

originally closed January 19, 1993, is reopened and now closes on April 2, 1993. Comments must be received by the closing date. Any comments that are received after the closing date may not be considered in the final decision on this proposal.

**ADDRESSES:** The March 2 public hearing will be held at the Round Valley High School auditorium, 600 North Butler, Eager, Arizona. The March 3 public hearing will be held at the Tribal Council Chambers, White Mountain Apache Tribe, South Highway 73, Whiteriver, Arizona. Written comments and material should be sent to the Field Supervisor, Arizona Ecological Services Field Office, U.S. Fish and Wildlife Service, 3616 West Thomas Road, suite 6, Phoenix, Arizona 85019. Comments and materials received will be available for public inspection by appointment, during normal business hours, at the above address.

**FOR FURTHER INFORMATION CONTACT:** Bruce Palmer, at the above address, telephone (602) 379-4720.

#### SUPPLEMENTARY INFORMATION:

##### Background

Arizona willow is a shrub and may exhibit several growth forms. Arizona willow is only found in the White Mountains of Arizona, at elevations above 2,600 meters (8,500 feet), typically in association with wet meadows and stream sides in or near perennial water. The Arizona willow is threatened by degradation of habitat (especially erosion and siltation), predation, and disease, due to, in part, livestock grazing, wildlife use, timber harvest, road building, recreation, and infestation of a naturally occurring rust. A proposed rule to list this species as endangered with critical habitat was published in the *Federal Register* on November 20, 1992 (57 FR 54747).

Pursuant to 50 CFR 424.16 (c)(2), the Service may extend or reopen a comment period upon finding that there is good cause to do so. The Service has determined that good cause exists, in that allowing the full participation of affected publics in the species listing process will allow the Service to consider the best scientific and commercial data available in making a final determination on the proposed action.

Section 4(b)(5)(E) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that a public hearing be held if requested within 45 days of the publication of a proposed rule. The Service received written requests for a public hearing on December 28, 1992, from Robert C.

Brauchli, General Counsel, White Mountain Apache Tribe; on December 31, 1992 from David A. Brown, Attorney at Law, representing Jack A. Brown, J. Albert Brown Ranches Inc., and Sylvia Wilson; and on December 31, 1992, from Arthur N. Lee, County Supervisor, Board of Supervisors, Apache County, Arizona.

The Service has scheduled two public hearings. The first will occur on March 2, 1993, from 6:30 p.m. to 9 p.m. in the Round Valley High School auditorium, Eager, Arizona. The second public hearing will occur on March 3, 1993, from 6:30 p.m. to 9 p.m. in the Tribal Council Chambers, Whiteriver, Arizona. Those parties wishing to make statements for the record should bring a copy of their statements to present to the Service at the start of the hearing. Oral statements may be limited in length to 5 or 10 minutes if the number of parties present at each hearing necessitates such a limitation. There are, however, no limits to the length of written comments or materials presented at the hearings or mailed to the Service. The comment period on the proposed rule originally closed January 19, 1993. To accommodate the public hearings, the Service is reopening the comment period until April 2, 1993. Written comments should be submitted to the Service office in the ADDRESSES section.

##### Author

The primary author of this notice is Bruce K. Palmer (see ADDRESSES).

##### Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1361-1407; 16 U.S.C. 1531-1543; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500; unless otherwise noted).

##### List of Subjects in 50 CFR Part 17

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

Dated: February 1, 1993.

John G. Rogers,  
Regional Director.

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#### 50 CFR Part 17

##### Endangered and Threatened Wildlife and Plants; Finding on Petitions To Change the Status of Grizzly Bear Populations in the Cabinet-Yaak Area of Montana and the Selkirk Mountains of Idaho and Washington From Threatened to Endangered

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces a 12-month petition finding for two petitions to amend the List of Threatened and Endangered Wildlife. The Service finds that the reclassification of the grizzly bear (*Ursus arctos horribilis*) population in the Selkirk ecosystem of Idaho and Washington from threatened to endangered is not warranted. The Service finds that reclassification of the grizzly bear population in the Cabinet-Yaak ecosystem of Montana from threatened to endangered is warranted but precluded.

**DATES:** The finding announced in this notice was approved on January 27, 1993. Comments may be submitted until further notice.

**ADDRESSES:** Questions or comments concerning this finding should be sent to U.S. Fish and Wildlife Service, Grizzly Bear Recovery Coordinator, NS 312, University of Montana, Missoula, Montana 59812. The petition, finding, and supporting data are available for public inspection by appointment during normal business hours at the above office.

**FOR FURTHER INFORMATION CONTACT:** Dr. Christopher Servheen at the address listed above (406-329-3223).

**SUPPLEMENTARY INFORMATION:** 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 U.S. Fish and Wildlife Service (Service) make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate 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 is also required to promptly commence a review of the status of the involved species. In accordance with section 4(b)(3)(B) of the Act, the Service announces the 12-month finding on two

petitions requesting the reclassification of grizzly bears from threatened to endangered status.

A petition dated February 4, 1991, was received by the Service from The Fund for Animals, Inc., on February 7, 1991. The petition requested that the Service reclassify the grizzly bear (*Ursus arctos horribilis*) populations in the Selkirk ecosystem of Idaho and Washington; the Cabinet-Yaak ecosystem of Montana; the Yellowstone ecosystem of Montana, Wyoming, and Idaho; and the Northern Continental Divide ecosystem of Montana from threatened to endangered. A second petition dated January 16, 1991, was received by the Service from Mr. D.C. Carlton on January 28, 1991. The petition requested that the Service reclassify the grizzly bear populations in the Cabinet-Yaak ecosystem of Montana, the Selkirk ecosystem of Idaho and Washington, and the North Cascades ecosystem of Washington from threatened to endangered.

The request to reclassify the grizzly populations in the Yellowstone ecosystem and Northern Continental Divide ecosystem from threatened to endangered status was previously addressed, and a notice of the finding was published in the *Federal Register* on April 20, 1992 (57 FR 14372-14374). The Service found that the petitioners did not provide substantial evidence that their petitioned action was warranted in the Yellowstone ecosystem and the Northern Continental Divide ecosystem.

The reclassification of the grizzly bear in the North Cascades ecosystem was previously addressed by the Service in response to a petition submitted by The Humane Society of the United States, Greater Ecosystem Alliance, North Cascades Audubon Society, Skagit Alpine Club, North Cascades Conservation Council, and Carol Rae Smith. The finding of the Service in response to the petition to change the status of grizzly bears in the North Cascades from threatened to endangered was warranted but precluded, and a notice announcing the finding was published in the *Federal Register* on July 24, 1991 (56 FR 33892-33894).

The Fund for Animals, Inc., and Mr. D.C. Carlton submitted information that

grizzly bears in the Cabinet-Yaak region and Selkirk Mountains are imperiled because current populations there are small. The petitioners also indicated that a range of threats exists to the survival of the remaining populations of bears in these areas, including road construction, land management activities, livestock grazing, land development, and inadequate support from management agencies. A notice published in the *Federal Register* on April 20, 1992 (57 FR 14372-14374), announced that the Service made a 90-day finding that the petitioners presented substantial information that their petitioned action may be warranted for the Cabinet-Yaak and Selkirk grizzly bear populations. In the *Federal Register* publication, the Service also announced the initiation of a status review.

As a result of the *Federal Register* notice, 199 letters were received by the Service with general comments on the petitions. None of the letters contained new biological information on the grizzly bear populations in the Cabinet-Yaak ecosystem or Selkirk ecosystem.

The Service agrees that the grizzly bear population in the Selkirk ecosystem is small. However, current research indicates that human-caused mortality is decreasing, reproduction and survivorship rates are adequate (Wakkinen and Zager 1991, Wielgus et al., in prep.), and a proactive management program has been implemented (Allen-Johnson 1991). After a review of the petitions, accompanying documentation, references cited therein, current research findings, and present management efforts, the Service found that the requested action to reclassify the grizzly bear population in the Selkirk ecosystem from threatened to endangered is not warranted.

The Service agrees that the grizzly bear population in the Cabinet-Yaak area is small (Kasworm and Manley 1988, Kasworm and Thier 1991) and that increasing human demands exist in the areas including logging, recreation, and road building. After a review of the petitions, accompanying documentation, references cited therein, and current research findings, the Service found that the requested action

to reclassify the grizzly bear in the Cabinet-Yaak ecosystem from threatened to endangered is warranted but precluded by work on other species having a higher priority for listing. The Service is expeditiously working on listing a backlog of species having a higher priority of needing protection of the Act. The grizzly bear populations in the Cabinet-Yaak ecosystem and the Selkirk ecosystem remain listed as threatened and retain their current protection under the Act. More detailed information regarding these decisions may be obtained from the office of Dr. Christopher Servheen (see ADDRESSES above).

#### References Cited

- Allen-Johnson, B.K. 1991. Selkirk Mountains grizzly bear enforcement and public relations project: August 1990–November 1991. Idaho Fish and Game, Boise. 5 pp.
- Kasworm, W. and T. Manley. 1988. Grizzly bear and black bear ecology in the Cabinet Mountains of northwest Montana. Mont. Dept. Fish, Wildl. and Parks, Helena. 122 pp.
- Kasworm, W. and T. Thier. 1991. Cabinet-Yaak ecosystem grizzly bear and black bear research, 1990 progress report. U.S. Fish and Wildlife Serv., Missoula, Montana. 35 pp.
- Wakkinen, W.L. and P. Zager. 1991. Selkirk Mountains grizzly bear ecology project, November 1990–November 1991. Idaho Dept. of Fish and Game, Boise. 23 pp.
- Wielgus, R., W.L. Wakkinen, and P. Zager. In prep. Population parameters for Selkirk Mountains grizzly bears.

#### Author

This notice was prepared by Dr. Christopher Servheen (see ADDRESSES).

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531–1544).

#### List of Subjects in 50 CFR Part 17

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

Dated: January 27, 1993.

Richard N. Smith,  
Deputy Director, Fish and Wildlife Service.  
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