

**PART 944—SUBCONTRACTING POLICIES AND PROCEDURES****944.1 [Removed]**

73. Subpart 944.1 is removed.

**944.2 [Removed]**

74. Subpart 944.2 is removed.

**PART 945—GOVERNMENT PROPERTY****945.104–70 [Removed]**

75. Subsection 945.104–70 is removed.

**945.304 [Removed]**

76. Section 945.304 is removed.

**945.501 [Removed]**

77. Section 945.501 is removed.

**945.502–70 [Removed]**

78. Subsection 945.502–70 is removed.

**945.502–71 [Removed]**

79. Subsection 945.502–71 is removed.

**945.502–72 [Removed]**

80. Subsection 945.502–72 is removed.

**945.508 [Removed]**

81. Section 945.508 is removed.

**945.570 [Removed]**

82. Section 945.570 is removed.

**945.570–1 [Removed]**

83. Subsection 945.570–1 is removed.

**945.570–3 [Removed]**

84. Subsection 945.570–3 is removed.

**945.570–4 [Removed]**

85. Subsection 945.570–4 is removed.

**945.570–5 [Removed]**

86. Subsection 945.570–5 is removed.

**945.570–6 [Removed]**

87. Subsection 945.570–6 is removed.

**945.570–9 [Removed]**

88. Subsection 945.570–9 is removed.

**PART 947—TRANSPORTATION****947.1 [Removed]**

89. Subpart 947.1 is removed.

**PART 949—TERMINATION OF CONTRACTS****949.108–4 [Removed]**

90. Subsection 949.108–4 is removed.

**949.108–8 [Removed]**

91. Subsection 949.108–8 is removed.

**949.112–1 [Removed]**

92. Subsection 949.112–1 is removed.

**949.2 [Removed]**

93. Subpart 949.2 is removed.

**949.3 [Removed]**

94. Subpart 949.3 is removed.

**PART 951—USE OF GOVERNMENT SOURCES BY CONTRACTORS****951.2 [Removed]**

95. Subpart 951.2 is removed.

**951.7000 [Removed]**

96. Section 951.7000 is removed.

**951.7001 [Removed]**

97. Section 951.7001 is removed.

**PART 971—REVIEW AND APPROVAL OF CONTRACT ACTIONS****971.2 [Removed]**

98. Subpart 971.2 is removed.

**971.3 [Removed]**

99. Subpart 971.3 is removed.

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 227**

[I.D. 042795A]

**Listing Endangered and Threatened Species and Designating Critical Habitat: Petition To List Chinook Salmon Throughout its Range in California, Oregon, Washington, and Idaho**

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

**ACTION:** Notice of petition finding; request for information.

**SUMMARY:** NMFS has received a petition to list chinook salmon (*Oncorhynchus tshawytscha*) throughout its range in California, Oregon, Washington, and Idaho, and to designate critical habitat under the Endangered Species Act of 1973 (ESA). The petition presents substantial scientific information indicating that the request for listing may be warranted. Therefore, NMFS is initiating a status review to determine if the petitioned action is warranted. To ensure that the review is comprehensive, NMFS is soliciting information and data regarding this action. Information received during the comment period for this status review will be used in NMFS' ongoing review

of West Coast chinook salmon populations.

**DATES:** Comments and information must be received by August 7, 1995.

**ADDRESSES:** Requests for copies of the petition and comments regarding the species populations in Washington, Oregon, and Idaho should be submitted to Dr. Jacqueline Wyland, Chief, Environmental and Technical Services Division, NMFS, 525 NE Oregon Street, Suite 500, Portland, OR 97232. Comments regarding species populations in California should be submitted to James H. Lecky, Chief, Protected Species Management Division, NMFS, Southwest Region, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213.

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, 503–231–2005; Craig Wingert, 310–980–4021; or Marta Nammack, 301–713–1401.

**SUPPLEMENTARY INFORMATION:****Background**

Section 4 of the ESA contains provisions allowing interested persons to petition the Secretary of the Interior or the Secretary of Commerce (Secretary) to add a species to or remove a species from the List of Endangered and Threatened Wildlife and to designate critical habitat. Section 4(b)(3)(A) of the ESA requires that, to the maximum extent practicable, within 90 days after receiving such a petition, the Secretary make a finding whether the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted.

**Petition Received**

On February 1, 1995, the Secretary received a petition from the Oregon Natural Resources Council (ONRC) and Richard K. Nawa to list chinook salmon throughout its range in California, Oregon, Washington, and Idaho, and to designate critical habitat under the ESA. The Assistant Administrator for Fisheries, NOAA (AA), makes a finding that the petition presents substantial scientific information indicating that a listing may be warranted based on the criteria specified in 50 CFR 424.14(b)(2), and based on evidence presented in the petition that the petitioned populations may qualify as "species" under the ESA, in accordance with NMFS' Policy on Applying the Definition of Species under the Endangered Species Act to Pacific Salmon (56 FR 58612, November 20, 1991). Under section 4(b)(3)(A) of the ESA, this finding requires that a review of the status of chinook salmon populations in California, Oregon,

Washington, and Idaho be conducted to determine if the petitioned action is warranted. Information received during this status review will be used in NMFS' ongoing review of West Coast chinook salmon populations (59 FR 46808, September 12, 1994).

#### **Listing Factors and Basis for Determination**

Under section 4(a)(1) of the ESA, a species can be determined to be endangered or threatened for any of the following reasons: (1) 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) inadequacy of existing regulatory mechanisms; or (5) other natural or manmade factors affecting its continued existence. In addition, under section 4(b)(7) of the ESA, the Secretary may at any time issue an emergency regulation if there exists a significant risk to the well-being of the species. In such a case, the Secretary must publish a **Federal Register** notice detailing the reasons for an emergency listing. Listing determinations are made solely on the best scientific and commercial data available.

#### **Information Solicited**

To ensure that the chinook salmon status review is complete and is based on the best available scientific and commercial data, NMFS is soliciting information and comments concerning: (1) Whether or not the populations qualify as "species" under the ESA in accordance with NMFS' Policy on Applying the Definition of Species Under the Endangered Species Act (56 FR 58612, November 20, 1991); and (2) whether or not the populations are endangered or threatened based on the above listing criteria. Specifically, NMFS is soliciting information in the following areas: Influence of historical

and present hatchery fish releases on naturally spawning populations of chinook salmon, separation of hatchery and natural chinook salmon escapement, alteration of chinook salmon freshwater and marine habitats, disease epizootiology of chinook salmon, age structure of chinook salmon populations, migration timing and behavior of juvenile and adult chinook salmon, and interactions of chinook salmon with other salmonids. This information should address all chinook salmon populations in California, Oregon, Washington, and Idaho. NMFS is also soliciting information regarding factors which have contributed to the decline of west coast chinook salmon populations, and any efforts being made to protect this species. In conducting this status review, NMFS will consider information received in response to a very similar request for information published in the **Federal Register** (59 FR 46808, September 12, 1994) in conjunction with NMFS' decision to conduct a review of West Coast chinook salmon populations. Consequently, it is not necessary for parties to submit the same information for this request. Copies of the petition are available (see **ADDRESSES**).

#### **Critical Habitat**

NMFS is also requesting information on areas that may qualify as critical habitat for California, Oregon, Washington, and Idaho populations of chinook salmon. Areas that include the physical and biological features essential to the recovery of the species should be identified. Areas outside the present range should also be identified if such areas are essential to the recovery of the species. Essential features should include, but are not limited to: (1) Space for individual and population growth, and for normal behavior; (2) food, water, air, light, minerals, or other nutritional or physiological requirements; (3) cover or

shelter; (4) sites for reproduction and rearing of offspring; and (5) habitats that are protected from disturbance or are representative of the historic geographical and ecological distributions of the species.

For areas potentially qualifying as critical habitat, NMFS is requesting information describing: (1) The activities that affect the area or could be affected by the designation, and (2) the economic costs and benefits of additional requirements of management measures likely to result from the designation.

The economic cost to be considered in the critical habitat designation under the ESA is the probable economic impact of the (critical habitat) designation upon proposed or ongoing activities (50 CFR 424.19). NMFS must consider the incremental costs specifically resulting from a critical habitat designation that are above the economic effects attributable to listing the species. Economic effects attributable to listing include actions resulting from section 7 consultations under the ESA to avoid jeopardy to the species and from the taking prohibitions under section 9 of the ESA. Comments concerning economic impacts should distinguish the costs of listing from the incremental costs that can be directly attributed to the designation of specific areas as critical habitat.

Data, information, and comments should include: (1) Supporting documentation such as maps, bibliographic references, or reprints of pertinent publications; and (2) the person's name, address, and association, institution, or business.

Dated: June 2, 1995.

**William W. Fox, Jr.,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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