

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17**

RIN 1018-AD62

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period for Proposed Establishment of a Nonessential Experimental Population of California Condors in Northern Arizona**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule; reopening of comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) provides notice that the public comment period is reopened for the proposal to designate a nonessential experimental population of California condors (*Gymnogyps californianus*) in northern Arizona and southern Utah. This population is proposed to be designated as a nonessential experimental population in accordance with section 10(j) of the Endangered Species Act (Act) of 1973, as amended. The reopening of the comment period will allow all interested parties to submit written comments on the proposal.

DATES: The comment period which originally closed February 1, 1996, now closes February 29, 1996.

ADDRESSES: Written comments should be sent to the Supervisor, Ecological Services Field Office, U.S. Fish and Wildlife Service, 2321 W. Royal Palm Road, Suite 103, Phoenix, Arizona 85021. Comments and materials received will be available for public inspection, by appointment, during normal business hours, at the above Service address.

FOR FURTHER INFORMATION CONTACT: Jeffrey A. Humphrey, at the above address, telephone 602/640-2720; facsimile 620/640-2730.

SUPPLEMENTARY INFORMATION:

Background

The Service, in cooperation with the Arizona Game and Fish Department, and the U.S. Bureau of Land Management, proposes to reintroduce California condors (*Gymnogyps californianus*) into northern Arizona. This reintroduction will achieve a primary recovery goal for this endangered species, establishment of a second noncaptive population, spatially disjunct from the noncaptive population in southern California. Section 10(j) of the Endangered Species Act of 1973

(Act) enables the Service to designate certain populations of federally-listed species that are released into the wild as "experimental." This designation can increase the Service's flexibility to manage a reintroduced population. Section 10(j) allows an experimental population to be treated as a threatened species regardless of its designation elsewhere in its range and under section 4(d) of the Act. The Service has greater discretion in developing management programs for threatened species than it has for endangered species.

Nonessential experimental populations located outside National Wildlife Refuges or National Park Service lands are treated, for the purpose of section 7 of the Act, as if they are proposed for listing. The area proposed for nonessential experimental designation occurs in northern Arizona, southern Utah and southeastern Nevada.

A proposed rule to designate a nonessential experimental population of California condors was published in the Federal Register (61 FR 35) on January 2, 1996.

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. Full participation of the affected public in the species listing process, allowing the Service to consider the best scientific and commercial data available in making a final determination on the proposed action, is deemed as sufficient cause.

The previous comment period on this proposal closed on February 1, 1996. With the publication of this notice, the Service reopens the public comment period. Written comments may now be submitted until February 29, 1996, to the Service office in the **ADDRESSES** section.

Author

The primary author of this notice is Jeffrey A. Humphrey (see **ADDRESSES**).

Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531-1544).

Dated: January 30, 1996.

Lynn B. Starnes,

Acting Regional Director, Region 2, Fish and Wildlife Service.

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50 CFR Part 17

RIN 1018-AD45

Endangered and Threatened Wildlife and Plants; Proposal to Designate the Whooping Cranes of the Rocky Mountains as Experimental Nonessential and to Remove Whooping Crane Critical Habitat Designations From Four Locations**AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule.

SUMMARY: The U.S. Fish and Wildlife Service (Service) proposes to designate the whooping crane population (*Grus americana*) in the Rocky Mountains as an experimental nonessential population and to remove whooping crane critical habitat designations from four national wildlife refuges; Bosque del Apache in New Mexico, Monte Vista and Alamosa in Colorado, and Grays Lake in Idaho. The private lands involved are holdings inside refuge boundaries and a 1-mile buffer around Grays Lake National Wildlife Refuge. The Service proposes to use this population, and captive-reared sandhill cranes and whooping cranes, in experiments to evaluate methods for introducing whooping cranes into the wild where migration is required.

DATES: Comments from all interested parties must be received by April 8, 1996.

ADDRESSES: Comments and materials concerning this proposal should be sent to Dr. James Lewis, Southwest Regional Office, 500 Gold Avenue SW, Room 4000, Albuquerque, New Mexico 87103-1306. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Dr. James Lewis (See **ADDRESSES** section above) at telephone 505/248-6663; or facsimile 505/248-6922.

SUPPLEMENTARY INFORMATION:

Background

The Endangered Species Act Amendments of 1982, Pub. L. 97-304, added a new section 10(j) to the Endangered Species Act (Act) of 1973 (16 U.S.C. 1531 *et seq.*) that provides for the designation of specific introduced populations of listed species as "experimental populations." Under other authority of the Act, the Service already was permitted to reintroduce populations into unoccupied portions of the historic range of a listed species when it would foster the conservation