

community, industry, or any other interested party concerning the status of these species.

This finding was prepared by the staff of the Carlsbad Field Office and reviewed by the Portland Regional Office. The finding is based on scientific and commercial information contained in the petition, referenced in the petition, and otherwise available to the Service at this time.

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Author

This document was prepared by Nancy Gilbert, Carlsbad Field Office (see ADDRESSES section).

List of Subjects in 50 CFR Part 17

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

Authority: 16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 16 U.S.C. 4201-4245; Pub. L. 99-625, 100 Stat. 3500; unless otherwise noted.

Dated: July 12, 1993.

Richard N. Smith,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 93-17026 Filed 7-16-93; 8:45 am]

BILLING CODE 4310-66-P

50 CFR Part 17

Endangered and Threatened Wildlife and Plants: Finding on a Petition to Change the Status of Any Grizzly Bear Population in the San Juan Mountain Range of Colorado From Threatened to Endangered

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 amend the List of Threatened and Endangered Wildlife. The Service finds that the petitioners did not provide substantial information to show that reclassification of the alleged grizzly bear (*Ursus arctos horribilis*) population in the San Juan Mountain range of Colorado is warranted.

DATES: The finding announced in this notice was approved on July 10, 1993. Comments and materials may be submitted until further notice.

ADDRESSES: Questions or comments concerning this finding should be sent to the Colorado State Supervisor, U.S. Fish and Wildlife Service, 730 Simms Street, room 290, Golden, Colorado 80401. 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: LeRoy W. Carlson, State Supervisor, at the above address or telephone (303) 231-5280.

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**.

A petition dated July 11, 1992, was received by the Service from the Sierra Institute and Life Net on July 15, 1992. The petition requests the Service to reclassify the grizzly bear (*Ursus arctos horribilis*) from threatened to endangered in the San Juan Mountain range of southwestern Colorado. This finding responds to the subject petition.

The petitioners indicated the grizzly bears in the San Juan Mountain range are imperiled by their small population size, increasing economic and recreational development, and inadequacy or lack of governmental protection of the grizzly bears and their habitat. The economic and recreational development listed by the petitioners included road construction and use, and land management activities, livestock grazing, mining, land development, and ski resort development.

While the petition referenced a wide variety of reports of sightings of grizzly bears, habitat analysis of the San Juan Mountain range, hair samples analysis, and aerial surveys, the Service maintains that none of these sources contained conclusive biological information indicating that any grizzly bears still exist in the subject area. The Colorado Division of Wildlife and the Service have investigated all the purported grizzly bear incidences which have been reported, including photographs of tracks and sightings. To date, none have constituted persuasive proof of the existence of grizzly bears in Colorado.

The San Juan Mountain range area in Colorado is included in the draft revised Grizzly Bear Recovery Plan as an evaluation area (U.S. Fish and Wildlife Service 1992)—an area that needs to be evaluated to determine its feasibility as

a recovery area. However, the Service cannot honor a request to reclassify an alleged remnant grizzly bear population in the San Juan Mountain range based on inclusive evidence of the presence of grizzly bears. Any grizzly bear population that may exist in the San Juan Mountain range remains listed as threatened and retains protection under the Act.

After a review of the petition, the Service found that the petitioners did not provide any new or substantial evidence that their petitioned action to reclassify the grizzly bear in the San Juan Mountain range from threatened to endangered may be warranted.

References Cited

- U.S. Fish and Wildlife Service. 1992. Grizzly Bear Recovery Plan, second review draft.
U.S. Fish and Wildlife Service, Missoula, Montana. 200 pp.

Author

This notice was prepared by José Bernardo Garza (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, Transportation.

Dated: July 10, 1993

Richard N. Smith,

Director, Fish and Wildlife Service.

[FR Doc. 93-17027 Filed 7-16-93; 8:45 am]

BILLING CODE 4310-55-M

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Finding on Petition To List the California Red-legged Frog

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 12-month finding on a petition to amend the List of Endangered and Threatened Wildlife. After review of all available scientific and commercial information, the Service has determined that, pursuant to the Endangered Species Act of 1973, as amended (Act), listing the California red-legged frog is warranted. Accordingly, the Service will publish promptly a proposed regulation to list this species.

DATES: The finding reported in this document was made on July 13, 1993.

Comments and information may be submitted until further notice.

ADDRESSES: Written comments and materials concerning this petition finding may be submitted to the U.S. Fish and Wildlife Service, Sacramento Field Office, 2800 Cottage Way, Room E-1803, Sacramento, California 95825-1846. The petition, finding, supporting data, and comments received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Peter C. Sorensen, Sacramento Field Office (see ADDRESSES section) at 916/978-4866.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that a finding be made for any petition to revise the Lists of Endangered and Threatened Wildlife and Plants that presents substantial scientific and commercial information within 12 months of the date of receipt of the petition. The finding must indicate whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals. Such 12-month findings are to be published promptly in the **Federal Register**. If the finding is that the action is warranted, section 4(b)(3) also requires a prompt publication in the **Federal Register** of a proposed regulation to implement such action.

In a petition dated January 15, 1992, which was received by the Service on January 29, 1992, Mr. Dan Holland and Drs. Mark Jennings and Marc Hayes requested that the Service list the California red-legged frog (*Rana aurora draytonii*) as an endangered or threatened species. The petition specified endangered or threatened status by drainages (watersheds) within the range of the species. The petition cited numerous threats to the species, including loss and degradation of wetland and terrestrial habitat, predation by introduced species, harvest, habitat fragmentation, and drought. The Service made an administrative 90-day finding on August 12, 1992, which concluded that the petition contained substantial information indicating that the petitioned action may be warranted. An announcement of this finding was published in the **Federal Register** on October 5, 1992 (57 FR 45761).

The California red-legged frog was included as a category 1 candidate in

the November 21, 1991, Animal Notice of Review (56 FR 58804) with a listing priority number of 3. Category 1 candidates are species for which sufficient information is currently available to the Service to support a proposed rule to list them as endangered or threatened. The Service finds that the petitioned action is warranted due to habitat loss and degradation, predation, inadequate regulatory mechanisms, past drought, and recreational activities, which imperil the continued existence of the red-legged frog. Accordingly, the Service will promptly publish a proposed regulation to list the California red-legged frog.

Author

The primary author of this document is Peter C. Sorensen, Sacramento Field Office (see ADDRESSES section).

Authority: The authority for this action is the Endangered Species Act (16 U.S.C. 1361-1407; 16 U.S.C. 1531-1544; 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: July 13, 1993.

Richard N. Smith,

Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 93-17050 Filed 7-16-93; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 226

RIN 0648-AF06

Designated Critical Habitat; Northern Right Whale

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of public hearings on a proposal to designate critical habitat for the Northern Right Whale and extension of the comment period.

SUMMARY: On May 19, 1993 (58 FR 29186), NMFS proposed regulations to designate critical habitat for the northern right whale. The areas proposed for designation are portions of Cape Cod Bay, Stellwagen Bank and waters adjacent to the coasts of Georgia and Florida.