the effects of habitat loss and parasitism are compounded. However, cowbirds now appear to be increasing at higher elevations (Hanka 1985).

In addition to causing habitat degradation and facilitating brood parasitism, livestock grazing in and near riparian areas may also threaten E. t. extimus through direct mortality. Livestock in riparian habitats sometimes make physical contact with nests or supporting branches, resulting in destruction of nests and spillage of eggs or nestlings. All known documentation of this threat involves E. t. brewsteri, perhaps because virtually all known remaining populations of E. t. extimus are in ungrazed habitats (Serena 1982, Harris et al. 1987, Whitfield and Laymon, unpubl. data). Valentine et al. (1988) studied willow flycatchers in California from 1983 through 1987, when 11 of their 20 recorded nesting attempts failed. They found that "Prior to reduction of grazing intensity in 1987, livestock accounted for 36 percent of the failed nests or 20 percent of all nesting attempts. In addition, livestock destroyed four successful nests shortly after the young had fledged." Stafford and Valentine (1985) reported that three of eight (37.5 percent) willow flycatcher nests in their study site were probably destroyed by cattle. Flett and Sanders (1987) documented no nest upsets due to livestock but noted the vulnerability of nests to upset, due to their placement low in willow clumps (see also Serena 1982). Livestock grazing may affect E. t. extimus similarly.

The southwestern willow flycatcher's preference for, and former abundance in, floodplain areas that are now largely agricultural may indicate a potential threat from pesticides. Where flycatcher populations remain, they are sometimes in proximity to agricultural areas, with the associated pesticides and herbicides. Without appropriate precautions, these agents may potentially affect the southwestern willow flycatcher through direct toxicity or effects on their insect food base. No quantitative data on this potential threat are known at this time.

Recreation that is focused on riparian areas, particularly during warm summer breeding months, may also constitute a threat to *E. t. extimus*. Taylor (1986) found a possible correlation between recreational activities and decreased riparian bird abundance. Blakesley and Reese (1988) reported the willow flycatcher (probably *E. t. adastus*) as one of seven species negatively associated with campgrounds in riparian areas in northern Utah. It is unknown whether these possible effects involve impacts to habitat or disturbance of nesting birds.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to make this rule final. Based on this evaluation, the preferred action is to list the southwestern willow flycatcher as endangered. A decision regarding designation of critical habitat for this species is being deferred, and a final decision regarding the designation will be made by July 23, 1995. Critical habitat for this species is not now determinable.

Critical Habitat

Critical Habitat is defined in section 3 of the Act as (i) the specific areas within the area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection and; (ii) specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. "Conservation" means the use of all methods and procedures needed to bring the species to a point at which listing under the Act is no longer necessary.

Section 4(a)(3) of the Act and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, the Secretary designate critical habitat at the time a species is determined to be endangered or threatened. Critical habitat was proposed to be designated for the flycatcher at the time it was proposed for listing as endangered to encompass approximately 640 miles (1000 km) of riparian zones in the States of California, Arizona, and New Mexico.

After reviewing comments submitted during the public comment period the Service is deferring the designation of critical habitat for this endangered species. The Service received numerous comments on the proposed rule, including many recommendations for additions and deletions to proposed critical habitat. The Service is reviewing these comments as well as survey data collected in 1994. These sources included more complete information on the primary constituent elements of flycatcher habitat and on the distribution of that habitat across the bird's range. Substantial disagreement has also been found among scientists knowledgeable about the species regarding the proposed designations. Further, written comments submitted by State agencies recommended substantial changes in proposed critical habitat areas.

The Service is presently reconsidering the prudence of critical habitat designation for this species, the need for special management considerations or protection of habitat within the species' range, and the proper boundaries of any areas that might be designated as critical habitat. Issues raised in public comments, new information, and the lack of the economic information necessary to perform the required economic analysis cause the Service to conclude that critical habitat is not now determinable and to invoke an extension until July 23, 1995, pursuant to 16 U.S.C. § 1533(b)(6)(C) for reaching a final decision on the proposal of critical habitat for the flycatcher. The Service has determined that this is in compliance with provisions of 50 CFR 424.12(a) and § 424.17, regarding delaying final rules on proposed critical habitat designations, and with provisions for addressing State agencies that disagree in whole or part with a proposed rule (50 CFR 424.18(c)). In order to assist in its deliberation, the Service is reopening comment on the proposal to designate critical habitat for a period of 60 days. Comments are particularly sought on the following topics:

1. The need for special management of areas within the range of the flycatcher, including those proposed as critical habitat as well as other areas,

2. The net benefit to the flycatcher in addition to the protection provided by its listing as endangered likely to accrue from a designation of critical habitat, and

3. Any indication that areas should be added to or excluded from those proposed for designation.

Comments already received that address the above topics will be considered in reaching a final decision regarding critical habitat designation, and need not be resubmitted.

Available Conservation Measures

Conservation measures provided to species listed as endangered or threatened under the Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, State, and local agencies, private organizations, and individuals. The Act provides for possible land acquisition and cooperation with the States and requires that recovery actions be carried out for all listed species. The protection required of Federal agencies