◆ 1,343	◆ 1,342	
East Fork Chisholm Creek: At confluence with Wichita Drainage Canal .....	◆ 1,305	◆ 1,306	
At Interstate Highway 135 Access Road .....	◆ 1,305	◆ 1,306	
Fabrique Branch Gypsum Creek: At confluence with Gypsum Creek .....	◆ 1,315	◆ 1,317	
Approximately 150 feet upstream of Pedestrian Bridge/ East Zimmerly Avenue.	None	◆ 1,325	
Frisco Ditch: Approximately 140 feet upstream of Interstate Highway 135.	◆ 1,299	◆ 1,300	
Approximately 600 feet upstream of Northeast Cemetery Road.	None	◆ 1,366	
Gypsum Creek: At confluence with Wichita Drainage Canal .....	◆ 1,279	◆ 1,278	City of Wichita, Sedgwick County, (Unincorporated Areas).
At confluence of Middle and West Branches of Gypsum Creek.	◆ 1,340	◆ 1,338	
Little Arkansas River (Upper Reach): Approximately 2,400 feet downstream of Wichita Valley Center Floodway Control Structure.	None	◆ 1,340	Sedgwick County, (Unincorporated Areas).
At County Boundary .....	◆ 1,375	◆ 1,372	
Middle Branch Gypsum Creek: At confluence with Gypsum Creek .....	◆ 1,340	◆ 1,339	City of Wichita.
Approximately 2,400 feet upstream of East Tipperary Street.	◆ 1,351	◆ 1,352	
Middle Fork Calfskin Creek: Approximately 70 feet upstream of the confluence with North Fork Calfskin Creek.	◆ 1,324	◆ 1,325	
Approximately 3,375 feet upstream of confluence with North Fork Calfskin Creek.	None	◆ 1,340	
North Fork Calfskin Creek: At confluence with Calfskin Creek .....	◆ 1,320	◆ 1,322	City of Wichita, Sedgwick County, (Unincorporated Areas).
Approximately 4,350 feet upstream of North 135th Street West.	None	◆ 1,370	
Rock Road South Tributary Gypsum Creek: Approximately 650 feet upstream of South Rock Road	◆ 1,325	◆ 1,326	City of Wichita.
Approximately 3,730 feet upstream of East Harry Street.	◆ 1,344	◆ 1,347	
Spring Creek: Approximately 1,700 feet upstream of the confluence with Arkansas River.	◆ 1,236	◆ 1,237	City of Derby, Sedgwick County, (Unincorporated Areas).
Approximately 50 feet upstream of East 63rd Street South/South Greenwich Road.	None	◆ 1,309	
Tributary to North Fork Calfskin Creek: At confluence with North Fork Calfskin Creek .....	None	◆ 1,346	
Approximately 3,930 feet upstream of North 151st Street West.	None	◆ 1,381	
West Branch Gypsum Creek: At confluence with Gypsum Creek .....	◆ 1,340	◆ 1,338	City of Wichita.
Approximately 175 feet upstream of East Farmview Lane.	None	◆ 1,382	

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
	Existing	Modified	
<b>ADDRESSES:</b>			
<b>City of Colwich, Sedgwick County, Kansas.</b>			
Maps are available for inspection at Community Map Repository, City Hall, 310 South Second Street, Colwich, Kansas. Send comments to The Honorable Terrance Spexarth, Mayor, City of Colwich, 310 South Second Street, Colwich, Kansas 67030.			
<b>City of Derby, Sedgwick County, Kansas.</b>			
Maps are available for inspection at Community Map Repository, City Hall, 611 Mulberry Street, Derby, Kansas. Send comments to The Honorable Dion Avello, Mayor, City of Derby, 611 Mulberry Street, Derby, Kansas 67037.			
<b>City of Eastborough, Sedgwick County, Kansas.</b>			
Maps are available for inspection at Community Map Repository, City Hall, 1 Douglas Street, Wichita, Kansas. Send comments to The Honorable Gary Poore, Mayor, City of Eastborough, 1 Douglas Street, Wichita, Kansas 67207.			
<b>City of Maize, Sedgwick County, Kansas.</b>			
Maps are available for inspection at Community Map Repository, City Hall, 123 Khedive, Maize, Kansas. Send comments to The Honorable Claire Donnelly, Mayor, City of Maize, 123 Khedive, Maize, Kansas 67101.			
<b>Unincorporated Areas of Sedgwick County, Kansas.</b>			
Maps are available for inspection at Community Map Repository, Office of Stormwater Management, 455 North Main Street, 8th Floor, Wichita, Kansas. Send comments to The Honorable William P. Buchanan, County Manager, Sedgwick County, 525 North Main Street, Suite 343, Wichita, Kansas 67203.			
<b>City of Wichita, Sedgwick County, Kansas.</b>			
Maps are available for inspection at Community Map Repository, Office of Stormwater Management, 455 North Main Street, 8th Floor, Wichita, Kansas. Send comments to The Honorable Carlos Wayans, Mayor, City of Wichita, 455 North Main Street, 8th Floor, Wichita, Kansas 67202.			
Big Creek:			
Approximately 240 feet downstream of North Ranson Road.	◆919	◆918	City of Greenwood, City of Lee's Summit.
Approximately 830 feet upstream of the confluence of Tributary B1 to Big Creek.	◆983	◆984	
Blue Branch:			
Approximately 1,220 feet downstream of South Buckner Tarsney Road.	◆779	◆778	City of Grain Valley, Jackson County, (Unincorporated Areas).
Approximately 3,050 feet upstream of Sni-A-Bar Boulevard.	◆801	◆802	
Burr Oak Creek:			
Approximately 2,080 feet downstream of the confluence of Burr Oak Creek Tributary.	None	◆774	City of Independence.
Approximately 160 feet downstream of Northwest Pink Hill Road.	None	◆798	
Burr Oak Creek Tributary:			
At the confluence with Burr Oak Creek .....	None	◆798	
Approximately 4,780 feet upstream of the confluence with Burr Oak Creek.	None	◆803	
Cedar Creek:			
Approximately 960 feet upstream of Interstate Highway 470.	◆806	◆807	City of Lee's Summit.
Approximately 1,550 feet upstream of Southwest Lakeview Boulevard.	◆991	◆996	
East Fork Little Blue River:			
Approximately 1,260 feet downstream of Northeast Scruggs Road.	None	◆887	
Approximately 6,870 feet upstream of Southeast Winburn Trail.	None	◆978	
Horseshoe Creek Tributary:			
Approximately 50 feet upstream of the confluence with Horseshoe Creek.	◆784	◆782	City of Oak Grove.
Approximately 230 feet upstream of South Broadway Street.	None	◆842	
Little Blue River:			
At Kelly Road .....	◆897	◆908	City of Grandview.
Approximately 3,200 feet upstream of Kelly Road .....	◆907	◆908	
May Brook:			
Approximately 4,390 feet upstream of Northeast Velie Road.	◆777	◆776	City of Lee's Summit.
Approximately 290 feet upstream of Northeast Maybrook Road.	◆788	◆792	
Mouse Creek:			
At Southwest Scherer Road .....	◆891	◆908	
Approximately 3,050 feet downstream of Southwest Sampson Road.	◆907	◆908	

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
	Existing	Modified	
SB-1 Tributary to Sni-A-Bar Creek: Approximately 2,950 feet upstream of the confluence with Sni-A-Bar-Creek.	None	◆792	Jackson County, (Unincorporated Areas).
Approximately 680 feet upstream of South Hillside School Road.	None	◆841	
SB-2 Tributary to Sni-A-Bar Creek: Approximately 50 feet downstream of South Stillhouse Road.	None	◆797	
Approximately 2,620 feet upstream of East Cummings Road.	None	◆862	
SB-3 Tributary to Sni-A-Bar Creek: Approximately 430 feet downstream of South Stillhouse Road.	◆802	◆803	
Approximately 6,400 feet upstream of South Broadway Street/State Highway F.	None	◆870	
SB-4 Tributary to Sni-A-Bar Creek: At the confluence with Sni-A-Bar Creek .....	◆830	◆832	
Approximately 2,440 feet upstream of East Tapscott Road.	None	◆882	
Swiney Branch: Approximately 900 feet upstream of Seymour Road ....	◆774	◆773	City of Grain Valley, Jackson County, (Unincorporated Areas).
Approximately 275 feet downstream of East Duncan Road.	◆805	◆804	
Tributary A1 to East Fork Little Blue River: At confluence with East Fork Little Blue River .....	◆901	◆902	City of Lee's Summit.
Approximately 570 feet upstream of Windsboro Drive ..	◆953	◆960	
Tributary A2 to East Fork Little Blue River: At confluence with Tributary A1 to East Fork Little Blue River.	◆920	◆919	
Approximately 950 feet upstream of Southeast Battery Point.	None	◆953	
Tributary B1 to Big Creek: At confluence with Big Creek .....	◆975	◆981	
Approximately 2,560 feet upstream of the confluence with Big Creek.	◆989	◆986	
Tributary B2 to Big Creek: At confluence with Big Creek .....	◆925	◆928	City of Greenwood, City of Lee's Summit.
Approximately 1,930 feet upstream of State Highway 291.	None	◆985	
Tributary C1 to Cedar Creek: At confluence with Cedar Creek .....	◆833	◆839	City of Lee's Summit.
Approximately 400 feet upstream of Southwest 3rd Street.	◆865	◆888	
Tributary C2 to Cedar Creek: At confluence with Cedar Creek .....	◆905	◆906	
Approximately 820 feet upstream of U.S. Highway 50	None	◆956	
Tributary C3 to Cedar Creek: At confluence with Cedar Creek .....	◆931	◆932	
Approximately 1,030 feet upstream of Southwest Persels Road.	None	◆970	
Tributary C4 to Cedar Creek: At confluence with Cedar Creek .....	◆968	◆966	
Approximately 280 feet upstream of Southwest Lakeview Boulevard.	None	◆992	
Tributary C5 to Cedar Creek: At confluence with Cedar Creek .....	◆850	◆851	
Approximately 1,070 feet upstream of Southwest Forest Park Boulevard.	None	◆915	
Tributary C6 to Cedar Creek: At the confluence with Cedar Creek .....	◆921	◆920	
Approximately 1,920 feet upstream of Southwest Pacific Drive.	None	◆946	
Tributary G1 to Lake Winnebago: At County Line Road .....	◆921	◆938	
At State Highway 291 .....	◆974	◆970	
Tributary G2 to Raintree Lake: Approximately 75 feet upstream of the confluence with Raintree Lake.	◆962	◆961	
Approximately 3,660 feet upstream of the confluence with Raintree Lake.	None	◆981	

Source of flooding and location of referenced elevation	◆ Elevation in feet (NAVD)		Communities affected
	Existing	Modified	
Tributary L1 to Lakewood Lakes: At confluence with Lakewood Lakes ..... Approximately 2,480 feet upstream of Gregory Boulevard.	◆863 None	◆864 ◆906	
Tributary P1 to Prairie Lee Lake: At confluence with Prairie Lee Lake ..... Approximately 1,770 feet upstream of State Highway 291.	◆886 ◆952	◆881 ◆953	
Tributary P2 to Prairie Lee Lake: Approximately 30 feet upstream of the confluence with Prairie Lee Lake. Approximately 950 feet upstream of the confluence of Tributary P4 to Prairie Lee Lake.	◆887 ◆958	◆886 ◆961	
Tributary P3 to Prairie Lee Lake: At confluence with Tributary P2 to Prairie Lee Lake ..... Approximately 1,550 feet upstream of State Highway 291.	◆922 ◆978	◆923 ◆980	
Tributary P4 to Prairie Lee Lake: At confluence with Tributary P2 to Prairie Lee Lake ..... Just downstream of State Highway 291 .....	◆951 ◆957	◆957 ◆969	
Tributary P5 to Prairie Lee Lake: Approximately 1,460 feet downstream of Northeast Scruggs Road. Approximately 8,450 feet upstream of Northeast Blackwell Road.	None None	◆886 ◆949	City of Lee's Summit, Jackson County, (Unincorporated Areas)
Tributary to Tributary B2 to Big Creek: At confluence with Tributary B2 to Big Creek ..... Approximately 1,560 feet upstream of confluence with Tributary B2 to Big Creek.	◆968 None	◆969 ◆976	City of Lee's Summit.
Tributary to West Fork Sni-A-Bar Creek: Approximately 1,550 feet upstream of the confluence with West Fork Sni-A-Bar Creek. Approximately 7,990 feet upstream of East Major Road	None None	◆806 ◆875	Jackson County, (Unincorporated Areas).
Yennie Avenue Drain: At confluence with Sni-A-Bar Creek .....  Approximately 1,510 feet upstream of Yennie Avenue	◆775 None	◆774 ◆805	City of Grain Valley, Jackson County, (Unincorporated Areas).

**ADDRESSES:****City of Grain Valley, Jackson County, Missouri.**

Maps are available for inspection at City Hall, 711 Main Street, Grain Valley, Missouri.

Send comments to The Honorable Brad Knight, Mayor, City of Grain Valley, City Hall, 711 Main Street, Grain Valley, Missouri 64029.

**City of Grandview, Jackson County, Missouri.**

Maps are available for inspection at City Hall, 1200 Main Street, Grandview, Missouri.

Send comments to The Honorable Robert M. Beckers, Mayor, City of Grandview, City Hall, 1200 Main Street, Grandview, Missouri 64030.

**City of Greenwood, Jackson County, Missouri.**

Maps are available for inspection at City Hall, 709 West Main Street, Greenwood, Missouri.

Send comments to The Honorable Kevin Adey, Mayor, City of Greenwood, City Hall, 709 West Main Street, Greenwood, Missouri 64034.

**City of Independence, Jackson County, Missouri.**

Maps are available for inspection at City Hall, 111 East Maple Avenue, Independence, Missouri.

Send comments to The Honorable Ron Stewart, Mayor, City of Independence, City Hall, 111 East Maple Avenue, Independence, Missouri 64050.

**City of Lee's Summit, Jackson County, Missouri.**

Maps are available for inspection at City Hall, 207 Southwest Market Street, Lee's Summit, Missouri.

Send comments to The Honorable Karen R. Messerli, Mayor, City of Lee's Summit, City Hall, 207 Southwest Market Street, Lee's Summit, Missouri 64063

**City of Oak Grove, Jackson County, Missouri.**

Maps are available for inspection at City Hall, 1300 South Broadway Street, Oak Grove, Missouri 64075.

Send comments to The Honorable Mark Fulks, Mayor, City of Oak Grove, City Hall, 1300 South Broadway Street, Oak Grove, Missouri 64075.

**Unincorporated Areas of Jackson County, Missouri.**

Maps are available for inspection at 303 West Walnut, Independence, Missouri.

Send comments to Ms. Katheryn J. Shields, County Executive, Jackson County, Jackson County Courthouse, 415 East 12th Street, Kansas City, Missouri 64106.

◆ North American Vertical Datum of 1988.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: December 22, 2005.

**David I. Maurstad,**

Acting Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. E6-2415 Filed 2-17-06; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition To List the Yellowstone Cutthroat Trout as Threatened

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of a 12-month petition finding.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (USFWS), announce our 12-month finding for a petition to list the Yellowstone cutthroat trout (YCT) (*Oncorhynchus clarkii bouvieri*) as a threatened species throughout its range in the United States, pursuant to the Endangered Species Act of 1973, as amended. After a thorough review of all available scientific and commercial information, we find that listing the YCT as either threatened or endangered is not warranted at this time. We ask the public to continue to submit to us any new information that becomes available concerning the status of or threats to the subspecies. This information will help us to monitor and encourage the ongoing conservation of this subspecies.

**DATES:** The finding in this document was made on February 14, 2006.

**ADDRESSES:** Data, information, comments, or questions regarding this notice should be sent to U.S. Fish and Wildlife Service, 780 Creston Hatchery Road, Kalispell, Montana 59901. The complete administrative file for this finding is available for inspection, by appointment and during normal business hours, at the above address. The petition finding, the status review for YCT, related **Federal Register** notices, the Court Order, and other pertinent information, may be obtained on line at <http://mountain-prairie.fws.gov/endspp/fish/YCT/>.

**FOR FURTHER INFORMATION CONTACT:** The Montana Ecological Services Field Office (see **ADDRESSES**), by telephone at (406) 758-6872, by facsimile at (406) 758-6877, or by electronic mail at [fw6\\_yellowstonecut@fws.gov](mailto:fw6_yellowstonecut@fws.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 *et seq.*), requires that, for any petition to revise the List of Endangered and Threatened Species that contains substantial scientific and commercial information that listing may be warranted, we make a finding within 12 months of the date of receipt of the petition on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but the immediate proposal of a regulation implementing the petitioned action is precluded by other pending proposals to determine whether any species is threatened or endangered, and expeditious progress is being made to add or remove qualified species from the List of Endangered and Threatened Species. Section 4(b)(3)(C) of the ESA requires that a petition for which the requested action is found to be warranted but precluded be treated as though resubmitted on the date of such finding, i.e., requiring a subsequent finding to be made within 12 months. Such 12-month findings must be published in the **Federal Register**.

On August 18, 1998, we received a petition dated August 14, 1998, to list the YCT as threatened, under the ESA, where it presently occurs throughout its historic range. Petitioners were Biodiversity Legal Foundation, the Alliance for the Wild Rockies, the Montana Ecosystems Defense Council, and George Wuerthner.

##### Biology and Distribution

The YCT is 1 of about 13 named subspecies of cutthroat trout native to interior regions of western North America (Behnke 1992, 2002). Cutthroat trout owe their common name to the distinctive red or orange slash mark that occurs just below both sides of the lower jaw. Aside from distribution, morphological differences, particularly external spotting patterns, may distinguish the various subspecies of cutthroat trout (Behnke 1992). Adult YCT typically exhibit bright yellow, orange, and red colors on their flanks and opercles, especially among males during the spawning season. Characteristics of YCT that may be useful in distinguishing this fish from the other subspecies of cutthroat trout include a pattern of irregularly shaped spots on the body, with few spots below the lateral line except near the tail; a unique number of chromosomes; and other genetic and morphological traits that appear to reflect a distinct evolutionary lineage (Behnke 1992).

Also among those 13 cutthroat trout subspecies is the fine-spotted Snake River cutthroat trout (which Behnke [1992] referred to as *Oncorhynchus clarkii* spp., but more recently referred to as *Oncorhynchus clarkii behnkei* [Behnke 2002]). The natural range of the fine-spotted Snake River cutthroat trout is principally in the western portion of Wyoming and southeastern Idaho, almost entirely surrounded by that of *O. c. bouvieri* (Behnke 1992). In their petition, the petitioners considered the fine-spotted Snake River cutthroat trout a morphological form (or morphotype) of YCT. Biochemical-genetic studies have revealed very little genetic difference between the large-spotted form of YCT and the fine-spotted cutthroat trout of the Snake River basin (most recently, Mitton *et al.* 2006 in review, Novak *et al.* 2005). As the common names indicate, the large-spotted YCT and fine-spotted cutthroat trout are typically separable based primarily on the basis of the sizes and patterns of spots on the sides of the body. The large-spotted YCT has pronounced, medium to large spots that are round in outline and moderate in number, whereas the spots of the fine-spotted cutthroat trout are the smallest of any native trout in western North America and so profuse they resemble "a heavy sprinkling of ground pepper" (Behnke 1992). However, in areas of natural geographic overlap, intergrades of the two forms with intermediate spotting patterns are common (Novak *et al.* 2005).

For purposes of this review, we use the name YCT to represent both of the closely related putative subspecies (*Oncorhynchus clarkii bouvieri* and *Oncorhynchus clarkii behnkei*) and they are considered a single entity (as petitioned) in our status review (USFWS 2006). We refer to them collectively as YCT throughout this document.

Although not specifically documented with historical data, the recent historic range of YCT is thought to have included waters of the Snake River drainage (Columbia River basin) upstream from Shoshone Falls, Idaho (River Mile 614.7), and those of the Yellowstone River drainage (Missouri River basin) upstream from and including the Tongue River, in eastern Montana (Behnke 1992). Historic range of YCT in the Yellowstone River drainage thus includes large regions of northwest Wyoming and southcentral Montana. Historic range in the Snake River drainage includes large regions of the western portion of Wyoming, southeast Idaho, and small parts of the northwest corner of Utah and northeast corner of Nevada (Behnke 1992, Novak