

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****49 CFR Part 541**

[Docket No. NHTSA–2016–0073]

**Preliminary Theft Data; Motor Vehicle Theft Prevention Standard**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Publication of preliminary theft data; request for comments.

**SUMMARY:** This document requests comments on data about passenger motor vehicle thefts that occurred in calendar year (CY) 2014, including theft rates for existing passenger motor vehicle lines manufactured in model year (MY) 2014. The preliminary theft data indicate that the vehicle theft rate for MY/CY 2014 vehicles (1.1525 thefts per thousand vehicles) decreased by 0.32 percent from the theft rate for MY/CY 2013 vehicles (1.1562 thefts per thousand vehicles).

Publication of these data fulfills NHTSA's statutory obligation to periodically obtain accurate and timely theft data, and publish the information for review and comment.

**DATES:** Comments must be submitted on or before November 21, 2016.

**ADDRESSES:** You may submit comments identified by Docket No. NHTSA–2016–0073 by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

- *Fax:* 202–493–2251.

*Instructions:* For detailed instructions on submitting comments and additional

information on the rulemaking process, see the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit <http://DocketsInfo.dot.gov>.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. Follow the online instructions for accessing the dockets.

**FOR FURTHER INFORMATION CONTACT:** Ms. Deborah Mazyck, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, 1200 New Jersey Avenue SE., NRM–310, Washington, DC 20590. Ms. Mazyck's telephone number is (202) 366–4139. Her fax number is (202) 493–2990.

**SUPPLEMENTARY INFORMATION:** NHTSA administers a program for reducing motor vehicle theft. The central feature of this program is the Federal Motor Vehicle Theft Prevention Standard, 49 CFR part 541. The standard specifies performance requirements for inscribing or affixing vehicle identification numbers (VINs) onto certain major original equipment and replacement parts of high-theft lines of passenger motor vehicles.

NHTSA obtains, from the most reliable source, accurate and timely theft data, and publishes the data for review and comment in accordance with 49 U.S.C. 33104(b)(4). This document reports the preliminary theft data for CY 2014, the most recent calendar year for which data are available.

In calculating the 2014 theft rates, NHTSA followed the same procedures it has used since publication of the MY/CY 1983/1984 theft rate data (50 FR 46669, November 12, 1985). The MY/CY 2014 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 2014 vehicles of that line stolen during calendar year 2014 by the total number of vehicles in that line manufactured for MY 2014, as reported to the Environmental Protection Agency (EPA). As in all previous reports, NHTSA's data were based on information provided to NHTSA by the National Crime Information Center (NCIC) of the Federal Bureau of Investigation. The NCIC is a government system that receives vehicle theft information from approximately 23,000 criminal justice agencies and other law enforcement authorities throughout the United States. The NCIC data also include reported thefts of self-insured and uninsured vehicles, not all of which are reported to other data sources.

The preliminary MY/CY 2014 theft data show a decrease in the vehicle theft rate when compared to the theft rate experienced in MY/CY 2013 (For 2013 theft data, see 80 FR 72929 November 23, 2015). The preliminary theft rate for MY 2014 passenger vehicles stolen in calendar year 2014 decreased to 1.1525 thefts per thousand vehicles produced, a decrease of 0.32 percent from the rate of 1.1562 thefts per thousand vehicles experienced by MY 2013 vehicles stolen in CY 2013. For MY 2014 vehicles, out of a total of 236 vehicle lines, five lines had a theft rate higher than 3.5826 per thousand vehicles, the median theft rate established for MYs 1990/1991 (See 59 FR 12400, March 16, 1994). Of the five vehicle lines with a theft rate higher than 3.5826, four are passenger car lines, one is a multipurpose passenger vehicle line, and none are light-duty truck lines.

The data presented in this publication reflect a slight decrease in the overall vehicle theft rate for MY/CY 2014 which is consistent with the general theft rate trend over the past several years.

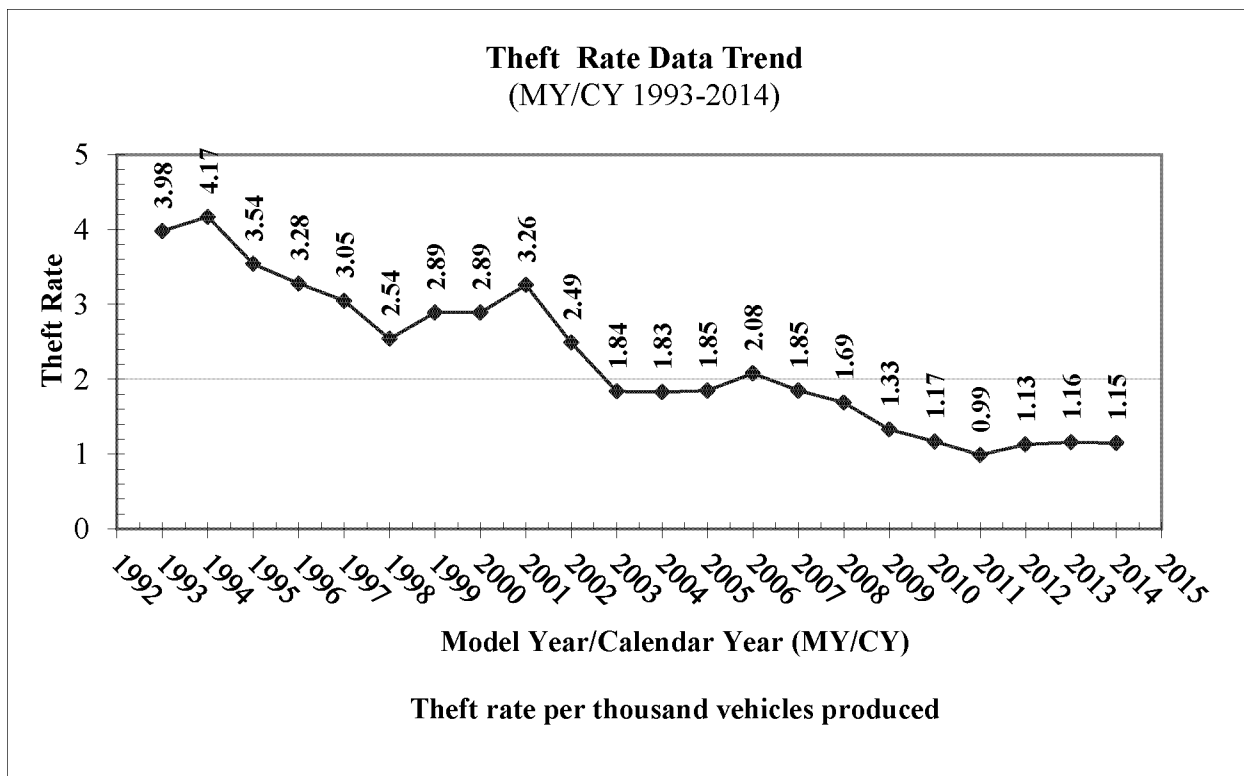


Figure 1: Theft Rate Data Trend (MY/CY 1993-2014)

In Table I, NHTSA has tentatively ranked each of the MY 2014 vehicle lines in descending order of theft rate. Public comment is sought on the accuracy of the data, including the data for the production volumes of individual vehicle lines.

Comments must not exceed 15 pages in length (49 CFR 553.21). Attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given in the **FOR FURTHER INFORMATION CONTACT** section, and two

copies from which the purportedly confidential information has been deleted should be submitted to the docket. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR part 512.

All comments received before the close of business on the comment closing date indicated above for this document will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments on this document will be available for inspection in the docket. NHTSA will continue to file relevant information as it becomes available for inspection in the docket after the closing date, and it is recommended that

interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://DocketsInfo.dot.gov>.

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PRELIMINARY REPORT OF THEFT RATES FOR MODEL YEAR 2014 PASSENGER MOTOR VEHICLES  
STOLEN IN CALENDAR YEAR 2014

	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
1	NISSAN	INFINITI Q70	8	1233	6.4882
2	CHRYSLER	DODGE CHARGER	509	106664	4.7720
3	MERCEDES-BENZ	SLS-CLASS	1	223	4.4843
4	NISSAN	INFINITI QX70	16	3776	4.2373
5	CHRYSLER	200	241	59627	4.0418
6	GENERAL MOTORS	CHEVROLET CAPTIVA	175	49045	3.5682
7	TOYOTA	YARIS	86	24524	3.5068
8	GENERAL MOTORS	CHEVROLET IMPALA	623	186586	3.3389
9	GENERAL MOTORS	CHEVROLET CAMARO	295	89358	3.3013
10	CHRYSLER	DODGE CHALLENGER	167	50811	3.2867
11	CHRYSLER	DODGE AVENGER	220	68355	3.2185
12	VOLVO	S80	2	677	2.9542
13	MAZDA	MAZDA2	46	15952	2.8837
14	BMW	7	28	9818	2.8519
15	PORSCHE	PANAMERA	19	6895	2.7556
16	AUDI	AUDI S8	2	744	2.6882
17	KIA	RIO	77	30113	2.5570
18	FORD MOTOR CO	MUSTANG	307	120845	2.5404
19	GENERAL MOTORS	CHEVROLET SS	7	2826	2.4770
20	CHRYSLER	300	167	69884	2.3897
21	NISSAN	VERSA	354	149584	2.3666
22	NISSAN	MAXIMA	176	75620	2.3274
23	NISSAN	ALTIMA	597	281443	2.1212
24	MERCEDES-BENZ	S-CLASS	30	14442	2.0773
25	HYUNDAI	ACCENT	136	66013	2.0602
26	GENERAL MOTORS	CHEVROLET SONIC	171	83217	2.0549
27	BMW	6	15	7346	2.0419
28	NISSAN	INFINITI Q50/Q60	117	57334	2.0407
29	MAZDA	MAZDA5	23	11289	2.0374
30	NISSAN	CUBE	7	3436	2.0373
31	GENERAL MOTORS	CHEVROLET MALIBU	317	156086	2.0309
32	KIA	OPTIMA	222	109954	2.0190
33	KIA	FORTE	174	87825	1.9812

	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
34	VOLVO	XC90	4	2076	1.9268
35	GENERAL MOTORS	BUICK REGAL	37	19340	1.9131
36	MINISUBISHI	LANCER	39	21571	1.8080
37	GENERAL MOTORS	BUICK LACROSSE	83	46951	1.7678
38	VOLKSWAGEN	TIGUAN	21	11957	1.7563
39	FERRARI	458	2	1150	1.7391
40	NISSAN	XTERRA	21	12525	1.6766
41	TOYOTA	SCION FR-S	15	9019	1.6632
42	AUDI	AUDI TT	2	1221	1.6380
43	HYUNDAI	SONATA	230	143998	1.5972
44	TOYOTA	CAMRY	741	466187	1.5895
45	AUDI	AUDI S7	2	1281	1.5613
46	BENTLEY MOTORS	FLYING SPUR	2	1329	1.5049
47	FORD MOTOR CO	FIESTA	113	75291	1.5008
48	AUDI	AUDI A8	7	4830	1.4493
49	VOLKSWAGEN	GOLF	10	6914	1.4463
50	HYUNDAI	ELANTRA	218	151185	1.4419
51	GENERAL MOTORS	CHEVROLET SPARK	73	50921	1.4336
52	FORD MOTOR CO	FUSION	446	313391	1.4231
53	GENERAL MOTORS	CADILLAC XTS	43	30282	1.4200
54	AUDI	AUDI A7	10	7046	1.4192
55	VOLKSWAGEN	JETTA	259	182896	1.4161
56	FORD MOTOR CO	TAURUS	82	58103	1.4113
57	TOYOTA	SCION TC	29	20680	1.4023
58	TOYOTA	COROLLA	466	335224	1.3901
59	GENERAL MOTORS	CHEVROLET CRUZE	476	345204	1.3789
60	MINISUBISHI	MIRAGE	29	21149	1.3712
61	FORD MOTOR CO	LINCOLN MKS	15	11132	1.3475
62	CHRYSLER	DODGE JOURNEY	122	91151	1.3384
63	NISSAN	SENTRA	273	211339	1.2918
64	NISSAN	FRONTIER PICKUP	78	62847	1.2411
65	KIA	SORENTO	138	112099	1.2311
66	CHRYSLER	JEEP COMPASS	109	89264	1.2211
67	BMW	M6	3	2466	1.2165

	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
68	FORD MOTOR CO	LINCOLN MKZ	39	32303	1.2073
69	NISSAN	INFINITI QX60	47	39331	1.1950
70	SUBARU	TRIBECA	1	843	1.1862
71	KIA	SOUL	153	129110	1.1850
72	CHRYSLER	JEEP PATRIOT	155	130916	1.1840
73	MERCEDES-BENZ	C- CLASS	81	69728	1.1617
74	VOLKSWAGEN	BEETLE	31	27710	1.1187
75	GENERAL MOTORS	CADILLAC ATS	40	36424	1.0982
76	BMW	M5	2	1834	1.0905
77	MERCEDES-BENZ	SL-CLASS	5	4599	1.0872
78	FORD MOTOR CO	FOCUS	351	329577	1.0650
79	TOYOTA	LEXUS IS	48	45439	1.0564
80	MITSUBISHI	OUTLANDER	49	47568	1.0301
81	KIA	CADENZA	18	18234	0.9872
82	VOLKSWAGEN	PASSAT	100	102115	0.9793
83	AUDI	AUDI RS7	1	1029	0.9718
84	GENERAL MOTORS	BUICK VERANO	44	45394	0.9693
85	KIA	SPORTAGE	33	34501	0.9565
86	NISSAN	INFINITI QX50	1	1097	0.9116
87	BMW	3	93	102723	0.9053
88	FIAT	500	35	38990	0.8977
89	AUDI	AUDI R8	1	1115	0.8969
90	BMW	5	48	53784	0.8925
91	HYUNDAI	VELOSTER	17	19203	0.8853
92	MASERATI	QUATTROPORTE	4	4523	0.8844
93	TOYOTA	LEXUS GS	18	20420	0.8815
94	VOLKSWAGEN	EOS	3	3409	0.8800
95	HYUNDAI	GENESIS	10	11605	0.8617
96	CHRYSLER	DODGE DART	45	52715	0.8536
97	SUBARU	BRZ	5	5893	0.8485
98	GENERAL MOTORS	CADILLAC SRX	44	51882	0.8481
99	VOLVO	XC60	8	9777	0.8182
100	HYUNDAI	AZERA	6	7406	0.8102
101	BMW	4	23	28602	0.8041

	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
102	FORD MOTOR CO	FLEX	21	26116	0.8041
103	VOLKSWAGEN	GTI	4	5082	0.7871
104	TOYOTA	SCION IQ	2	2581	0.7749
105	MERCEDES-BENZ	E-CLASS	81	105191	0.7700
106	BMW	2	2	2697	0.7416
107	JAGUAR LAND ROVER	F-TYPE	3	4053	0.7402
108	HONDA	ACURA TSX	5	6789	0.7365
109	VOLKSWAGEN	CC	8	10893	0.7344
110	TOYOTA	VENZA	20	27339	0.7316
111	HONDA	CIVIC	193	264382	0.7300
112	HYUNDAI	TUCSON	29	39796	0.7287
113	JAGUAR LAND ROVER	LAND ROVER EVOQUE	5	6882	0.7265
114	GENERAL MOTORS	CHEVROLET CORVETTE	25	34585	0.7229
115	MERCEDES-BENZ	CLS-CLASS	8	11125	0.7191
116	NISSAN	MURANO	39	54422	0.7166
117	FORD MOTOR CO	EDGE	87	121453	0.7163
118	MERCEDES-BENZ	CLA-CLASS	31	43391	0.7144
119	GENERAL MOTORS	GMC TERRAIN	65	91199	0.7127
120	NISSAN	370Z	6	8427	0.7120
121	AUDI	AUDI A4/A5	28	39681	0.7056
122	VOLVO	S60	9	12833	0.7013
123	NISSAN	PATHFINDER	67	96879	0.6916
124	PORSCHE	CAYMAN	4	5914	0.6764
125	HONDA	ACCORD	263	389696	0.6749
126	TOYOTA	SCION XD	5	7535	0.6636
127	HONDA	ACURA RLX	5	7946	0.6292
128	MAZDA	MAZDA6	34	54740	0.6211
129	HONDA	ACURA ILX	10	16349	0.6117
130	BMW	X3	24	39732	0.6040
131	AUDI	AUDI S4/S5	9	15058	0.5977
132	HONDA	INSIGHT	2	3349	0.5972
133	MERCEDES-BENZ	GLK-CLASS	21	35296	0.5950
134	AUDI	AUDI SQ5	2	3395	0.5891
135	NISSAN	QUEST VAN	5	8561	0.5840

	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
136	HONDA	CR-Z	2	3473	0.5759
137	HONDA	ACURA TL	7	12320	0.5682
138	HYUNDAI	SANTA FE	57	103747	0.5494
139	HONDA	PILOT	15	27550	0.5445
140	AUDI	AUDI Q5	21	38610	0.5439
141	TOYOTA	TACOMA PICKUP	76	139852	0.5434
142	MERCEDES-BENZ	SMART FORTWO	4	7428	0.5385
143	CHRYSLER	JEEP CHEROKEE	84	158441	0.5302
144	FORD MOTOR CO	LINCOLN MKX	9	17058	0.5276
145	NISSAN	ROGUE	81	158256	0.5118
146	FORD MOTOR CO	ESCAPE	187	370239	0.5051
147	TOYOTA	LEXUS RX	28	55586	0.5037
148	MAZDA	CX-5	49	98354	0.4982
149	SUBARU	IMPREZA	34	68503	0.4963
150	NISSAN	JUKE	16	32415	0.4936
151	PORSCHE	911	5	10575	0.4728
152	TOYOTA	HIGHLANDER	38	81277	0.4675
153	TOYOTA	SIENNA	59	126353	0.4669
154	GENERAL MOTORS	CHEVROLET EQUINOX	98	214114	0.4577
155	TOYOTA	AVALON	29	65552	0.4424
156	KIA	SEDONA	6	13917	0.4311
157	BMW	Z4	1	2327	0.4297
158	TOYOTA	LEXUS CT	5	11749	0.4256
159	TOYOTA	LEXUS LS	4	9512	0.4205
160	MAZDA	MAZDA3	38	93224	0.4076
161	BMW	MINI COOPER	19	46626	0.4075
162	SUBARU	LEGACY	14	34682	0.4037
163	HONDA	ACURA RDX	17	43179	0.3937
164	MASERATI	GHIBLI	3	7720	0.3886
165	FORD MOTOR CO	C-MAX	8	20667	0.3871
166	NISSAN	LEAF	4	10339	0.3869
167	TOYOTA	LEXUS ES	27	71126	0.3796
168	TOYOTA	PRIUS	69	184189	0.3746
169	SUBARU	OUTBACK	46	122958	0.3741

	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
170	MAZDA	CX-9	7	19109	0.3663
171	SUBARU	FORESTER	53	145636	0.3639
172	TOYOTA	RAV4	71	199173	0.3565
173	GENERAL MOTORS	CADILLAC CTS	14	39484	0.3546
174	NISSAN	NV 200 TAXI	4	11577	0.3455
175	SUBARU	XV CROSSTREK	30	87381	0.3433
176	GENERAL MOTORS	BUICK ENCORE	18	53672	0.3354
177	HONDA	ACURA MDX	22	68547	0.3209
178	GENERAL MOTORS	CHEVROLET VOLT	7	21840	0.3205
179	AUDI	AUDI A6	7	22620	0.3095
180	JAGUAR LAND ROVER	XF	1	3239	0.3087
181	HONDA	CR-V	115	383890	0.2996
182	BMW	X1	8	26766	0.2989
183	TOYOTA	SCION XB	5	16975	0.2946
184	MAZDA	MX-5 MIATA	1	3491	0.2865
185	TOYOTA	FJ CRUISER	5	17726	0.2821
186	HONDA	CROSSTOUR	2	9411	0.2125
187	MERCEDES-BENZ	SLK-CLASS	1	4942	0.2023
188	AUDI	AUDI ALLROAD	1	4960	0.2016
189	FORD MOTOR CO	TRANSIT CONNECT	6	36239	0.1656
190	CHRYSLER	JEEP WRANGLER	24	172362	0.1392
191	TESLA	MODEL S	2	17791	0.1124
192	ALFA ROMEO	4C	0	19	0.0000
193	ASTON MARTIN	VANTAGE	0	222	0.0000
194	ASTON MARTIN	RAPIDE	0	235	0.0000
195	ASTON MARTIN	DB9	0	335	0.0000
196	ASTON MARTIN	VANQUISH	0	480	0.0000
197	AUDI	AUDI S6	0	1309	0.0000
198	AUDI	AUDI RS5	0	1703	0.0000
199	BENTLEY MOTORS	MULSASSE	0	151	0.0000
200	BENTLEY MOTORS	CONTINENTAL	0	1734	0.0000
201	BMW	I8	0	768	0.0000
202	BMW	M235	0	1520	0.0000
203	BMW	I3	0	9127	0.0000



	Manufacturer	Make/Model (line)	Thefts MY/CY 2014	Production (Mfr's) MY 2014	MY/CY 2014 Theft Rate (per 1,000 vehicles produced)
204	BMW	X5	0	35853	0.0000
205	BUGATTI	VEYRON	0	7	0.0000
206	BYD MOTORS	E6	0	50	0.0000
207	CHRYSLER	DODGE VIPER	0	798	0.0000
208	FERRARI	LAFERRARI	0	50	0.0000
209	FERRARI	FF	0	183	0.0000
210	FERRARI	F12BERLINETTA	0	344	0.0000
211	FERRARI	CALIFORNIA	0	574	0.0000
212	FORD MOTOR CO	EXPLORER	0	4331	0.0000
213	GENERAL MOTORS	CADILAC ELR	0	2318	0.0000
214	HONDA	FCX CLARITY	0	1	0.0000
215	HONDA	FIT	0	599	0.0000
216	HYUNDAI	EQUUS	0	4638	0.0000
217	JAGUAR LAND ROVER	XK	0	1294	0.0000
218	JAGUAR LAND ROVER	LAND ROVER LR2	0	2383	0.0000
219	JAGUAR LAND ROVER	XJ	0	3737	0.0000
220	LAMBORGHINI	GALLARDO	0	159	0.0000
221	LAMBORGHINI	AVENTADOR	0	317	0.0000
222	LOTUS	EVORA	0	280	0.0000
223	MASERATI	GRANTURISMO	0	2252	0.0000
224	MCLAREN	P1	0	43	0.0000
225	MCLAREN	MP4-12C	0	236	0.0000
226	MERCEDES-BENZ	CL-CLASS	0	298	0.0000
227	MERCEDES-BENZ	B- CLASS	0	1585	0.0000
228	MITSUBISHI	I-MIEV	0	219	0.0000
229	NISSAN	GT-R	0	1547	0.0000
230	PAGANI	HUAYRA	0	24	0.0000
231	PORSCHE	BOXSTER	0	4316	0.0000
232	ROLLS ROYCE	PHANTOM	0	162	0.0000
233	ROLLS ROYCE	GHOST	0	390	0.0000
235	ROLLS ROYCE	WRAITH	0	432	0.0000
236	VOLVO	XC70	0	2267	0.0000
	<b>Theft rate per 1,000 vehicles produced =</b>	$\left( \frac{\text{Total theft}}{\text{Total production}} \right) \times 1000$	<b>13,778</b>	<b>11,954,769</b>	<b>1.1525</b>

Issued in Washington, DC, September 8, 2016 under authority delegated in 49 CFR 1.95.

**Raymond R. Posten,**

*Associate Administrator for Rulemaking.*

[FR Doc. 2016-22064 Filed 9-19-16; 8:45 am]

BILLING CODE 4910-59-C

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[Docket No. FWS-R1-ES-2016-0057; 4500030113]

RIN 1018-BB54

#### Endangered and Threatened Wildlife and Plants; Threatened Species Status for the Iiwi (*Drepanis coccinea*)

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

**ACTION:** 12-Month petition finding; proposed rule.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 12-month finding on a petition to list the Iiwi (*Drepanis coccinea*), a bird species from the Hawaiian Islands, as a threatened species under the Endangered Species Act (Act). After review of all best available scientific and commercial information, we find that listing the Iiwi as a threatened species under the Act is warranted. Accordingly, we propose to list the Iiwi as a threatened species throughout its range. If we finalize this rule as proposed, it would extend the Act's protections to this species. The effect of this regulation will be to add this species to the Federal List of Endangered and Threatened Wildlife.

**DATES:** We will accept comments received or postmarked on or before November 21, 2016. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES** below) must be received by 11:59 p.m. Eastern Time on the closing date. We must receive requests for public hearings, in writing, at the address shown in **FOR FURTHER INFORMATION CONTACT** by November 4, 2016.

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

(1) *Electronically:* Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. In the Search box, enter FWS-R1-ES-2016-0057, which is the docket number for this rulemaking. Then, in the Search panel on the left side of the screen, under the Document Type heading, click on the Proposed

Rules link to locate this document. You may submit a comment by clicking on "Comment Now!"

(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS-R1-ES-2016-0057; U.S. Fish and Wildlife Service Headquarters, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

We request that you send comments only by the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see *Public Comments* below for more information).

#### FOR FURTHER INFORMATION CONTACT:

Mary Abrams, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Boulevard, Room 3-122, Honolulu, HI 96850; by telephone (808-792-9400); or by facsimile (808-792-9581). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** This document consists of: (1) A 12-month petition finding that listing the Iiwi under the Act is warranted; and (2) a proposed rule to list the Iiwi as a threatened species under the Act.

#### Executive Summary

*Why we need to publish a rule.* Under the Endangered Species Act, 16 U.S.C. 1531 *et seq.*, a species or subspecies may warrant protection through listing if it is endangered or threatened throughout all or a significant portion of its range. Critical habitat shall be designated, to the maximum extent prudent and determinable, for any species determined to be an endangered or threatened species under the Act.

We are proposing to list the Iiwi (*Drepanis coccinea*) as threatened under the Act because of current and future threats, and listing can only be done by issuing a rule. The Iiwi no longer occurs across much of its historical range, and faces a variety of threats in the form of diseases and impacts to its remaining habitat.

Delineation of critical habitat requires, within the geographical area occupied by the species, identification of the physical or biological features essential to the species' conservation. A careful assessment of the biological needs of the species and the areas that may have the physical or biological features essential for the conservation of the species and that may require special management considerations or protections, and thus qualify for designation as critical habitat, is particularly complicated in this case by

the ongoing and projected effects of climate change and will require a thorough assessment. We require additional time to analyze the best available scientific data in order to identify specific areas appropriate for critical habitat designation and to analyze the impacts of designating such areas as critical habitat. Accordingly, we find designation of critical habitat for the Iiwi to be "not determinable" at this time.

*What this document does.* This document proposes the listing of the Iiwi as a threatened species. We previously published a 90-day finding for the Iiwi, and this document includes a 12-month finding and proposed listing rule, which assesses all available information regarding status of and threats to the Iiwi.

*The basis for our action.* Under the Act, we can determine that a species is an endangered or threatened species based on any of five factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) Overutilization for commercial, recreational, scientific, or educational purposes; (C) Disease or predation; (D) The inadequacy of existing regulatory mechanisms; or (E) Other natural or manmade factors affecting its continued existence. We have determined that the primary threats to the Iiwi are its susceptibility to avian malaria (Factor C) and the expected reduction in disease-free habitat as a result of increased temperatures caused by climate change (Factor E). Although not identified as primary threat factors, rapid ohia death, a disease that affects the tree species required by Iiwi for nesting and foraging, and impacts from nonnative invasive plants and feral ungulates, contribute to the degradation and curtailment of the Iiwi's remaining, disease-free native ohia forest habitat, exacerbating threats to the species' viability.

*We will seek peer review.* We will seek comments from independent specialists to ensure that our designation is based on scientifically sound data, assumptions, and analyses. We will invite these peer reviewers to comment on our listing proposal. Because we will consider all comments and information received during the comment period, our final determination may differ from this proposal.

A species status report for the Iiwi was prepared by a team of Service biologists, with the assistance of scientists from the U.S. Geological Survey's (USGS) Pacific Islands Ecosystems Research Center and the Service's Pacific Islands Climate Change