

INTERESTED PERSONS AND ORGANIZATIONS, THAT THE CONTINUED EXISTENCE OF THE FISH IS ENDANGERED IN THE STATE DUE TO ANY OF THE FOLLOWING FACTORS:

(1) THE DESTRUCTION, DRASTIC MODIFICATION, OR SEVERE CURTAILMENT OF ITS HABITAT,

(2) ITS OVER-UTILIZATION FOR COMMERCIAL OR SPORTING PURPOSES,

(3) THE EFFECT ON IT OF DISEASE OR PREDATION, OR

(4) OTHER NATURAL OR MAN-MADE FACTORS AFFECTING ITS CONTINUED EXISTENCE.

REVISOR'S NOTE: This subsection presently appears as paragraph 5 of Article 66C, section 125(c). It is made a separate subsection for purposes of organization. The second sentence is new language derived from paragraph (2) of Article 66C, section 125(c). It makes clear the Secretary's duty to maintain the list initially formed pursuant to the provisions of paragraph (2). The only other changes made are in style.

(D) MODIFICATION AND REVIEW OF ENDANGERED SPECIES LIST. — THE SECRETARY, ON HIS OWN MOTION OR ON PETITION OF THREE INTERESTED PERSONS, MAY CONDUCT A DEPARTMENTAL REVIEW OF ANY FISH ON THE STATEWIDE LIST. THE INTERESTED PERSONS SHALL PRESENT SUBSTANTIAL SCIENTIFIC EVIDENCE TO WARRANT THE REVIEW. THE SECRETARY, BY ORDER, MAY AMEND THE STATE'S LIST ACCORDINGLY. THIS ORDER IS EFFECTIVE IMMEDIATELY UPON ISSUANCE. THE SECRETARY BIENNIALY SHALL CONDUCT A REVIEW OF THE STATE'S ENDANGERED SPECIES LIST, AND SUBMIT TO THE GOVERNOR A SUMMARY REPORT OF THE SCIENTIFIC DATA USED TO SUPPORT EVERY AMENDMENT TO THE STATE'S ENDANGERED SPECIES LIST DURING THAT BIENNIUM.

REVISOR'S NOTE: This subsection presently appears as paragraph (3) of Article 66C, section 125(c) of the Code. The only changes made are in style.

(E) REMOVAL OF SPECIES FROM LIST IF REMOVED FROM FEDERAL LIST.— THE SECRETARY MAY REMOVE ANY FISH FROM THE STATE'S ENDANGERED SPECIES LIST WHICH HAS BEEN REMOVED FROM THE FEDERAL LISTS IF HE DETERMINES THE