

disease-free herds. This leaves only about 39 percent of the species' historical range available for recovery.

The official Canadian recovery plan developed by the Wood Bison Recovery Team calls for the establishment of four or more free-ranging herds of wood bison in suitable habitat in the original range, each herd containing or exceeding the minimum viable population (MVP) of 400 animals. The Canadian CITES proposal states that only the population at Mackenzie Bison Sanctuary exceeds the MVP, with the other four reestablished herds having "the potential to meet or exceed that number by the year 2000."

When evaluating petitions for delisting or downlisting of species under the ESA, the Service's guidelines state that a "not-substantial information" finding be made when already established recovery objectives have not been met (see page 14, section 2(a)(1) of Endangered Species Petition Management Guidance—U.S. Fish and Wildlife Service and National Marine Fisheries Service, July 1996). The Canadian recovery plan goals for the wood bison have not been met yet. Therefore, the Service finds that the petitioner did not supply substantial information to indicate that the petitioned action may be warranted. At such time when the free-ranging disease-free populations of wood bison meet the recovery plan criteria, the Service may initiate such a downlisting. In the meantime and within available resources, the Service will evaluate the advisability of downlisting the captive population of wood bison from endangered to threatened, with a special rule to allow the import to the United States of captive-bred wood bison.

References Cited: 1997. Prop. 10.35. Proposal for the transfer of wood bison (*Bison bison athabascæ*) from Appendix I to Appendix II of the Convention on International Trade in Endangered Species submitted by the Government of Canada at the Tenth Meeting of the Conferences of the Parties held in Harare, Zimbabwe, 9–20 June, 1997.

Author: The primary author of this document is Dr. Javier Alvarez (see ADDRESSES section).

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: November 12, 1998.

John G. Rogers,

Director.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AF04

Endangered and Threatened Wildlife and Plants; Extension of Comment Period and Notice of Public Hearings on Proposed Rule To Remove the Peregrine Falcon in North America From the List of Endangered and Threatened Wildlife

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; extension of comment period and notice of public hearings.

SUMMARY: The U.S. Fish and Wildlife Service (Service) gives notice that the comment period on the proposed rule to remove the peregrine falcon (*Falco peregrinus*) in North America from the list of Endangered and Threatened Wildlife will be extended and that two public hearings will be held. The extension and hearings will allow all interested parties to submit oral or written comments on the proposal.

DATES: The comment period for this proposal will be extended an additional 60 days from November 24, 1998 to January 23, 1999. Comments must be received by the closing date. Any comments received after the closing date may not be considered in the final decision on the proposal. The public hearings will be held from 7 p.m. to 9 p.m. on December 3, 1998 in Madison, Wisconsin and December 8, 1998, in Concord, New Hampshire. Both meetings will be preceded by an informational session from 6 p.m. to 7 p.m..

ADDRESSES: The public hearings will be held at the Madison Area Technical College, 3550 Anderson Street, Room 129D, Madison, Wisconsin and the New Hampshire Department of Fish and Game East-West Conference Room, 2 Hazen Drive, Concord, New Hampshire. Written comments should be sent to Diane Noda, Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, California 93003. 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: Robert Mesta, at the above Ventura, California address, phone 805/644–1766, facsimile 805/644–3958.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 1998, the U.S. Fish and Wildlife Service (Service) published a proposal in the **Federal Register** to remove the peregrine falcon (*Falco peregrinus*) in North America from the List of Endangered and Threatened Wildlife (63 FR 45446). The Service proposed this action because the available data indicate that this species has recovered following restrictions on organochlorine pesticides in the United States and Canada, protections provided by the Endangered Species Act of 1973, as amended (Act), and the implementation of successful management activities, including the reintroduction of captive-bred and relocated wild hatchling peregrine falcons. Currently, a minimum of 1,388 American peregrine falcon pairs are found in Alaska, Canada, and the Western United States, and a minimum of 174 peregrine falcon pairs are found in the Eastern United States. At least 31 peregrine falcon pairs occur in 6 Midwestern States not covered by the Eastern Peregrine Falcon Recovery Plan or the two recovery plans for the American peregrine falcon in the Western United States. Overall productivity goals were met or exceeded in four American peregrine falcon recovery plans, and most recovery goals for the eastern peregrine falcon population have been met.

If made final, the action proposed will remove the American peregrine falcon (*Falco peregrinus anatum*) as an endangered species and will remove the designation of endangered due to similarity of appearance for any free-flying peregrine falcons within the 48 conterminous States from the List of Endangered and Threatened Wildlife. The action proposed will remove all Endangered Species Act protections from all subspecies and populations of *Falco peregrinus* in North American. The proposed action will not affect protection provided to this species by the Migratory Bird Treaty Act (MBTA). The proposal also includes a proposed minimum 5-year post delisting monitoring program as required for species that are delisted due to recovery. Monitoring will include population trends, productivity, contaminant exposure, and take for falconry.

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 a species' listing or delisting, 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.

Section 4(b)(5)(E) of the Act (16 U.S.C. 1531 *et seq.*), requires that a public hearing be held if it is requested within 45 days of the publication of a proposed rule. In response to two such requests, the Service will hold public hearings on the dates and at the addresses described in the **DATES** and **ADDRESSES** sections above. Anyone wishing to make an oral statement for the record is encouraged to provide a written copy of their statement and present it to the Service at the start of the hearing. In the event there is a large attendance, the time

allotted for oral statements may have to be limited. Oral and written statements receive equal consideration. There are no limits to the length of written comments presented at the hearings or mailed to the Service. Legal notices announcing the dates, times, and locations of the hearings will be published in newspapers concurrently with the **Federal Register** notice.

Extension of the comment period will enable the Service to complete the peer review process for the proposed delisting action. The current comment period on this proposal closes on November 24, 1998. The Service is

extending the public comment period. Written comments may be submitted until January 23, 1998, to the Service office in the **ADDRESSES** section.

Author. The primary author of this notice is Robert Mesta (see **ADDRESSES**).

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

Dated: November 18, 1998.

Anne Badgley,

Regional Director, Fish and Wildlife Service.

[FR Doc. 98-31478 Filed 11-24-98; 8:45 am]

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