

(see 36 CFR § 13.46 (NPS) and 50 CFR § 36.12 (FWS)). Finally, this rulemaking does not concern recognition and management of R.S. 2477 rights-of-way.

Section-by-Section Analysis

Section 36.2 Definitions

As a general matter, ANILCA Title XI establishes the following criteria for approval of a transportation or utility system across a conservation system unit, national conservation area, or national recreation area in Alaska: (1) The proposed transportation or utility system must be "compatible with the purposes for which the unit was established," and (2) there must be no "economically feasible and prudent alternative route for the system." This rulemaking proposes to revise the regulatory definition of the term "economically feasible and prudent alternative route" in the second criterion by replacing the complex definition promulgated in 1986 with the simpler definition originally proposed in 1983.

The existing definition promulgated in 1986 reads as follows:

"*Economically feasible and prudent alternate route*" means an alternate route must meet the requirements for being both economically feasible and prudent. To be economically feasible, the alternate route must be able to attract capital to finance its construction and an alternate route will be considered to be prudent only if the difference of its benefits minus its costs is equal to or greater than that of the benefits of the proposed transportation or utility system minus its costs.

The revised definition which the Department is proposing today is the same as the definition originally proposed in 1983 (48 FR 32506), as follows:

"*Economically feasible and prudent alternative route*" means a route either within or outside an area that is based on sound engineering practices and is economically practicable but does not necessarily mean the least costly alternative route.

The proposed definition is simpler and more straightforward than the elaborate formula which was added in the final 1986 regulations. The proposed definition includes the economic considerations mentioned in the legislative history, but avoids the complex and potentially misleading quantitative analysis required by the 1986 definition. The proposed definition avoids the opportunities for delay and controversy inherent in the 1986 definition. Finally, the proposed definition is more likely to facilitate

decisions consistent with the statutory preference for routing a TUS outside a conservation system unit, national recreation area, or national conservation area expressed in ANILCA section 1104(g)(2)(B). A technical correction to this definition replaces the term "alternate route" with the analogous, statutorily used term, "alternative route."

Public Participation

It is the policy of the Department of the Interior, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions or objections regarding this rulemaking document to the address noted at the beginning of this rulemaking.

Drafting Information

The primary authors of this proposal are David A. Funk and Russel J. Wilson of the Alaska Regional Office, National Park Service, and Molly N. Ross, Office of the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, Washington, D.C.

Paperwork Reduction Act

This rule does not contain collections of information that require approval by the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

Compliance With Other Laws

In accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, the Department has determined that this rule will not have a significant economic effect on a substantial number of small entities, nor does it require a preparation of a regulatory analysis.

The rule has been reviewed under Executive Order 12866.

The Department has determined this rule is categorically excluded from the procedural requirements of the National Environmental Policy Act pursuant to 516 DM 2, Appendix 1.5. The action was previously covered by an Environmental Assessment and a Finding of No Significant Impact. None of the exceptions to the categorical exclusions in 516 DM 2, Appendix 2, applies.

List Of Subjects in 43 CFR Part 36

Access, Alaska, Conservation system units, National parks, Rights-of-way, Traffic regulation, Transportation, Utilities, Wildlife refuges.

Accordingly, 43 CFR Part 36 is proposed to be amended as set forth below:

PART 36—TRANSPORTATION AND UTILITY SYSTEMS IN AND ACROSS, AND ACCESS INTO, CONSERVATION SYSTEM UNITS IN ALASKA

1. The authority section for part 36 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 668dd *et seq.*, and 3101 *et seq.*; 43 U.S.C. 1201.

2. Section 36.2 is amended by revising paragraph (h) to read as follows:

§ 36.2 Definitions.

* * * * *

(h) *Economically feasible and prudent alternative route* means a route either within or outside an area that is based on sound engineering practices and is economically practicable but does not necessarily mean the least costly alternative route.

* * * * *

Dated: September 11, 1996.

George T. Frampton, Jr.,
Assistant Secretary for Fish and Wildlife and Parks.

Dated: September 11, 1996.

Bob Armstrong,
Assistant Secretary for Land and Minerals Management.

[FR Doc. 96-23775 Filed 9-16-96; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[CC Docket No. 92-105; DA 96-1500]

Pleading Cycle Established for Request of the United States Department of Justice That 311 be Reserved for Use by Communities for Non-Emergency Police Telephone Calls

September 10, 1996.

AGENCY: Federal Communications Commission.

ACTION: Request for comments.

SUMMARY: On September 10, 1996 the Commission released a public notice inviting comment on a request by the United States Department of Justice's Office of Community Oriented Policing Services that an N11 code, specifically 311, be reserved on a national basis for use by communities for non-emergency police telephone calls. The intended effect of this action is to solicit comments from the public on the request.

DATES: Comments should be Filed by October 10, 1996.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Elizabeth Nightingale, (202) 418-2352, of the Common Carrier Bureau, Network Services Division.

SUPPLEMENTARY INFORMATION:

Comments Due October 10, 1996

In a letter dated August 26, 1996, the United States Department of Justice's Office of Community Oriented Policing Services (DJ) asked that an N11 code, specifically 311, be reserved on a national basis for use by communities for non-emergency police telephone calls. DJ suggested that the N11 code could be used to give access to other government services, at the discretion of each jurisdiction.

We invite comment on DJ's request. Comments should be filed by October 10, 1996, with the Secretary, FCC, 1919 M Street, N.W., Washington, D.C. 20554. A copy should also be sent the Commission's contractor for public records duplication, ITS, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Comments should refer to CC Docket No. 92-105. The text of the DJ letter and the comments will be available for inspection and copying during regular business hours in the FCC Reference Center, Federal Communications Commission, 1919 M Street, N.W., Room 239, Washington, D.C. 20554. Copies can also be obtained from ITS by calling (202) 857-3800.

For further information contact Elizabeth Nightingale, Network Services Division, Common Carrier Bureau, at (202) 418-2320.

Federal Communications Commission.

Geraldine A. Matise,
Chief, Network Services Division, Common
Carrier Bureau.

[FR Doc. 96-23802 Filed 9-16-96; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Notice of Closure of Public Comment Period

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of review; closing of public comment period.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces that it is

closing the public comment period for comments on the process whereby the Service identifies candidates for addition to the lists of endangered or threatened wildlife and plants. The proposed changes were contained in the Candidate Notice of Review (candidate notice) published in the Federal Register on February 28, 1996. The Service continues to evaluate its current practice of using information provided by states and private and public interests to evaluate species for potential listing under the Endangered Species Act. Based on public comments, the Service may make policy changes to the candidate species and notice of review process. The Service continues to accept information on the biological status and threats facing any individual species until further notice.

DATES: Comments of a general nature, including comments that are related to the process whereby species are identified as candidates for protection under the Endangered Species Act of 1973 (Act), as amended, will be accepted and considered until October 17, 1996.

ADDRESSES: Comments on the Service's candidate notice process should be directed to the Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, 1849 C Street, N.W., Mailstop ARLSQ-452, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: E. LaVerne Smith, Chief, Division of Endangered Species, U.S. Fish and Wildlife Service, 703-358-2171 (see ADDRESSES section).

SUPPLEMENTARY INFORMATION:

Background

On February 28, 1996, the Service published a revised candidate notice of review in the Federal Register (61 FR 7596) that announced changes to the way the Service identifies species that are candidates for listing under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). For reasons outlined in the candidate notice, the Service noted its intention to discontinue maintaining a list of species that were previously identified as "category-2 candidates." Category-2 candidates were species for which the Service had information indicating that protection under the Act may be warranted but for which it lacked sufficient information on status and threats to justify preparation of a proposed listing.

In addition to soliciting biological information on taxa that are candidates for listing under the Act, the Service also solicited public comments of a

general nature (61 FR 7596; February 28, 1996) when it announced the revisions to the candidate identification process. The candidate notice specified no closing date for comments of either a general, or a species-specific nature. The Service now announces that it will consider all public comments on the matter of discontinuing the practice of identifying category-2 candidate species that are received on or before October 17, 1996. By December 1, 1996, the Service will publish a subsequent notice in the Federal Register addressing all comments received and indicating a final decision on this issue and how the Service intends to identify species that are under consideration for possible addition to the list of endangered or threatened species.

As solicited in the Service's February 28, 1996 candidate notice (61 FR 7596), comments and information relating to the biological status and threats of particular taxa that are, or should be, regarded as candidates for protection under the Act may be submitted at any time to the Regional Director of the Region identified as having lead responsibility. Biological status and threat information for species that do not have a designated lead Region should be submitted to the Division of Endangered Species, Washington, D.C. National Environmental Policy Act

The Service does not consider any decision to discontinue the maintenance of a list of category-2 candidate species in notices of review to be a major Federal action significantly affecting the human environment for purposes of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*). Further, the Department of the Interior's Departmental Manual (DM) categorically excludes, "Activities which are educational, informational, advisory or consultative to other agencies, public or private entities, visitors, individuals, or the general public" (516 DM 2, Appendix 1, item 1.11). Notices of review serve the purpose of informing Federal agencies, state agencies, and the general public of taxa that are candidates for possible addition to the lists of endangered or threatened wildlife and plants. They also serve as data-gathering tools to assist the Service in developing the best available scientific and commercial data on such taxa. There is no statutory or regulatory mandate on how to structure or when to publish these notices. Thus, even if the Service's decision to discontinue maintenance of a list of species of concern as category-2 candidates in notices of review were considered an "action" for purposes of