



U.S. FISH AND WILDLIFE SERVICE

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News

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Queen Charlotte Goshawk Listing in Canada Proposed

The U.S. Fish and Wildlife Service announced today its proposal to list the British Columbia distinct population segment (DPS) of the Queen Charlotte goshawk (*Accipiter gentilis laingi*) as threatened, (except on the Queen Charlotte Islands, which the agency considers to be a significant portion of the DPS's range, where we propose to list the goshawk as endangered), under the Endangered Species Act.

This proposal, if made final, would extend the Act's protection to this subspecies in British Columbia, Canada, on Vancouver Island and the surrounding smaller islands, the Queen Charlotte Islands, and the coastal mainland west of the Coast Mountains. This proposed listing is consistent with the "threatened" status of the Queen Charlotte goshawk under Canada's Species at Risk Act. The Service will seek data and comments from the public on this proposal for 60 days following tomorrow's publication in the *Federal Register*. On November 8, 2007, the agency announced its decision that listing was not warranted for the southeast Alaska DPS.

The U.S. Fish and Wildlife Service was initially petitioned to list the Queen Charlotte goshawk as endangered in May of 1994. A series of legal challenges and court-ordered remands resulted between 1995 and 2004. In May of 2004, the District Court remanded the finding to the USFWS with instructions to evaluate whether Vancouver Island is a "significant portion" of the subspecies' range (within the meaning of the Endangered Species Act's definition of "endangered" or "threatened") and, if so, to determine whether the bird should be listed. Today's proposal completes the Service's response to those instructions.

We intend that any final action resulting from this proposal will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or suggestions from other government agencies, the scientific community, industry, or any other interested party concerning this proposed rule. We particularly seek comments regarding:

- (1) Biological information, population status, commercial trade, or other relevant data concerning any threat (or lack thereof) to this subspecies,
- (2) The factors that are the basis for making a listing determination for a species under section 4(a) of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), which are:
 - (a) The present or threatened destruction, modification, or curtailment of its habitat or range;
 - (b) Overutilization for commercial, recreational, scientific, or educational purposes;
 - (c) Disease or predation;
 - (d) The inadequacy of existing regulatory mechanisms; or

- (e) Other natural or manmade factors affecting its continued existence.
- (3) The appropriate conservation status for the British Columbia DPS of the Queen Charlotte goshawk, and
 - (4) Specific information on the areas identified as significant portions of the range in this proposed rule, including threats.
 - (5) After the 60-day comment period ends, comments will be analyzed and a final rule will be published in the Federal Register no more than one year from the date of this proposed rule.

We will consider comments received on or before January 2, 2010. We must receive requests for public hearings, in writing, at the Arlington, Virginia address below by December 18, 2009.

You may submit comments by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- U.S. mail or hand-delivery: Public Comments Processing, Attn: FWS-R7-ES-2009-0049; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203.

We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us.

For further information contact Steve Brockmann, Juneau Fish and Wildlife Field Office, 3000 Vintage Blvd., Suite 201, Juneau, AK 99801; telephone (907) 780-1181; fax (907) 586-7154.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov.