

**Public Comments Solicited**

The Service intends that any final action resulting from this amended critical habitat proposal will be as accurate and as effective as possible. Therefore, comments or suggestions from the public, other concerned government agencies, Indian Nations, the scientific community, industry, or any other interested party concerning all aspects of this proposed rule, including the economic analysis, are hereby solicited.

The Service has scheduled five public hearings to facilitate receipt of public comments. The dates and locations of the hearings are provided below. Anyone expecting to make an oral presentation at these hearings is encouraged to provide a written copy of their statement to the hearing officer prior to 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 these hearings or mailed to the Service.

Tuesday, September 5, 1995, from 2:00–4:00 p.m. and 6:00–8:00 p.m., at the Red Lion Hotel Columbia River, 1401 North Hayden Island Drive, Portland, Oregon.

Thursday, September 7, 1995, from 2:00–4:00 p.m. and 6:00–8:00 p.m., at the Red Lion Hotel, 1313 North Bayshore Drive, Coos Bay, Oregon.

Tuesday, September 12, 1995, from 2:00–4:00 p.m. and 6:00–8:00 p.m., at the Eureka Inn, 518 Seventh Street, Eureka, California.

Thursday, September 14, 1995, from 2:00–4:00 and 6:00–8:00 p.m., at the Coconut Grove Conference Center, 400 Beach Street, Santa Cruz, California.

Tuesday, September 19, 1995, from 2:00–4:00 p.m. and 6:00–8:00 p.m., at the Bellevue Conference Center, 121 107th Avenue, Bellevue, Washington.

Comments are particularly sought concerning:

(1) The reasons why any Federal lands (either proposed critical habitat or additional areas) should or should not be determined to be critical habitat as provided by section 4 of the Act;

(2) The location and reasons why any non-Federal lands should or should not

be determined to be critical habitat as provided by section 4 of the Act, including information on whether lands proposed contain the primary constituent elements identified in this amended proposal for the marbled murrelet, potential threats to the marbled murrelet, and the value of areas to the conservation of the species;

(3) The reasons why any marine areas should or should not be determined to be critical habitat as provided by section 4 of the Act, including information on potential threats, current activities, the effect of current regulatory mechanisms, and benefits to the species;

(4) Current and planned activities in proposed critical habitat areas and their possible impacts on proposed critical habitat;

(5) Any threats to the conservation of the marbled murrelet or the maintenance of marbled murrelet nesting habitat on Congressionally-protected lands within the range of the marbled murrelet;

(6) Current and planned activities within Congressionally-protected areas that might affect, positively or negatively, the conservation of the marbled murrelet, including any management plans or statutory mandates;

(7) Other physical and biological features that are essential to the conservation of the species and in need of special management or protection;

(8) Specific information on the amount, location, and distribution of suitable marbled murrelet nesting habitat; and the numbers and distribution of sites occupied by marbled murrelets on all ownerships and land designations;

(9) Information concerning health of the ecosystems on which the marbled murrelet depends;

(10) Information on the economic benefits and costs that would result from the proposed designation of critical habitat for the marbled murrelet, including the segments of the economy that would be affected by the proposed designation;

(11) Data and information relevant to determining whether the benefits of excluding a particular area from critical habitat outweigh the benefits of specifying the area as critical habitat;

(12) Analyses useful in evaluating economic and other relevant impacts; and

(13) Additional information that should be considered in analyzing economic and other impacts of the proposed designation;

**References Cited**

A complete list of all references cited herein is available upon request from the Field Supervisor, U.S. Fish and Wildlife Service, Portland Field Office, 2600 SE 98th Avenue, Suite 100, Portland, Oregon, 97266; telephone (503) 231-6179.

**List of Subjects in 50 CFR Part 17**

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

**Proposed Regulation Promulgation**

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

**PART 17—[AMENDED]**

1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

**§ 17.11 [Amended]**

2. Section 17.11(h) is amended by revising the “Critical habitat” entry for “Murrelet, marbled” under BIRDS to read: 17.95(b).

3. Section 17.95(b) is amended by adding critical habitat for the marbled murrelet, in the same alphabetical order as the species occurs in § 17.11(h), as follows.

**§ 17.95 Critical habitat—fish and wildlife.**

\* \* \* \* \*

**(b) Birds**

\* \* \* \* \*

**MARBLED MURRELET**  
(*Brachyramphus marmoratus marmoratus*):

1. Critical habitat units are depicted for the States of Washington, Oregon, and California on the maps below.

BILLING CODE 4310–55–P