

in the record for treating southeast Alaska wolves as a distinct subspecies, *Canis lupus ligoni*, and, therefore, believes that it is reasonable to review the status of wolves in southeastern Alaska as a listable entity under the Endangered Species Act.

The Alexander Archipelago wolf occurs on the mainland in southeast Alaska from Dixon Entrance to Yakutat Bay and on all the major islands in the Alexander Archipelago except Admiralty, Baranof and Chichagof islands. Wolves in southeast Alaska are relatively isolated by the Pacific Ocean and the Coast Mountain Range. Six rivers or passes penetrate the Coastal Mountains and may allow some interchange between wolves in southeast Alaska and those in British Columbia, Canada. Wolves in Alaska and coastal British Columbia may also interchange along the coastal mainland; however, the amount of interchange between Alaska and British Columbia wolves has not been studied.

The current population of Alexander Archipelago wolves is thought to be stable at moderate to high densities. The population size of wolves in southeast Alaska is not known with certainty but probably numbers between 750 and 1,500 individuals. About 67 percent of the population is estimated to live on the islands in the central and southern portion of the archipelago.

Potential threats to the species' persistence include human-caused mortality, disease, loss of prey as a result of timber harvest, and loss of prey as the result of severe winter weather. Results from a recent scientific study indicate that hunting and trapping of wolves may have exceeded sustainable levels on Prince of Wales and Kosciusko Islands, Alaska. In response to that study, the Alaska Board of Game and the Federal Subsistence Board revised hunting and trapping regulations in southeast Alaska to limit annual wolf harvest to acceptable levels.

Canine diseases have been documented in other North American wolf populations. Evidence from these other populations indicates that although disease may cause mortality, it is unlikely to have an effect on the population of Alexander Archipelago wolves.

The Service considers potential loss of prey the most serious threat. Wolves are capable of exploiting a variety of ungulate and nonungulate prey. Within the major island groups in southeast Alaska, where wolves are most abundant and logging is most prevalent, Sitka black-tailed deer and, to a lesser extent, beaver are the most commonly used prey. On the mainland, goats are

the most commonly used ungulate prey. Moose and elk have very limited distributions in southeast Alaska and are probably used where available.

Logging on the Tongass National Forest has been concentrated in high volume forests since industrial scale logging began in 1955. These forests are important winter habitat for deer because the multilayered canopies intercept snow and allow deer access to highly nutritious forage that is not available in most clearcuts and second-growth forests. Much of the harvest has occurred within the major island groups and adjacent mainland occupied by wolves. The projected logging of old growth in southeast Alaska will result in a decline of deer in southeast Alaska. Effects of logging will be particularly evident during winters with heavy snow that persists on the forest floor for long periods of time. Because wolves are inextricably tied to their prey, declines in deer are expected to eventually result in declines of wolves.

Despite the anticipated population decline, the Service believes that wolves in southeast Alaska will not be in danger of extinction within the foreseeable future because we expect the population decline to stop at an acceptable level. Additionally, wolves are known to persist at low numbers in healthy populations and to be resilient to the activities of man because of their high reproductive rate and high dispersal capability. The Service, therefore, concludes that the Alexander Archipelago wolf is unlikely to become endangered throughout all or a significant portion of its range in the foreseeable future.

Authors: The primary authors of this document are Teresa Woods, Fish and Wildlife Biologist, 907/786-3505, and Tony DeGange, Fish and Wildlife Biologist, 907/786-3492, of the Fish and Wildlife Service, Alaska Regional Office.

Authority

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

Dated: August 28, 1997.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition To List the Queen Charlotte Goshawk as Endangered and To Designate Critical Habitat

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Queen Charlotte goshawk (*Accipiter gentilis laingi*) under the Endangered Species Act of 1973, as amended. After review of all available scientific and commercial information, the Service finds that listing this subspecies as endangered or threatened is not warranted.

DATES: The finding announced in this document was made on August 28, 1997.

ADDRESSES: Data, information, comments, or questions concerning this petition should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801-7100. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Lindell, Fish and Wildlife Biologist, at the above address, or by calling 907/586-7240.

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, for any petition to revise the Lists of Endangered and Threatened Wildlife and Plants that contains substantial scientific and commercial information, the Service make a finding on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals of higher priority.

On May 9, 1994, the Fish and Wildlife Service received a petition dated May 2, 1994, from the Southwest Center for Biological Diversity, Greater Gila Biodiversity Project, Biodiversity Legal Foundation, Greater Ecosystem Alliance, Save the West, Save America's

Forests, Native Forest Network, Native Forest Council, Eric Holle, and Don Muller, to list the Queen Charlotte goshawk as endangered under the Endangered Species Act. The petition was based largely upon the present and impending effects of timber harvest in the Tongass National Forest on the Queen Charlotte goshawk. On August 26, 1994, the Service published a positive 90-day finding (59 FR 44124) that substantial information was presented in the petition indicating that the requested action may be warranted.

In accordance with the Service's listing petition procedures, the positive 90-day finding initiated a more thorough 12-month evaluation, and based on this evaluation the Service determined on May 19, 1995, that listing was not warranted (60 FR 33784).

On November 17, 1995, the Southwest Center for Biological Diversity, Biodiversity Legal Foundation, Save the West, Save America's Forests, Native Forest Network, Native Forest Council, Eric Holle, and Don Muller filed a complaint in United States District Court, District of Columbia, against the Department of the Interior and the Service for their refusal to list the Queen Charlotte goshawk and designate critical habitat. On September 25, 1996, the United States District Court remanded the 12-month finding to the Secretary of the Interior, instructing him to reconsider the determination "on the basis of the current forest plan, and status of the goshawk and its habitat, as they stand today" (95 CV 02138 DDC).

Accordingly, the Service began to reconsider the status of the subspecies on the basis of the 1979 Tongass Land Management Plan, which was at that time the "current forest plan." A public comment period opened on December 5, 1996 (61 FR 64497) and was extended through April 4, 1997 (61 FR 69065; 62 FR 6930; and 62 FR 14662) to gather all available information for review. Prior to a final determination, however, the USDA Forest Service issued the 1997 Tongass Land Management Plan Revision, which superseded the 1979 version of the plan. In keeping with the United States District Court's order that a finding be based upon the "current forest plan," the District Court granted an extension until August 31, 1997, so that the petitioners, public, and Service could reconsider the status of the Queen Charlotte goshawk under the revised Tongass Land Management Plan. Therefore, the Service reopened the public comment period from June 12 to July 28, 1997 (62 FR 32070). We based this finding, therefore, upon all available information on the subspecies throughout its range, as well as long-

term habitat projections for the Tongass National Forest included in the 1997 Tongass Land Management Plan Revision.

The northern goshawk (*Accipiter gentilis*) occurs in boreal and temperate forests of North America, Europe, and Asia. This notice pertains exclusively to the Queen Charlotte goshawk (*A. g. laingi*), a subspecies that occurs in the coastal temperate rainforests of southeast Alaska and British Columbia, Canada. Although some uncertainty surrounds the exact range of the subspecies and the zones of intergradation between it and *A. g. atricapillus* (which is the subspecies that occurs in adjacent areas), the distribution of the Queen Charlotte goshawk is currently described as the islands and mainland of southeast Alaska south of Icy Strait and Lynn Canal, and the Queen Charlotte Islands and Vancouver Island in British Columbia.

Queen Charlotte goshawks are difficult to census, and no reliable population estimates or population trend data are available. However, recent research has shown that the Queen Charlotte goshawk has a strong association with productive old-growth forest, where it usually nests, spends the majority of its time, and which provides habitat for most of the hawk's important prey species. Therefore, harvest of productive old-growth forest is likely to adversely affect the Queen Charlotte goshawk, and an interagency team of experts recently concluded that the goshawk's abundance has likely declined in recent years as a result of habitat loss. In 1994, the Alaska Region of the Forest Service designated the Queen Charlotte goshawk as a sensitive species, and the Alaska Department of Fish and Game designated the subspecies as a "species of special concern." The Committee on the Status of Endangered Wildlife in Canada designated the Queen Charlotte goshawk as "vulnerable" in Canada in 1995, and the Province of British Columbia added the subspecies to their "red list" of candidates for endangered or threatened status.

The Service has identified four factors associated with timber harvest have been identified as potential threats to the subspecies' persistence. They are loss of nesting habitat, a reduction in foraging success, increased predation, and a reduction in dispersal and gene flow. However, there is little information on these threats, so assessment of their effects on goshawks at the population level remain largely speculative. As a result, in evaluating the Queen Charlotte goshawk's status,

the Service has relied primarily upon consideration of the proportion of productive old-growth forest that has been, and is projected to be, affected by logging.

In southeast Alaska, when habitat projections for the Tongass National Forest (derived from the 1997 Revision to the Tongass Land Management Plan) were added to estimates for private and State lands, approximately 57 percent of the original productive old-growth forest is contained within large reserves where timber harvest is prohibited. In the matrix, which is the area outside of reserves where harvest can take place, another 18 percent of the original productive old-growth forest will be maintained by measures intended to protect beach and estuary fringes, riparian corridors, and other resources. Thus, a total of 75 percent of the original preferred habitat will remain intact. Although fragmentation may compromise habitat quality in some areas, the Service believes that large reserves will provide sufficient habitat for goshawks to ensure that the subspecies will persist throughout southeast Alaska in well-distributed local populations.

In British Columbia, approximately 64 percent of the original productive old-growth forest will be protected on the Queen Charlotte Islands, with 20 percent in reserves and 44 percent maintained within the matrix. On Vancouver Island, considerably less of the original old-growth will be protected: 13 percent of the old-growth is contained within reserves and 23 percent will be protected in the matrix, for a total of 36 percent of the total. There is insufficient information to predict the effect of removing 64 percent of the old growth forest on goshawk abundance on Vancouver Island. However, given that 75 percent and 64 percent of the original productive old growth forest will remain intact in southeast Alaska and the Queen Charlotte Islands, respectively, the Service believes with a high degree of certainty that Queen Charlotte goshawks will persist and do not warrant listing under section 4 of the Endangered Species Act.

Authors: The primary authors of this document are Ted Swem, Wildlife Biologist, Fairbanks Ecological Services Office, 907/456-0441, and Teresa Woods, Fish and Wildlife Biologist, 907/786-3505 of the Alaska Regional Office.

Authority

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

Dated: August 28, 1997.

Jamie Rappaport Clark.

Director, Fish and Wildlife Service.

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