a continuation of similar levels of impact from the stressors affecting this species as we have in the past. We believe a continued rate of groundwater usage and continued rates of impact from other stressors over the next 30 years would not likely result in significant effects to the occupied range of the Arkansas darter. Although we expect little change on a rangewide basis, we could see some range contraction in the western Cimarron and upper Rattlesnake Creek basin in Kansas and Oklahoma due to water depletion, as well as small portions of the Colorado range. Additionally, we could see range contraction in the eastern portion of the range (Arkansas, Kansas, Missouri, and Oklahoma) due to development effects. However, we do not expect to see a reduction in redundancy of the species overall (e.g., no the loss of entire populations).

Finding

Based on our review of the best available scientific and commercial information pertaining to the Act's five threat factors, we find that the stressors acting on the species and its habitat, either singly or in combination, are not of sufficient imminence, intensity, or magnitude to indicate that the Arkansas darter is currently in danger of extinction (an endangered species), or likely to become endangered within the foreseeable future (a threatened species). In conclusion, we find that this species no longer warrants listing throughout its range.

We evaluated the current range of the Arkansas darter to determine if there is any apparent geographic concentration of potential threats for the species. Groundwater withdrawals are currently impacting portions of the upper, central, and lower Arkansas River basins in Kansas, Oklahoma, and Colorado, an area representing approximately 25 percent of geographic range of the Arkansas darter. Additional stressors outside of this area are generally low level, localized impacts not affecting entire populations. The 25 percent of the range affected by groundwater withdrawal does not meet the biologically based definition of "significant" (i.e., the loss of that portion clearly would not be expected to increase the vulnerability to extinction of the entire species). If that 25 percent of the range were lost, the species would still have approximately 75 percent of its geographic range in areas that are not expected to be subject to the negative effects of water depletion. Therefore, we determined that there are no significant portions of the species' range where the Arkansas darter meets the definition of

an endangered or a threatened species and that the best available scientific and commercial information indicates this species is no longer in danger of extinction (endangered) or likely to become endangered within the foreseeable future (threatened) throughout all or a significant portion of its range.

Arkansas darter populations appear to be resilient to threats identified in previous status assessments; these threats are now believed to have fewer impacts on the Arkansas darter than previously understood; the species is expected to maintain a high level of redundancy and representation into the future; we know of more currentlyoccupied populations then we have in previous assessments; and while groundwater withdrawals affecting water depletion are expected to continue in approximately 25 percent of the range, we do not expect to see a reduction in redundancy of the species overall (e.g., no loss of Arkansas darter populations). Therefore, we find that listing the Arkansas darter as an endangered or threatened species is not warranted at this time, and consequently we are removing it from candidate status.

As a result of the Service's 2011 multidistrict litigation settlement with the Center for Biological Diversity and WildEarth Guardians, the Service is required to submit a proposed listing rule or a not-warranted 12-month finding to the **Federal Register** by September 30, 2016 (In re: Endangered Species Act Section 4 Deadline Litigation, No. 10-377 (EGS), MDL Docket No. 2165 (D.D.C. May 10, 2011)), for all 251 species that were included as candidate species in the Service's November 10, 2010, CNOR. This document satisfies the requirements of that settlement agreement for the Arkansas darter, and constitutes the Service's 12-month finding on the May 4, 2004, petition to list the Arkansas darter as an endangered or threatened species. A detailed discussion of the basis for this finding can be found in the Arkansas darter's species-specific assessment form, SSA Report, and other supporting documents (see ADDRESSES, above).

Black Mudalia (Elimia melanoides)

Previous Federal Actions

The Service first identified black mudalia as a candidate for listing in the September 12, 2006, CNOR and assigned an LPN of 2 based on imminent, high-magnitude threats (71 FR 53756). In the December 6, 2007, CNOR, we concluded that the threats

were at the time moderate in magnitude and changed the LPN to 8 (72 FR 69034). We retained the LPN of 8 in all subsequent CNORs (see December 10, 2008 (73 FR 75176), November 9, 2009 (74 FR 57804), November 10, 2010 (75 FR 69222), October 26, 2011 (76 FR 66370), November 21, 2012 (77 FR 69994), November 22, 2013 (78 FR 70104), December 5, 2014 (79 FR 72450), and December 24, 2015 (80 FR 80584)).

On April 20, 2010, we received a petition from the Center for Biological Diversity requesting that the Service list 404 species, including black mudalia, as endangered or threatened. No new information regarding black mudalia was presented in the petition, and on September 27, 2011, we published a 90-day finding (76 FR 59836).

Background

The species formerly described as the black mudalia is a small species of aquatic snail growing to 13 millimeters (mm) (0.5 inches (in)) in length and belongs to the aquatic snail family of Pleuroceridae. The species formerly described as the black mudalia was found clinging to clean gravel, cobble, boulders, and/or logs in flowing water on shoals and riffles within five streams in the Locust Fork drainage in Jefferson and Blount Counties, Alabama.

Summary of Status Review

The following summary is based on our review of the best available scientific and commercial information. No new information was provided in the petition we received on April 20, 2010. The species was described from "rivers in North Alabama" by T.A. Conrad as Anculosotus melanoides, but he failed to provide a specific type of locality. For the second half of the 20th century, the black mudalia was considered to be extinct. However, in 2003, Dr. Russell Minton published a paper on the apparent rediscovery of the species, with a re-description of what he believed was Conrad's black mudalia. He designated an individual from the upper Black Warrior Basin as the neotype—a biological specimen that is selected as the type specimen when the holotype (a single specimen chosen for designation of a new species), lectotype (a specimen chosen from syntypes to designate types of species), or any syntypes (any one specimen of a series used to designate a species when the holotype has not been selected) have been lost or destroyed—and restricted the type locality to one site on the Little Warrior River in Blount County, Alabama; however, the neotype is currently unavailable for study.