

Dated: December 30, 1997.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 226

[I.D. No. 101097A]

Designated Critical Habitat; Central California Coast and Southern Oregon/Northern California Coast Coho Salmon

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

ACTION: Proposed rule; reopening of comment period.

SUMMARY: NMFS is reopening the public comment period on proposed regulations to designate critical habitat for Central California Coast and Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*). These proposals were made on November 25, 1997, under provisions of the Endangered Species Act of 1973 (ESA). NMFS has received several requests for additional time to complete the review and compilation of information. NMFS finds the requests to be reasonable and hereby reopens the comment period until April 26, 1998.

DATES: Comments on the proposed rule must be received on or before April 26, 1998.

ADDRESSES: Comments should be sent to: Garth Griffin, NMFS, Protected Resources Division, 525 NE Oregon St. - Suite 500, Portland, OR 97232-2737; or Craig Wingert, NMFS, Southwest Region, Protected Species Management Division, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

FOR FURTHER INFORMATION CONTACT: Garth Griffin at (503) 231-2005, Craig Wingert at (562) 980-4021, or Joe Blum at (301) 713-1401.

SUPPLEMENTARY INFORMATION:

Background

On October 31, 1996, NMFS published its determination to list the Central California Coast Evolutionarily Significant Unit (ESU) of coho salmon as threatened under the ESA (61 FR 41514). Subsequently, on May 6, 1997, NMFS published its determination to list the Southern Oregon/Northern California Coast coho salmon ESU as threatened under the ESA (62 FR 24588). On November 25, 1997 (62 FR 62741), NMFS published a proposed rule identifying critical habitat for each ESU and identified a 90-day comment period (which ends January 26, 1998) to solicit information relevant to the proposal. During the comment period, three public hearings were held between December 8-11, 1997 in Gold Beach, Oregon; Eureka, California; and Santa Rosa, California.

Requests for an extension of the public comment period have been received from a California Congressional representative, as well as several county and private organizations and private citizens in northern California and southern Oregon. Reasons given for these requests included additional time required under state law to assemble county governments for a review of the proposal, and time needed to assess the scope and impact of the proposed rule. NMFS finds the requests to be reasonable and hereby reopens the comment period.

Critical habitat is defined as the specific areas within the geographical area occupied by the species, on which are found those physical and biological features essential to the conservation of the species and which may require special management considerations or protections (ESA section 3(5)(A)(I)). Critical habitat shall not include the entire geographical area occupied by the species unless failure to designate such areas would result in the extinction of the species.

Proposed critical habitat for the Central California Coast ESU encompasses accessible reaches of all rivers (including estuarine areas and tributaries) between Punta Gorda and the San Lorenzo River (inclusive) in California. Also included are two rivers entering San Francisco Bay: Mill Valley

Creek and Corte Madera Creek. Proposed critical habitat for the Southern Oregon/Northern California Coast ESU encompasses accessible reaches of all rivers (including estuarine areas and tributaries) between the Mattole River in California and the Elk River in Oregon, inclusive.

The areas described in the proposed rule represent the current freshwater and estuarine range of the listed species. Marine habitats are also vital to the species and ocean conditions are believed to have a major influence on coho salmon survival. However, there does not appear to be a need for special management consideration or protection of this habitat. Therefore, NMFS is not proposing to designate critical habitat in marine areas at this time. For both ESUs, critical habitat includes all waterways, substrate, and adjacent riparian zones below longstanding, naturally impassable barriers (i.e., natural waterfalls in existence for at least several hundred years). NMFS has identified twelve dams in the range of these ESUs (see proposed rule) that currently block access to habitats historically occupied by coho salmon. However, NMFS has not designated these inaccessible areas as critical habitat because areas downstream are believed to be sufficient for the conservation of the ESUs. The economic and other impacts resulting from this critical habitat designation are expected to be minimal.

NMFS is soliciting information, comments and/or recommendations on any aspect of this proposal from all concerned parties (see **ADDRESSES**); comments must be received by April 26, 1998. In particular, NMFS is requesting any data, maps, or reports describing areas that currently or historically supported coho salmon populations and that may require special management considerations. NMFS will consider all information received before reaching a final decision.

Date: January 22, 1998.

Patricia A. Montanio,

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

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