

public access on expanded logging road networks.

The comment period for the status review originally closed on July 19, 1994 (59 FR 26476). Since that date many parties have expressed interest in submitting substantive comments. In order to accommodate these parties, the Service is extending the comment period until October 1, 1994. Written comments may be submitted to the Service office in the ADDRESSES section.

Author

The primary author of this notice is Teresa Woods, U.S. Fish and Wildlife Service, Division of Endangered Species, 1011 E. Tudor Rd., Anchorage, Alaska 99503.

Authority

The authority of this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: August 17, 1994.

David B. Allen,

Acting Regional Director, Region 7, Fish and Wildlife Service.

[FR Doc. 94-21001 Filed 8-25-94; 8:45 am]

BILLING CODE 4310-65-M

50 CFR Part 17

174-94

Endangered and Threatened Wildlife and Plants; 90-Day Finding for a Petition to List as Endangered or Threatened the Contiguous United States Population of the Canada Lynx and to Emergency List a Southern Rocky Mountain Population

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to add the contiguous United States population of the Canada lynx (*Lynx lynx canadensis*) to the List of Threatened and Endangered Species (List) and to add a southern Rocky Mountain population to the List via an emergency listing. The Service finds the petition presents substantial information indicating the requested action for the contiguous population may be warranted, but there is not substantial information to indicate that an emergency listing of a southern Rocky Mountain population may be warranted. As a result of a previous court settlement, a formal status review is underway.

DATES: The finding announced in this document was made on August 19, 1994. Comments and materials need to

be submitted to the Service by October 1, 1994, to be considered in the 12-month finding.

ADDRESSES: Data, information, comments, or questions concerning this petition should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, 100 North Park Avenue, Suite 320, Helena, Montana 59601. The petition, 90-day finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Kemper McMaster, Field Supervisor, at the above address, telephone (406) 449-5225.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973 as amended (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to indicate that the petitioned action may be warranted. This finding is to be based on all information available to the Service at the time the finding is made. To the maximum extent practicable, this finding is to be made within 90 days of the date the petition was received, and a notice regarding the finding is to be published promptly in the Federal Register. If the finding is that substantial information was presented, the Service also is required to promptly commence a review of the status of the species involved if one has not already been initiated under the Service's internal candidate assessment process.

This document meets the requirement that a notice be published for the 90-day finding made earlier for the petition discussed below. Information contained in this document is a summary of the information in the 90-day finding, which is the Service's decision document. A status review has been ongoing since the species was classified as a category 2 candidate species in the December 30, 1982, Vertebrate Notice of Review (47 FR 58454).

A petition dated April 23, 1994, was received by the Service from the Biodiversity Legal Foundation, Evan Frost, Mark Skatrud, Craig Coonrad, and Michael J. Polly on April 27, 1994. The petition requested that the conterminous United States population of the "North American" lynx (*Felis lynx canadensis*) be listed as a threatened or endangered species. Additionally, the petitioners requested that the southern Rocky Mountain

population of the "North American" lynx in Wyoming and Colorado be emergency listed.

This species is now recognized as *Lynx lynx canadensis* (Jones *et al.* 1992) and is often referred to as the Canada lynx. The Service accepts both of these names.

The petitioners assert that the Canada lynx population in the contiguous United States should be added to the List of Threatened and Endangered Species because of the following factors: 1. Intensive logging that eliminates foraging and denning habitat for Canada lynx and snowshoe hare until the vegetation has regrown sufficiently, creates openings in the forest that Canada lynx avoid, and causes habitat fragmentation that creates barriers to dispersal and colonization; 2. Logging roads allow human accessibility that may increase incidental trapping of Canada lynx and disrupt Canada lynx travel and hunting; 3. Forest fire suppression adversely affects Canada lynx through the reduction of hare habitat; 4. Few comprehensive management plans for Canada lynx have been developed or implemented by government agencies; 5. State agencies have not adequately modified their furbearer regulations; 6. The Canada lynx's inherent characteristics, including naturally low population densities, specialized prey requirements, and large home ranges, make it vulnerable to extinction; and 7. The southern Rockies population is further threatened by ski area developments that may reduce habitat and prey base and increase human disturbance and accidental trapping. The petitioners requested that the southern Rocky Mountain population of the lynx be protected by emergency listing because it is severally imperiled, the population level is low, and it is reproductively isolated.

Listing Factors

The following are the five listing criteria as set forth in section 4(a)(1) of the Act and regulations (50 CFR Part 424) promulgated to implement the listing provisions of the Act and their applicability to the current status of the Canada lynx.

A. The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range

The suppression of forest fires and intensive logging prescriptions have had a detrimental effect on Canada lynx habitat, and logging roads have increased human accessibility to the species.

B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Past overharvest has had a detrimental effect on Canada lynx populations.

C. Disease or Predation

Canada lynx may be displaced or eliminated when competitors, such as the bobcat (*Lynx rufus*) or coyote (*Canis latrans*), expand into the range of the Canada lynx.

D. The Inadequacy of Existing Regulatory Mechanisms

States managed the Canada lynx as a furbearer in the past, but as a result of declining Canada lynx populations, Canada lynx are classified as threatened or endangered in Colorado, Michigan, New Hampshire, Vermont, Washington, and Wisconsin. It is also fully protected from harvest in Maine, Minnesota, New York, North Dakota, Utah, and Wyoming. Only Idaho and Montana currently allow the harvest of Canada lynx. The above States either prohibit or control the "take" of Canada Lynx, but their laws are relative ineffective in controlling the loss or modification of the species' habitat.

E. Other Natural or Manmade Factors Affecting Its Continued Existence

Human development has had a determinental effect on the Canada lynx habitat and population.

Finding

The Service may issue an emergency rule when there is an emergency posing a significant risk to the well-being of a species. Although the Canada lynx population in the southern Rockies may be small, the Service is not aware of any actions that immediately threaten the population. The petition did not present substantial information to indicate that emergency listing is warranted.

After finding that a 1991 petition to list the North Cascades population of the Canada lynx as endangered was not warranted, the Service concluded that a rangewide status review of the Canada lynx should be conducted (58 FR 36924). As a result of a court settlement in November 1993, the Service is now in the process of formally reviewing the status of the contiguous United States population of the Canada lynx to determine whether it should be added to the List of Threatened and Endangered Species. On February 2, 1994, the Service published a notice (50 FR 4887) announcing a continuation of the status review initiated in 1982. The findings from this review, which must be published by the court appointed

date of November 15, 1994, will constitute the 12-month finding for this petition. Considering the language agreed to by the Service in the court settlement, information provided by the petitioners, and the fact that the Canada lynx is a category 2 candidate species, the Service finds that there is substantial information to indicate that listing the contiguous population of the Canada lynx may be warranted.

The Services' 90-day administrative finding contains more detailed information regarding the above decisions. A copy may be obtained from the Service's Helena office (see ADDRESSES section).

References Cited

Jones, J.R., Jr., R.S. Hoffman, D.W. Rice, C. Jones, R.J. Baker, and M.D. Engstrom, 1992. Revised checklist of North American mammals north of Mexico, 1991. Occas. Papers Mus. No. 146, Texas Tech Univ., Lubbock.

Author

This document was prepared by Lori H. Nordstrom (see ADDRESSES section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transplantation.

Dated: August 19, 1994.

Bruce Blanchard,

Acting Director, Fish and Wildlife Service.
[FR Doc. 94-21077 Filed 8-25-94; 8:45 am]
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50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 90-Day Finding for a Petition to List the Queen Charlotte Goshawk and Request for Additional Information

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 90-day petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 90-day finding for a petition to list the Queen Charlotte goshawk (*Accipiter gentilis laingi*) under the Endangered Species Act of 1973, as amended. The Service finds that the petition presents substantial information indicating the requested action may be warranted. Through issuance of this notice, the Service is

requesting additional information regarding this subspecies.

DATES: The finding announced in this document was made August 19, 1994. Comments and materials related to this petition finding may be submitted until further notice, but they must be received by November 25, 1994 to be considered in the 12-month finding.

ADDRESSES: Data, information, comments or questions concerning the status of the petitioned subspecies described below should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801-7100. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Lindell, Endangered Species Biologist (see ADDRESSES above) (907/586-7240).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and the finding is to be published promptly in the *Federal Register*. If the finding is positive, the Service must promptly commence a review of the status of the species involved and disclose its findings within 12 months (12-month finding).

On November 21, 1991, the Service published in the *Federal Register* (56 FR 58804) a notice of review for an updated list of animal taxa that are being considered for possible addition to the List of Endangered and Threatened Wildlife. Among the species included as a Category 2 candidate species was the northern goshawk (*Accipiter gentilis*). By inclusion as a subspecies, the Queen Charlotte goshawk (*Accipiter gentilis laingi*) was also designated a Category 2 candidate species at that time. Through the publication of that notice, the Service announced the possible vulnerability of the Queen Charlotte goshawk, initiated a review of subspecies' status, and requested additional pertinent information.

On May 9, 1994, a petition dated May 2, 1994, was received by the Service