

LIST OF FISH AND WILDLIFE WHICH HE DEEMS TO BE THREATENED WITH STATE-WIDE EXTINCTION IN ACCORDANCE WITH PARAGRAPH (C) (5), GIVING THEIR COMMON AND SCIENTIFIC NAMES BY SPECIES AND SUBSPECIES. SAID ORDER SHALL BECOME EFFECTIVE FORTY-FIVE DAYS AFTER IT IS ISSUED DURING WHICH PERIOD PUBLIC COMMENTS WILL BE SOLICITED AND RECEIVED. THE SECRETARY MAY HOLD A PUBLIC HEARING, IF HE DEEMS IT APPROPRIATE. THE SECRETARY MAY THEREAFTER AMEND SUCH ORDER PRIOR TO THE EFFECTIVE DATE THEREOF TO REMOVE ONLY SUCH FISH AND WILDLIFE WHICH HE MAY DETERMINE ARE NOT THREATENED WITH STATE-WIDE EXTINCTION, AS DEFINED IN PARAGRAPH (C) (5).

(3) THE SECRETARY MAY, AT ANY SUBSEQUENT TIME, UPON HIS OWN MOTION OR UPON THE PETITION OF THREE INTERESTED PERSONS, CONDUCT A DEPARTMENTAL REVIEW OF ANY FISH AND WILDLIFE ON THE STATE-WIDE LIST, PROVIDED THAT SUCH PERSONS PRESENT SUBSTANTIAL SCIENTIFIC EVIDENCE TO WARRANT SUCH A REVIEW, AND HE MAY BY ORDER AMEND THE STATE'S LIST ACCORDINGLY. THIS ORDER SHALL BE EFFECTIVE IMMEDIATELY UPON ISSUANCE. THE SECRETARY SHALL CONDUCT A REVIEW OF THE STATE'S ENDANGERED SPECIES LIST BIENNIALLY HEREAFTER AND SUBMIT TO THE GOVERNOR A SUMMARY REPORT OF THE SCIENTIFIC DATA USED TO SUPPORT ALL AMENDMENTS TO THE STATE'S ENDANGERED SPECIES LIST DURING THAT BIENNIAL PERIOD.

(4) THE SECRETARY MAY REMOVE ANY FISH AND WILDLIFE FROM THE STATE'S ENDANGERED SPECIES LIST WHICH HAS BEEN REMOVED FROM THE FEDERAL LISTS, PROVIDED HE DETERMINES THAT THE SAME FISH AND WILDLIFE ARE NO LONGER THREATENED WITH STATE-WIDE EXTINCTION.

(5) THE SECRETARY SHALL INVENTORY AND INVESTIGATE THE STATUS OF ALL FISH AND WILDLIFE WHICH ARE FOUND IN THIS STATE TO DETERMINE WHETHER THEY ARE THREATENED WITH STATE-WIDE EXTINCTION. FOR THE PURPOSES OF THIS ACT, FISH AND WILDLIFE SHALL BE DEEMED TO BE "THREATENED WITH STATE-WIDE EXTINCTION" WHENEVER THE SECRETARY DETERMINES, BASED UPON THE BEST SCIENTIFIC AND COMMERCIAL DATA AVAILABLE TO HIM, AND AFTER CONSULTATION WITH OTHER STATE GAME DIRECTORS, FEDERAL AGENCIES, AND OTHER INTERESTED PERSONS AND ORGANIZATIONS, THAT THE CONTINUED EXISTENCE OF SUCH FISH AND WILDLIFE IS ENDANGERED IN THIS STATE DUE TO ANY OF THE FOLLOWING FACTORS: (I) THE DESTRUCTION, DRASTIC MODIFICATION, OR SEVERE CURTAILMENT OF ITS HABITAT, OR (II) ITS OVERUTILIZATION FOR COMMERCIAL OR SPORTING PURPOSES, OR (III) THE EFFECT ON IT OF DISEASE OR PREDATION, OR (IV) OTHER NATURAL OR MAN-MADE FACTORS AFFECTING ITS CONTINUED EXISTENCE.