(1) Section 91.70(a), to the extent that it would require States and local governments to submit a CHAS annual plan for Fiscal Year 1995 (the period from October 1, 1994 through September 1995);

(2) Section 91.80(a)(2), to the extent that it would require a certification of consistency to apply to a new annual plan for Federal Fiscal Year 1995, rather than the annual plan submitted for Fiscal Year 1994 extended to cover the period in Fiscal Year 1995 until the beginning of the first program year under the consolidated plan;

(3) Section 91.82(b), to the extent that it would require an annual performance report to be submitted by December 31, 1994, to extend the submission deadline to 90 days following the first day of the jurisdiction's first program year under the consolidated plan regulation, in accordance with the revised 24 CFR part 91 published on January 5, 1995.

The good cause for waiver of these provisions is to avoid unnecessary duplication of effort that would otherwise be required for States and local governments developing a consolidated plan and the undue hardship that would result if jurisdictions were not able to provide required certificates of consistency for this time period from October 1, 1994 to the beginning of the Consolidated Plan program year.

III. Effect

As a result of the first waiver, jurisdictions need not submit a CHAS annual plan for the time period between the end of Fiscal Year 1994 and the beginning of the jurisdiction's consolidated program year. The jurisdiction's previously approved CHAS will remain in effect until the start date of the jurisdiction's new consolidated program year, at which point the jurisdiction's new consolidated plan will take effect. The second waiver allows jurisdictions to use their annual plan for Fiscal Year 1994 as extended by this notice for the purpose of certifications of consistency. The third waiver allows jurisdictions to submit a last performance report under the CHAS for a period longer than 12 months, to include Fiscal Year 1994 and the period between the end of Fiscal Year 1994 and the beginning of the first Consolidated Plan program year.

To the extent that a jurisdiction determines that its CHAS needs to be updated, an amendment to the Fiscal Year 1994 CHAS may be submitted to reflect any change. (Under the Consolidated Plan rule, the new consolidated plan strategy is due at least 45 days before the start of the

consolidated plan year selected by each jurisdiction.)

Dated: January 31, 1995.

Henry G. Cisneros,

Secretary.

[FR Doc. 95–2896 Filed 2–2–95; 11:43 am] BILLING CODE 4210–32–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AC25

Endangered and Threatened Wildlife and Plants; Spruce-Fir Moss Spider Determined To Be Endangered

AGENCY: Fish and Wildlife Service,

Interior.

ACTION: Final rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) determines the sprucefir moss spider (Microhexura montivaga) to be 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 exotic insects and possibly past land use history, air pollution, and other factors not yet fully understood. The species' current low numbers also increase its vulnerability to harm from other threats. This final rule extends Federal protection under the Act to the spruce-fir moss spider.

EFFECTIVE DATE: March 8, 1995.

ADDRESSES: The complete file for this rule is available for inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service Field Office, 330 Ridgefield Court, Asheville, North Carolina.

FOR FURTHER INFORMATION CONTACT: Mr. John Fridell at the above address (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 mountain peak 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 2.5 to 3.8 millimeters (0.10 to 0.15 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 vellowish brown (Harp 1992). The most reliable field identification characteristics for the spruce-fir moss spider are chelicerae that project forward well beyond the anterior edge of the carapace (Harp 1992; Coyle, personal communication 1994), 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 damp but welldrained moss (and liverwort) mats growing on rocks or boulders, in wellshaded situations in the mature, highelevation Fraser fir (Abies fraseri) and red spruce (Picea rubens) forests (Coyle 1981, Harp 1992). The forest stands at the sites where the species has been observed are composed primarily of Fraser fir with only scattered spruce being present. The moss mats found to contain the spider have all been found under fir trees (Harp, personal communication, 1994; Coyle, personal communication, 1994). 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 flatten with short side branches (Coyle 1981, Harp 1992). There is no record of prey having been found in the webs of the sprucefir 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