Dakota—1, Texas—8, Utah—21, and Wyoming 14; (2) average production of 1.25 yg/pr without manipulation; and (3) eggshell thickness within 10 percent of pre-DDT eggshells for a 5-year span. When these objectives are reached or significant new data are obtained, the objectives and species classification would be reassessed.

Based on 1994 surveys, the current Rocky Mountain/Southwest population consists of 559 breeding pairs, surpassing this recovery objective by 376 pairs. With the exception of Montana, Idaho, Nebraska, and North and South Dakota, all States within the Rocky Mountain/Southwest population have met their specific recovery goals for breeding pairs. Although much of this increase is undoubtedly attributable to natural growth, a substantial amount also resulted from releases of captive bred young, and an increased survey effort, and a gradual increase in the number of breeding areas that have been checked for the presence of peregrines. The second objective of 1.25 yg/pr for 5 years has not been met in all States, but the current reproductive level has been sufficient to support considerable population growth. Based on degree of recovery achieved and a general trend toward thicker eggshells, the original eggshell thickness objective appears unnecessary for the recovery.

Eastern (U.S.) Population Recovery Plan (1979; revised 1985 and 1991)—This plan reflects some of the earliest scientific recommendations regarding peregrine falcon recovery through reintroduction of captive bred offspring. Release of progeny of various listed and unlisted subspecies, and combinations thereof, commenced in the eastern United States in 1974 and 1975. The current plan indicates that the peregrine should be considered recovered when a minimum of 20–25 nesting pairs are established in each of five recovery units and are sustained for a minimum of 3 years, and, overall, a minimum of 175–200 pairs demonstrate successful, sustained nesting. The five recovery units are (1) Mid-Atlantic Coast, (2) Northern New York and New England, (3) Southern Appalachians, (4) Great Lakes, and (5) Southern New England/Central Appalachians.

Substantial progress has been made toward achieving the recovery criteria, with three of the five recovery units (Mid Atlantic Coast, Northern New York, and Great Lakes) having surpassed the identified target of 20–25 nesting pairs for 3 years. The remaining two units—the Southern Appalachians and southern New England/Central Appalachians have not done so (10 pairs and 5 pairs respectively, located in 1994), and are unlikely to reach their goal in the near future due to great horned owl (*Bubo virginianus*) predation and other factors. Overall, in excess of 150 pairs have established nesting territories in the five units, and the recovery target of 175–200 pairs will likely be reached by 1996 or 1997 (M. Amaral, *in litt.*, 1995).

Mexico—None of the recovery plans written for peregrine falcons in North America established recovery criteria for American peregrine falcons that nest in Mexico. Furthermore, there is very little historical or recent information on peregrine falcons in Mexico with which to accurately assess current status in this area. Most of the research that has been conducted took place on the Baja Peninsula and in the Gulf of California. It is likely the status of the subpopulation is similar to that of the subpopulation occupying similar habitat in nearby Arizona (G. Hunt, pers. comm., 1995). There are no recent data known to the Service that indicate local American peregrine falcon populations in Mexico are declining, are imperiled by organochlorine pesticides, or have not recovered in recent years similarly to local populations in the United States and Canada.

Summary

In accordance with 50 CFR 424.11(d), a species may be delisted if the best scientific and commercial data available substantiate that neither endangered nor threatened status is appropriate because the species is recovered, extinct, or the original data for classification of the species were in error, and that the five factors presented in section 4(a)(1) of the Act are no longer applicable to the species.

Exposure to organochlorine pesticides caused drastic population declines in American peregrine falcons. Following restrictions on the use of organochlorines in the United States and Canada, residues in eggs declined and reproduction rates improved. Improved reproduction, combined with the release of thousands of captive-reared young, has allowed the American peregrine falcon to recover. Pesticide residues, reproductive rates, and the rate of recovery have varied among regions within the vast range of the subspecies. In some areas, such as portions of California, the lingering effects of pesticides have caused reproductive rates to remain low, and recovery may not yet be complete. Point source contamination may cause continued reproductive problems in these areas in California, and the recovery in these areas may not be complete for many years. In eastern and southwestern Canada, the rate of recovery, or onset of recovery, apparently lagged behind most other areas within the range of this population segment; but, recent trends suggest that historical nest sites will continue to be gradually recolonized in this area. Although the recovery of the American peregrine falcon is not complete throughout all parts of the historical range, those areas in which recovery has been exceptionally slow comprise a small portion of the range of the subspecies. Furthermore, evidence collected in recent years shows that a combination of lingering residues of organochlorines in North America and contamination resulting from the continued use of organochlorines in Latin America has not prevented a widespread and substantial recovery of American peregrine falcons. The Service concludes, therefore, that the continued existence of American peregrine falcons is no longer threatened by exposure to organochlorine pesticides. The peregrine would remain protected by the Migratory Bird Treaty Act, which governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests.

Section 4(g)(1) of the Act requires that the Secretary of the Interior, through the Service, implement a monitoring program for at least 5 years for all species that have been recovered and delisted. The purpose of this requirement is to develop a program that detects the failure of any delisted species to sustain itself without the protective measures provided by the Act. A monitoring plan for the American peregrine will be described in the proposed rule.

Public Comments Solicited

The Service intends for the forthcoming proposal to remove the American peregrine falcon from the Lists of Endangered and Threatened Wildlife to be based on complete and accurate information. Therefore, the Service hereby solicits data, comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party, concerning such a proposal. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to this subspecies;

(2) additional information concerning the range, distribution, and population size of this subspecies;