

regulatory mechanisms involving these lands.

With regard to factor E, the petition states that because of small population sizes and isolation, fisher populations on the West Coast may be in danger of extinction from inbreeding depression (*i.e.*, negative genetic effects) and unpredictable variation in demographic or environmental characteristics (demographic and environmental stochasticity). Small populations of wildlife are considered to be at risk of extinction solely from demographic and environmental stochasticity, independent of deterministic factors, such as human-caused habitat loss (Lande and Barrowclough 1987; Lande 1993). According to Heinemeyer and Jones (1994), the greatest long-term risk to the fisher in the western United States is probably population extinction due to isolation of small populations. Aubry and Lewis (in press 2003) consider the inability of extant fisher populations to support one another demographically, including those that are isolated by relatively small distances, or to colonize currently unoccupied areas within their historical range, to be significant conservation concerns. Also, the significance of mortality factors such as incidental trapping or being struck by vehicles may be greater for small populations of fishers (Powell 1979; USDA Forest Service 2000), and the same may be true with regard to mortality due to predation.

Lewis and Stinson (1998) note that although commercial trapping of fishers has been prohibited in Washington for approximately 70 years, the species has not recovered in the State. They suggest that any small population that may still exist in Washington is at risk due to natural variation in demographic factors (*e.g.*, variable reproduction and survival) and environmental effects, as well as potential negative genetic effects that can affect small populations. They consider the remaining fishers in Washington to be unlikely to represent a viable population and conclude that the species is likely to be extirpated from the State without recovery activities. Despite the protections afforded by the NWFP, the low population level of the fisher in the portions of the range covered by the plan in Washington, Oregon and northern California results in "uncertainty that populations will recover even if habitat conditions are sufficient to support well-distributed, stable populations," and the recovery of fisher populations in the NWFP area is likely to be slow due to the species' low reproductive rate and small population

size (USDA and USDI 1994). The fisher population in the southern Sierra Nevada is thought to be at substantial risk because of several factors, including isolation, small population size, demographic and environmental stochasticity, and low reproductive capacity, in addition to ongoing habitat loss (Zielinski *et al.* 1995; Lamberson *et al.* in litt. 2000; Drew *et al.* 2003).

#### Finding

We have reviewed the petition, literature cited in the petition, and information available in Service files. We have found that the petition presents substantial information indicating the West Coast population of the fisher may be a distinct population segment for which listing may be warranted.

The petition also requests us to designate critical habitat for this species. If we determine in our 12-month finding that listing the fisher in its West Coast range is warranted, we will address the designation of critical habitat in the subsequent proposed listing rule or as funding allows.

#### Public Information Solicited

When we make a finding that substantial information exists to indicate that listing a species may be warranted, we are required to promptly commence a review of the status of the species. To ensure that the status review is complete and based on the best available scientific and commercial information, we are soliciting information on the fisher in California, Oregon, and Washington. This includes information regarding historical and current distribution, biology and ecology, ongoing conservation measures for the fisher and its habitat, and threats to the fisher and its habitat. We also request information regarding the adequacy of existing regulatory mechanisms including, but not limited to, State regulations pertaining to timber harvest, as well as the California Environmental Quality Act and any similar regulations that are applicable in Oregon or Washington. In addition to requesting information on the fisher in its West Coast range, we are requesting information on the species rangewide for the purpose of determining if the fisher in its West Coast range constitutes a DPS, or more than one DPS, or constitutes a significant portion of the range of the species. We request any additional information, comments, and suggestions from the public, other concerned governmental agencies, Tribes, the scientific community, industry or environmental entities, or

any other interested parties concerning the status of the fisher.

If you wish to comment, you may submit your comments and materials concerning this finding to the Field Supervisor (*see ADDRESSES* section). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Respondents may request that we withhold a respondent's identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comment. However, we will not consider anonymous comments. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

#### References Cited

A complete list of all references cited herein is available on request from the Sacramento Fish and Wildlife Office (*see ADDRESSES* section).

#### Author

The primary author of this document is Jesse Wild (*see ADDRESSES* section).

#### Authority

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

Dated: July 3, 2003.

**Marshall P. Jones, Jr.,**

*Acting Director, Fish and Wildlife Service.*  
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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Interim Voluntary Guidelines To Avoid and Minimize Wildlife Impacts from Wind Turbines

**AGENCY:** Fish and Wildlife Service.

**ACTION:** Notice of availability of interim guidelines and request for comments.

**SUMMARY:** The Fish and Wildlife Service (Service) has developed voluntary interim guidelines for locating and designing wind energy facilities to avoid or minimize the loss of wildlife, particularly birds and bats, and their