

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

231-94

Endangered and Threatened Wildlife and Plants; Notice of 90-Day Finding on Petition to List the Santa Ana Mountains Population of the California Mountain Lion as Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 90-day petition finding to list the Santa Ana Mountains population of the California mountain lion (*Felis concolor californica*) as endangered under the Endangered Species Act of 1973, as amended (Act). The Service finds that the petition did not present substantial scientific or commercial information indicating that the population meets the definition of "species" under the Act.

DATES: The finding announced in this document was made on November 4, 1994. Information and comments may be submitted until further notice.

ADDRESSES: Information, comments, or questions regarding this petition should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Field Office, 2730 Loker Avenue West, Carlsbad, California 92008. The petition, the Service's finding, and additional information are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. Gail C. Kobetich at the above address (telephone 619/431-9440).

SUPPLEMENTARY INFORMATION:**Background**

Section 4(b)(3)(A) of the Endangered Species 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 receipt of the petition, and the finding is to be published promptly in the **Federal Register**.

The Service has now made a 90-day finding on a petition to list the Santa Ana Mountains population of the California mountain lion (*Felis concolor californica*). The petition, dated February 25, 1992, was submitted by Mr. Mark Palmer, Conservation Director and Chief Executive Officer of the Mountain Lion Foundation, and received by the Service on February 27, 1992. The petitioner requested that the Santa Ana Mountains population of the California mountain lion be added to the list of endangered species.

The range of the California mountain lion encompasses most of California, southern Oregon, western Nevada, and northern Baja California, Mexico. Although the petition presents information (Beier and Barrett 1993) suggesting deterioration of the mountain lion's habitat and a population decline within the Santa Ana Mountains of Orange, western Riverside and northern San Diego Counties, California, insufficient evidence exists that this population is discrete and naturally isolated from the remainder of this subspecies. Mountain lions, particularly males and younger animals, are well known to be wide ranging, with possible dispersal in excess of 160 kilometers (100 miles). Additionally, insufficient evidence exists to demonstrate that these lions are significant in terms of morphological, genetic, or behavioral

distinctness as compared to the subspecies overall. Therefore, the Santa Ana Mountains population of the California mountain lion does not meet the definition of a "species" as defined by the Act.

The Service has reviewed the petition and other literature and information available in the Service's files. On the basis of the best scientific and commercial information available, the Service finds the petition does not present substantial information that the Santa Ana Mountains population of the California mountain lion meets the definition of a "species" under section 3(15) of the Act. This action places the Santa Ana Mountain population of the California mountain lion into category 3-B for the purposes of future candidate assessment; this category is for inactive candidates determined to not meet the definition of "species" under the Act.

If additional data become available in the future, the Service may reassess its finding.

References Cited

Beier, P., and R.H. Barrett. 1993. The cougar in the Santa Ana Mountain range, California. Final Report. Orange County Cooperative Mountain Lion Study. Department of Forestry and Resource Management, Univ. of California, Berkeley.

Author

The primary author of this document is Fred M. Roberts, Carlsbad Field Office (see **ADDRESSES** section).

Authority

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

Dated: November 4, 1994.

Bruce Blanchard,

Director, Fish and Wildlife Service.

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