

as a threatened or endangered species may be warranted. A status review is initiated.

DATES: The finding announced in this notice was made February 27, 1990. Any currently available information should be submitted by April 27, 1990. Newly acquired information should be submitted by October 22, 1990, to be incorporated into the 1 year finding on this petition. The Service will accept information on the status of the Mexican spotted owl at any time.

ADDRESSES: Information, comments, or questions should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 3530 Pan American Highway, NE, Suite D, Albuquerque, New Mexico 87107. The petition, findings, supporting data, and comments are available for public inspection, by appointment during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Peterson, Field Supervisor, at the above address (505/883-7877 or FTS 474-7877).

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 is also required to promptly commence a status review of the species.

Dr. Robin D. Silver submitted a petition to the Service to list the Mexican spotted owl (*Strix occidentalis lucida*) as a threatened or endangered species. The petition was dated December 21, 1989, and was received by the Service on December 22, 1989.

The Mexican spotted owl occurs in the southwestern U.S. and Mexico. In the U.S., the bird is found predominately in the mountains of New Mexico and Arizona, southern Utah and Colorado, and western Texas. In Mexico the bird is found in the Sierra Madre Occidental and Sierra Madre Oriental from the U.S.-Mexico border to the State of Michoacan. The reported nesting and breeding habitat for the bird in the U.S. is mixed conifer or ponderosa pine/Gambel oak forests that have the following characteristics: multi-storied

stands, moderately closed to closed canopy, large trees, and stand decadence as indicated by the presence of mistletoe, broken tree tops, tree heart rot, standing dead trees, and fallen logs. The amount of suitable habitat in the U.S. is estimated at slightly more than 3,000,000 acres. This amount of habitat represents a significant portion of the Mexican spotted owl's range. Ninety percent of the suitable U.S. habitat occurs on National Forest lands administered by the U.S. Forest Service.

The U.S. Forest Service conducted intensive inventories in 1988 and 1989 to locate Mexican spotted owls on National Forest lands in Arizona and New Mexico. Approximately 1,000,000 acres were inventoried and a total of 337 spotted owl territories were identified. A territory refers to an area occupied by a single owl or pair of owls. From these data, the Forest Service has estimated that National Forest lands in the two states contain 860 (+/- 200) pairs of Mexican spotted owls.

The petition stated that the Mexican spotted owl merits listing under the act because current population numbers are low, essential habitat is facing widespread present and threatened destruction, and existing regulatory mechanisms for protection are inadequate. The petition provided information indicating that present Forest Service policies may not provide the type of management needed to sustain viable owl populations on National forest lands, which constitute most of the suitable Mexican spotted owl habitat in the U.S.

After a review of the petition, references cited therein, and information otherwise available to the Service, the Service has found that the petition presents substantial information indicating that listing the Mexican spotted owl as a threatened or endangered species may be warranted. This finding initiates a status review for the Mexican spotted owl as required under section 4(b)(3)(A) of the Act. Within one year of receiving the petition, the Service is required under section 4(b)(3)(B) of the Act to make a finding as to whether the petitioned action is warranted.

The Service would appreciate any additional data, information, or comments from the public, government agencies, the scientific community, industry, or any other interested party concerning the status of the Mexican spotted owl.

Author

This notice was prepared by Charles McDonald, Albuquerque Ecological

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Finding on a Petition to List the Mexican Spotted Owl as Threatened or Endangered

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding and initiation of status review.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to amend the List of Endangered and Threatened Wildlife and Plants. The petition has been found to present substantial information indicating that listing the Mexican spotted owl (*Strix occidentalis lucida*)

Services Field Office, at the above address.

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531-1543).

List of Subjects in 50 CFR Part 17

Endangered and threatened species. Fish. Marine mammals. Plants (agriculture).

Dated: March 15, 1990.

Richard N. Smith,

Acting Director, Fish and Wildlife Service.

[FR Doc. 90-7054 Filed 3-27-90; 8:45 am]

BILLING CODE 4310-55-M
