

(1) The amount and distribution of jaguar habitat, both throughout its range and within the United States;

(2) The physical and biological features of jaguar habitat that are essential to the conservation of the species;

(3) Special management considerations or protections that the features essential to the conservation of the jaguar may require, including managing for the potential effects of climate change;

(4) Any areas that are essential to the conservation of the jaguar throughout its range and why;

(5) The areas in the United States that were occupied at the time of listing that contain features essential to the conservation of the species;

(6) The areas in the United States that were not occupied at the time of listing, but are essential to the conservation of the species and why;

(7) Land use designations and current or planned activities in jaguar habitats and their possible impacts on proposed critical habitat;

(8) Conservation programs and plans that protect the jaguar and its habitat; and

(9) Whether we could improve or modify our approach to designating critical habitat in any way to provide for greater public participation and understanding, or to better accommodate public concerns and comments.

#### Public Comment Procedures

To ensure that any final action resulting from this finding will be as accurate and as effective as possible, we request that you send relevant information for our consideration. The comments that will be most useful and likely to influence our decisions are those that you support by quantitative information or studies and those that include citations to, and analyses of, the applicable laws and regulations. Please make your comments as specific as possible and explain the bases for them. In addition, please include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

You must submit your comments and materials concerning this finding by one of the methods listed above in the **ADDRESSES** section. We will not accept comments sent by e-mail or fax or to an address not listed in **ADDRESSES**. If you submit a comment via <http://www.regulations.gov>, your entire comment—including any personal identifying information, such as your address, telephone number, or e-mail address—will be posted on the Web site.

Please note that comments submitted to this Web site are not immediately viewable. When you submit a comment, the system receives it immediately. However, the comment will not be publicly viewable until we post it, which might not occur until several days after submission.

If you mail or hand-carry a hardcopy comment directly to us that includes personal information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. To ensure that the electronic docket for this finding is complete and all comments we receive are publicly available, we will post all hardcopy comments on <http://www.regulations.gov>.

In addition, comments and materials we receive, as well as supporting documentation used in preparing this finding, will be available for public inspection in two ways:

(1) You can view them on <http://www.regulations.gov>. In the Search Documents box, enter FWS-R2-ES-2009-0091, which is the docket number for this action. Then, in the Search panel on the left side of the screen, select the type of documents you want to view under the Document Type heading.

(2) You can make an appointment, during normal business hours, to view the comments and materials in person at the Arizona Ecological Services Office (see **FOR FURTHER INFORMATION CONTACT**).

#### Public Availability of Comments

As stated above in more detail, before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### References Cited

A complete list of references cited is available on the Internet at Docket No. FWS-R2-ES-2009-0091 at <http://www.regulations.gov> and upon request from the Arizona Ecological Services Office (see **FOR FURTHER INFORMATION CONTACT**).

#### Author(s)

The primary author of this notice is the staff of the U.S. Fish and Wildlife Service.

#### Authority

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

Dated: December 30, 2009.

**Eileen Sobeck,**

*Acting Assistant Secretary for Fish, Wildlife and Parks.*

[FR Doc. 2010-479 Filed 1-12-10; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket No. FWS-R2-ES-2008-0130; MO 92210-0-0008-B2]

#### Endangered and Threatened Wildlife and Plants; Partial 90-Day Finding on a Petition to List 475 Species in the Southwestern United States as Threatened or Endangered With Critical Habitat; Correction

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of 90-day petition finding; correction.

**SUMMARY:** On Wednesday, December 16, 2009, we, the U.S. Fish and Wildlife Service, announced a 90-day finding on 192 species from a petition to list 475 species in the Southwest region of the United States as threatened or endangered under the Endangered Species Act of 1973, as amended (Act). In that notice, we used an incorrect docket number in one place and asked commenters submitting hardcopy comments to refer to this docket number in their comments. The correct docket number is [FWS-R2-ES-2008-0130]. However, comments we received under the incorrect docket number will be routed to the correct docket. If you already submitted a comment, even with the incorrect docket number, you need not resubmit it.

**DATES:** To allow us adequate time to conduct a status review, we request that we receive information on or before February 16, 2010.

**ADDRESSES:** You may submit information by one of the following methods:

- *Federal rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments to Docket no. FWS-R2-ES-2008-0130.
- *U.S. Mail or hand delivery:* Public Comments Processing, Attn: FWS-R2-ES-2008-0130, Division of Policy and Directives Management, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive,

Suite 222, Arlington, VA 22203. We will post all information received on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Request for Information section in our original notice—74 FR 66865—for more information).

**FOR FURTHER INFORMATION CONTACT:**

Sarah Quamme, Listing Coordinator, Southwest Regional Ecological Services Office, 500 Gold Avenue, SW., Albuquerque, NM 87102; telephone 505-248-6920. If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service (FIRS) at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** On

Wednesday, December 16, 2009, we announced a 90-day finding on 192 species from a petition we received to list 475 species in the Southwest region of the United States as threatened or endangered under the Act (16 U.S.C. 1531 *et seq.*) (74 FR 66865). We found that the petition presented substantial information indicating that 67 of the 192 species may warrant listing as threatened or endangered. When we make a finding that a petition presents substantial information indicating that listing a species may be warranted, we are required to promptly review the status of the species (status review). For the status review to be complete and based on the best available scientific and commercial information, we requested information on each of the 67 species from governmental agencies, Native American Tribes, the scientific community, industry, and any other interested parties.

In that notice, we asked commenters to refer to an incorrect docket number when submitting comments via U.S. mail or hand delivery. The correct docket number is [FWS-R2-ES-2008-0130], and our instructions to persons submitting comments electronically included the correct docket number. All hardcopy comments received under the incorrect docket number will be routed to the correct docket. If you already submitted a comment, even with the incorrect docket number, you need not resubmit it. For more information about the species, background, and our finding, see our original notice at 74 FR 66865.

**Sara Prigan,**

*Federal Register Liaison.*

[FR Doc. 2010-454 Filed 1-12-10; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[Docket No. 0912281446-91447-01]

RIN 0648-XT32

**Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications**

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

**ACTION:** Proposed rule.

**SUMMARY:** NMFS proposes a regulation to implement the annual harvest guideline (HG) and seasonal allocations for Pacific sardine in the U.S. exclusive economic zone (EEZ) off the Pacific coast for the fishing season of January 1, 2010, through December 31, 2010. This rule is proposed according to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). The proposed 2010 acceptable biological catch (ABC) or maximum HG is 72,039 mt. 5,000 mt of this 72,039 mt would initially be set aside for use under an Exempted Fishing Permit (EFP), if issued, leaving the remaining 65,732 mt as the initial commercial fishing HG. That HG would be divided across the seasonal allocation periods in the following way: January 1–June 30, 22,463 mt would be allocated for directed harvest with an incidental set-aside of 1,000 mt; July 1–September 14, 25,861 mt would be allocated for directed harvest with an incidental set-aside of 1,000 mt; September 15–December 31, 11,760 mt would be allocated for directed harvest with an incidental set-aside of 1,000 mt with an additional 4,000 mt set aside to buffer against reaching the ABC. This rule is intended to conserve and manage Pacific sardine off the West Coast.

**DATES:** Comments must be received by February 2, 2010.

**ADDRESSES:** You may submit comments on this proposed rule identified by 0648-XT32 by any of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>
- Mail: Rodney R. McInnis, Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802.
- Fax: (562)980-4047

Instructions: No comments will be posted for public viewing until after the

comment period has closed. All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields if you prefer to remain anonymous). You may submit attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the report “Assessment of Pacific Sardine Stock for U.S. Management in 2010” may be obtained from the Southwest Regional Office (see the Mailing address above).

**FOR FURTHER INFORMATION CONTACT:**

Joshua Lindsay, Southwest Region, NMFS, (562) 980-4034.

**SUPPLEMENTARY INFORMATION:** The CPS FMP, which was implemented by publication of the final rule in the **Federal Register** on December 15, 1999 (64 FR 69888), divides management unit species into two categories: actively managed and monitored. Harvest guidelines for actively managed species (Pacific sardine and Pacific mackerel) are based on formulas applied to current biomass estimates. Biomass estimates are not calculated for species that are only monitored (jack mackerel, northern anchovy, and market squid).

During public meetings each year, the biomass for each actively managed species within the CPS FMP is presented to the Pacific Fishery Management Council’s (Council) CPS Management Team (Team), the Council’s CPS Advisory Subpanel (Subpanel) and the Council’s Scientific and Statistical Committee (SSC). At that time, the biomass, the ABC and the status of the fisheries are reviewed and discussed. This information is then presented to the Council along with HG recommendations and comments from the Team, Subpanel and SSC. Following review by the Council and after hearing public comment, the Council makes its HG recommendation to NMFS.

In November 2009, the Council adopted and recommended to NMFS an ABC or maximum HG of 72,039 mt for the 2010 Pacific sardine fishing year. This ABC is based on a biomass estimate of 702,204 mt and the harvest control rule established in the CPS FMP. This ABC/HG is slightly higher than the ABC/HG for the 2009 fishing season,