

the listed entity within Mexico for the purpose of determining if the Mexican population constitutes a distinct population segment (DPS) or constitutes a significant portion of the range of the species. We will prepare and publish a 12-month finding.

**DATES:** The finding announced in this document was made on June 11, 2003. To be considered in the 12-month finding for this petition, comments and information should be submitted to us by September 30, 2003.

**ADDRESSES:** Submit information, comments, or questions concerning this petition finding to the Chief, Division of Scientific Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Rm 750, Arlington, VA 22203 (facsimile number 703-358-2276; E-mail address: [ScientificAuthority@fws.gov](mailto:ScientificAuthority@fws.gov)). The petition, supporting information, and comments will be available for public inspection, by appointment, from 8 a.m. to 4 p.m., Monday through Friday, at the above address.

**FOR FURTHER INFORMATION CONTACT:** Karen L. Anderson, Division of Scientific Authority (see **ADDRESSES** section) (telephone 703-358-1708; facsimile 703-358-2276).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 4(b)(3)(A) of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1533(b)(3)(A)), requires us to make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the petitioned action may be warranted. This finding is to be based on all information available to us at the time the finding is made. To the maximum extent practicable, this finding is to be made within 90 days of the date the petition was received, and a notice of the finding is to be published promptly in the **Federal Register**. If the finding is that substantial information was presented, we are required to promptly commence a review of the status of the involved species. After completing the status review, we will issue an additional finding (the 12-month finding) on whether delisting is, in fact, warranted.

On July 8, 1996, we received a petition dated June 30, 1996, from the National Trappers Association, Inc., Bloomington, Illinois. The petition and cover letter clearly identified itself as such and contained the name, address, and signature of the petitioning organization's representative. Information relating to the taxonomy, the present population status and

trends, and threats were included in the petition. The petition requested that we delist the Mexican bobcat under the Act, and noted that downlisting to threatened status would not be an appropriate alternative. In a letter dated November 4, 1996, we acknowledged receipt of the petition (Service, *in litt.*, 1996). We stated that we would address the petition as soon as possible. Due to staffing and budget constraints, we have been unable to process this petition until now.

The Mexican bobcat belongs to the mammalian family Felidae and has been reported to be a subspecies of *Lynx rufus*. The number of taxa described within *Lynx rufus* ranges from 11 to 14. Allen (1903) first described this subspecies from two immature male specimens found in Escuinapa, Mexico, on the basis of color and cranial differences. However, the validity of this subspecies is questionable. Samson (1979) conducted a multivariate statistical analysis of a variety of skull measurements and found cranial characteristics of *L. r. escuinapae* to be similar to those of *L. r. californicus* and *L. r. texensis*. Also, the range of *escuinapae* overlaps with the ranges of *baileyi* and *texensis*. However, McCord and Cardoza (1982) noted that statistical analysis of skull measurements only have meaning in large samples and are thus ineffective in the subspecific assignment of individual specimens. They also noted that the 11 to 14 subspecies of bobcats described to date comprise few realistically distinguishable taxa that have any real biological or conservation significance.

The majority of bobcats are found in the United States, where they range through a wide variety of habitats, including boreal coniferous and mixed forests in the north, bottomland hardwood forest and coastal swamp in the southeast, and desert and scrubland in the southwest. Even within a local area, individual bobcats usually use a variety of habitats (Wilson and Ruff 1999). Only large, intensively cultivated areas appear to be unsuitable habitat. Southern Canada represents the northern limit of bobcat range, with deep snow a significant limiting factor. With the clearing of mature coniferous forests for agriculture, the bobcat has expanded its range northward over the past century (Rollings 1945, Banfield 1974). In Mexico, bobcats are found in dry scrubland and forest of pine (*Pinus* spp.) and oak (*Quercus* spp.), principally in the mountainous northern and central parts of the country, and not in the tropical south (Hall and Kelson 1959; Gonzalez and Leal 1984 and Woloszyn and Woloszyn 1982 cited by

Nowell and Jackson 1996). *Lynx rufus escuinapae* is the southernmost race of bobcat found in Mexico.

No population estimates are available for *Lynx rufus escuinapae*, but the Mexican Government has stated that this subspecies is widespread and numerous, is not specialized in its habitat requirements, and is highly ecologically adaptable (Graciela de la Garza Garcia, Direccion General de Conservacion Ecologia de los Recursos Naturales, *in litt.* 1991).

Little information is available on utilization of the species in Mexico, but local hunting and trapping for subsistence is possible. There is no indication of illegal trade and no reported potential trade threats (Govt. of U.S. 1992; Service, *in litt.* 1992).

We listed the Mexican bobcat as an endangered species on June 14, 1976 (41 FR 24064). This subspecies was listed under the Act due to its inclusion in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). By July 1, 1975, the Convention was ratified by enough nations to enter into force and at that time the countries participating in CITES agreed that the Mexican bobcat met the criteria for inclusion in Appendix I. Appendix I includes all species threatened with extinction and that are or may be affected by international trade. In 1992, during the 10-year review of species included in the CITES Appendices, we, with support from Mexico and other countries, proposed to transfer the Mexican bobcat to Appendix II, based on the bobcat's widespread and stable status in Mexico and questionable taxonomy. Our proposal was accepted and the transfer went into effect on November 6, 1992. It is not clear at this time why the Mexican bobcat was originally included in Appendix I.

##### *Distinct Vertebrate Population Segment*

We must consider any species for listing under the Act if available information indicates such action may be warranted. "Species" is defined by the Act as including any subspecies of fish and wildlife or plants, and any distinct population segment of vertebrate fish or wildlife that interbreeds when mature (16 U.S.C. 1532 (16)). We, along with the National Marine Fisheries Service (National Oceanic and Atmospheric Administration-Fisheries), developed the Policy Regarding the Recognition of Distinct Vertebrate Population Segments (DPS Policy) (61 FR 4722) to help us in determining what constitutes a distinct population segment (DPS). Under this policy, we use three elements to assess