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ENDANGERED SPECIES ACT REAUTHORIZED

On December 28, 1979, President Carter signed Senate Bill 1143 reauthorizing the Endangered Species Act for another three years. P.L. 96-159. The Endangered Species Scientific Authority, a cabinet-level review board, was replaced by a new seven-man advisory panel under the authority of the Secretary of the Interior. Under the new law the Secretary is prohibited from rejecting the panel's advice without publishing his reasons. The new law also authorized \$5 million to the Department of Agriculture to oversee endangered plant species.

The original 1966 legislation has been the source of continuing Congressional debate in the aftermath of the controversy surrounding the Tellico and Grayrock dam projects. Environmentalists used the Act to block continuing work on these nearly completed federal projects. Eventually Congress passed special legislation exempting Tellico from the Act, and the Grayrock project was modified to save the breeding grounds of the whooping crane.

As originally presented by Senator Culver, the bill included an amendment exempting a species from protection under the Act. Species would be exempted on the basis of a biological assessment and the Secretary of the Interior's failure to find that the exemption would result in extinction of a species, if the species had not been the subject of consultation or identified in a biological assessment before or in conjunction with consideration of the exemption. Passage of the House Bill (H.R. 2218) was secured without Culver's amendment in exchange for the President's signature on an energy and water appropriations bill which contained a rider exempting the Tellico dam from all laws prohibiting the project's completion. Environment Reporter, BNA, 10 Cur. Dev. 1475, 1979.

Virginia's Endangered species include the following vertebrates and mollusks. The big-eared bat which lives in the western part of the state was added last month. 44 Fed. Reg. 69206.

L.S.R.

VIRGINIA ENDANGERED SPECIES LIST

<u>Species</u>	<u>Scientific Name</u>	<u>Location</u>
Birds:		
Brown pelican	<u>Pelecanus occidentalis</u>	Casual transient
Southern bald eagle	<u>Haliaeetus leucocephalus</u>	Resident, coastal
Peregrine falcon	<u>Falco peregrinus</u>	Migrant transient
Red-cockaded woodpecker	<u>Dendrocopus borealis</u>	Resident, S.E. Va.
Bachman's warbler	<u>Vermivora bachmannii</u>	Transient, N. Va.
Mammals:		
Gray bat	<u>Myotis grisescens</u>	Western Virginia
Indiana bat	<u>Myotis sodalis</u>	Doubtful, S.W. Va.
Eastern big-eared bat	<u>Plecotus rafinesquei</u>	Burkes Garden, Va.
Delmarva fox squirrel	<u>Sciurus niger cinereus</u>	Eastern Shore, Va.
Eastern cougar	<u>Felis concolor cougar</u>	Doubtful, West.Va.
Reptiles:		
Atlantic ridley sea turtle	<u>Lepidochelys kempie</u>	Atlantic coast
Hawksbill sea turtle	<u>Eretmochelys imbricata</u>	Atlantic coast
Leatherback sea turtle	<u>Dermochelys coriacea</u>	Atlantic coast
Loggerhead sea turtle	<u>Caretta caretta</u>	Atlantic coast
Fish:		
Shortnose sturgeon	<u>Acipenser brevirostrum</u>	Atlantic coast
Slender chub	<u>Hybopsis cahnii</u>	Clinch and Powell Rivers
Yellowfin madtom	<u>Noturus flavipinnis</u>	S. W. Virginia
Spotfin chub	<u>Hybopsis monacha</u>	S. W. Virginia
Mollusks:		
Tan riffle shell mussel	<u>Epioblasma walkeri</u>	Middle fork, Holston River
Appalachian monkeyface pearly mussel	<u>Quadrula sparsa</u>	S. W. Virginia
Birdwing pearly mussel	<u>Conradilla caelata</u>	S. W. Virginia
Cumberland monkeyface pearly mussel	<u>Quadrula intermedia</u>	S. W. Virginia
Dromedary pearly mussel	<u>Dromus dromas</u>	S. W. Virginia
Fine rayed pigtoe pearly mussel	<u>Fusconaia cuneolus</u>	S. W. Virginia
Greenblossom pearly mussel	<u>Epioblasma torulosa</u> <u>gubernaculum</u>	S. W. Virginia
Rough pigtoe pearly mussel	<u>Pleurobema plenum</u>	S. W. Virginia
Shiny pigtoe pearly mussel	<u>Fusconaia edgariana</u>	S. W. Virginia

Source: Virginia Commission of Game and Inland Fisheries, June 1979.