

from trampling by dune visitors is also a concern (R. Beymer, pers. comm. 1996; B. Pavlik, *in litt.* 1996). The road leading out of the north end of Death Valley National Park, past the Eureka Dunes access road, has been improved in the last 2 years, and additional portions of it have been paved (R. Beymer, pers. comm. 1996). Although NPS has neither publicized nor planned any improvements in facilities at the Eureka Dunes, the area is likely to attract more visitors due to its recent inclusion within a National Park. The Service acknowledges the potential for trampling by visitors to affect *A. lentiginosus* var. *micans*, but concludes that evidence is insufficient to conclude that the Park cannot adequately manage visitor use to effectively protect this taxon and promote the recovery of the co-occurring listed taxa on the dunes.

The naturally limited global distribution and abundance of *Astragalus lentiginosus* var. *micans* and *A. lentiginosus* var. *sesquimetalis* increase their vulnerability to extirpation or extinction by unforeseen catastrophic events, either natural (e.g., prolonged drought combined with disease outbreak) or human-caused. Proactive recovery efforts to lessen the threat of such random events typically involves the establishment of additional populations. However, the Service has no evidence to suggest that these taxa have ever been found beyond the areas they currently occupy. Therefore, their conservation would not include increasing the number or distribution of populations beyond the dunes which they currently inhabit. Because of the low probability of an unforeseen catastrophic event(s), either natural (e.g., prolonged drought combined with disease outbreak) or human-caused, taking place and affecting entire populations or colonies of these taxa, the significance of threat from such an event is insufficient to warrant listing at this time.

The Service has carefully assessed the best scientific and commercial information available in the development of this withdrawal notice. After review and consideration of all information available regarding the past, present, and future threats, and past and current conservation efforts by BLM and NPS, the Service has determined that insufficient evidence of threat exists at this time to warrant listing of *Astragalus lentiginosus* var. *micans* and *Astragalus lentiginosus* var. *sesquimetalis* as threatened under the Act. The Service will continue to monitor data involving population status, visitor use, vehicle trespass, the presence of nonnative species (including livestock and feral

burros) or other activities or habitat changes affecting these two taxa.

References Cited

A complete list of all references cited herein is available upon request from the Ventura Field Office (see ADDRESSES section).

Authors: The primary authors of this withdrawal notice are Diane Steeck, Ventura Field Office and Christine Mullen, Nevada State Office (see ADDRESSES section).

Authority

The authority for this action is section 4(b)(6)(B)(ii) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)

List of Subjects in 50 CFR Part 17

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

Dated: September 29, 1998.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 98-26735 Filed 10-5-98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018-AD74

Extension of Comment Period: Migratory Bird Hunting Regulations Regarding Baiting and Baited Areas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Service is extending the comment period on the **Federal Register** proposed rule published March 25, 1998 (63 FR 14415) and extended on May 22, 1998 (63 FR 28343) that invites public comments on proposed changes to the migratory bird hunting regulations regarding baiting and baited areas.

DATES: The deadline for postmark on comments will be extended from October 1, 1998, to October 22, 1998.

ADDRESSES: Comments regarding this proposed rulemaking should be addressed to: U.S. Fish and Wildlife Service, Post Office Box 3247, Arlington, Virginia 22203-3247, or sent via electronic mail to: R9LE_WWW@FWS.GOV. Comments may be hand-delivered to 4401 North Fairfax Drive, Suite 500, Arlington, Virginia 22203. The public may inspect comments upon appointment during

normal business hours at 4401 North Fairfax Drive, Suite 500, Arlington, Virginia 22203.

FOR FURTHER INFORMATION CONTACT: Kevin Adams, Chief, Office of Law Enforcement, telephone 703/358-1949.

SUPPLEMENTARY INFORMATION:

Background

The U.S. Fish and Wildlife Service (Service) has authority (16 U.S.C. 712 and 16 U.S.C. 742a-j) to regulate activities involving the hunting and other taking of migratory game birds. The Service has promulgated regulations (50 CFR part 20) for the hunting of migratory game birds that includes sections for *Methods of Take* and *Definitions of Terms*.

In a **Federal Register** notice dated March 25, 1998, the Service proposed new regulatory language for: accidental scattering of agricultural crops or natural vegetation incidental to hunting, normal agricultural and soil stabilization practices, baited areas, baiting, manipulation, natural vegetation, and top-sowing of seeds. Proposed changes also included new guidance with respect to hunting over natural vegetation that has been manipulated. However, no change was proposed regarding application of strict liability to the migratory game bird baiting regulations.

At the request of a number of organizations, in a **Federal Register** notice dated May 22, 1998, the Service extended the comment period to October 1, 1998. In response to requests to again extend the comment period, and to invite careful consideration by all parties and facilitate substantive public review, the Service is extending the comment period through October 31, 1998.

Dated: October 1, 1998.

Jamie R. Clark,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 98-26827 Filed 10-2-98; 11:48 am]

BILLING CODE 4310-55-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 222 and 227

[I.D. 081098D]

Endangered and Threatened Species; Petition to Delist Pacific Salmon

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of petition finding.

SUMMARY: NMFS has received a petition to delist all west coast salmon (*Oncorhynchus* spp.) inhabiting the Pacific Basin, including all rivers and tributaries emptying into the Pacific Basin, from the endangered species list. NMFS has determined that the petition does not contain any new, substantial scientific or commercial information, indicating that the petitioned action may be warranted.

DATES: The finding announced in this document was made on September 28, 1998.

ADDRESSES: Requests for information concerning this petition should be sent to Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910; telephone: (301)713-1401.

FOR FURTHER INFORMATION CONTACT: Lisa Lierheimer at (301)713-1401.

SUPPLEMENTARY INFORMATION:**Background**

Section 4(b)(3)(A) of the ESA of 1973, as amended (16 U.S.C. *et seq.*), requires that NMFS 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. NMFS' standard for substantial information is stated at 50 CFR 424.14(b) as "that amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted." This finding is to be based on all information available to NMFS at the time. 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, NMFS is also required to promptly commence a review of the status of the involved species.

NMFS has made a 90-day finding on a petition to delist all Pacific salmon (*Oncorhynchus* spp.). The petition, dated July 8, 1998, was submitted by Mr. Richard A. Gierak, Director of New Frontiers Institute, Inc., and was received by NMFS on July 14, 1998. The petitioner requested that NMFS delist all west coast salmon inhabiting the entire Pacific Basin including all rivers and tributaries emptying into the Pacific Basin.

The petitioner submitted information from various documents from 1985 through 1998, including NMFS publications, reports, and **Federal**

Register documents of salmon listings, and from personal communications on the primary causative factors in the decline of coho salmon in northern California rivers. The petitioner identifies two categories of major factors contributing to the decline of northern California coho: nature (i.e., floods, fire, drought, El Nino), and human activities (i.e., the Marine Mammal Protection Act and the overpopulation of salmonid predators, the removal of salmonid eggs for hatchery production, and the destruction of estuarine habitats along the coast).

Under section 4(a)(1) of the ESA and the listing regulations at 50 CFR 424.11(c), when a species is considered for listing, NMFS must determine whether the species is endangered or threatened due to any one or a combination of the following factors: (1) The present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanism; or (5) other natural or manmade factors affecting its continued existence.

Under 50 CFR 424.11(d), the factors considered in delisting a species are the same as those used to list a species. A species may be delisted only if the best scientific and commercial data indicates that the species is no longer threatened or endangered for the following reasons: (1) Extinction; (2) recovery (the point at which the purposes of the ESA are no longer required); (3) subsequent investigation reveals that the original data or the interpretation of that data used to list the species was in error.

For listed coho salmon, the present condition of the population is a result of long-standing, human-induced conditions (i.e., harvest, habitat degradation, and artificial propagation) that serve to exacerbate the negative effects of adverse environmental conditions (i.e., drought, poor ocean conditions). However, the present conditions of listed coho salmon and the information presented throughout the petition as factors directly attributable to the devastation of salmon populations correspond to the factors listed here, requiring NMFS to list a species under the ESA. Information demonstrating that listed salmon have recovered or that the threats to salmon no longer exist were not presented in the petition.

NMFS has reviewed the petition, the literature cited in the petition, and other available literature and information. NMFS finds that the petitioned action does not present substantial scientific or

commercial information indicating that delisting Pacific salmon may be warranted.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: September 28, 1998.

Andrew A. Rosenberg,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 98-26768 Filed 10-5-98; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 660**

[Docket No. 980918242-8242-01; I.D. 090898B]

RIN 0648-AL87

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Advance Notice of Proposed Rulemaking

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Advance notice of proposed rulemaking; request for comments.

SUMMARY: The Pacific Fishery Management Council (Council) is considering whether there is a need to impose additional management measures to further limit harvest capacity or to allocate between or within the limited entry commercial and the recreational groundfish fisheries in the U.S. exclusive economic zone off the States of Washington, Oregon, and California. If the Council determines that additional management measures are needed, the Council will recommend a rulemaking to implement those measures. Possible measures include allocating harvest of particular groundfish species (rockfish and lingcod) between limited entry gear groups and between commercial and recreational fisheries and further limiting access to certain species within the Pacific Coast groundfish complex. The Council may proceed with some or all of these measures. In order to discourage fishers from intensifying their fishing efforts for the purpose of amassing catch history for any allocation or additional limited access program developed by the Council, the Council announced on April 9, 1998, that any program proposed would not include consideration of catch landed after that date. At present, the Council is planning to consider catch history