

Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-3075.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made:

"Comments to Airspace Docket No. 96-ANM-21." The postcard will be date/time stamped and returned to the commenter. Send comments on environmental and land-use aspects to: The State of Idaho, Military Division, Headquarters Idaho Army National Guard, Boise Air Terminal, 4040 W. Guard Street, Boise, ID 83705-8048. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, Attention: Airspace and Rules Division, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-3075. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the Federal Aviation Administration, Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular

No. 11-2A, which describes the application procedure.

The Proposal

The FAA is proposing an amendment to part 73 of Title 14 of the Code of Federal Regulations (14 CFR part 73) to establish temporary Restricted Area R-3203D, at Orchard, ID, adjacent to the existing Restricted Area R-3203A, to assist the Idaho Army National Guard in supporting its annual training requirements. The proposed restricted area would be in effect for the period June 1-22, 1997. Expansion in the number of gun batteries assigned to field artillery units, along with requirements that each assigned battery accomplish several moves per day to different surface firing points, has created the need to temporarily expand the available restricted airspace to provide for more effective training. All artillery firing would be directed into existing impact areas located approximately in the center of R-3203A. The temporary restricted area is needed to provide protected airspace to contain the projectiles during flight between the surface firing point and entry into the existing R-3203A. The proposed temporary restricted area would be utilized for Idaho Army National Guard Field Artillery firing and would be released to the FAA for public use during periods it is not required for military training.

The coordinates for this airspace docket are based on North American Datum 83. Section 73.32 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8D dated July 11, 1996.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subjected to environmental review prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 73 as follows:

PART 73—[AMENDED]

1. The authority citation for 14 CFR part 73 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 14 CFR 11.69.

§ 73.32 [Amended]

2. Section 73.32 is amended as follows:

R-3203D Orchard Training Area, ID [New]

Boundaries. Beginning at lat. 43°14'00"N., long. 116°16'30"W.; to lat. 43°17'51"N., long. 116°16'25"W.; to lat. 43°19'02"N., long. 116°14'45"W.; to lat. 43°19'02"N., long. 116°06'36"W.; to lat. 43°15'58"N., long. 116°01'12"W.; to lat. 43°15'00"N., long. 116°01'00"W.; to lat. 43°17'00"N., long. 116°05'00"W.; to lat. 43°17'00"N., long. 116°12'00"W.; to the point of beginning.

Designated altitudes. Surface to and including 22,000 feet MSL.

Times of use. As scheduled by NOTAM 24 hours in advance for the period June 1-22, 1997, only.

Controlling agency. FAA, Boise ATCT.

Using agency. Idaho Army National Guard.

Issued in Washington, DC, on November 22, 1996.

Harold W. Becker,

Acting Program Director for Air Traffic Airspace Management.

[FR Doc. 96-30996 Filed 12-4-96; 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 Status Reviews for the Alexander Archipelago Wolf and Queen Charlotte Goshawk

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of Status Reviews.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces continuation of rangewide status reviews for the Queen Charlotte

goshawk (*Accipiter gentilis laingi*) and the Alexander Archipelago wolf (*Canis lupus ligoni*). The Service solicits any information, data, comments, and suggestions from the public, other concerned government agencies, the scientific community, industry, or other interested parties concerning the status of these species.

DATES: Comments and data from all interested parties must be received by January 21, 1997 to be included in the findings.

ADDRESSES: Comments and materials should be sent to Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801-7100.

FOR FURTHER INFORMATION CONTACT: Mr. John Lindell at the above address (907/586-7240).

SUPPLEMENTARY INFORMATION:

Background

The Service will issue separate petition findings under the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.), on the Queen Charlotte goshawk and the Alexander Archipelago wolf.

Queen Charlotte Goshawk

The Queen Charlotte goshawk occurs in forested areas throughout coastal mainland and insular areas of British Columbia, Canada, and southeastern Alaska. On May 9, 1994, the Service received a petition to list the Queen Charlotte goshawk as endangered under the Act, from Mr. Peter Galvin of the Greater Gila Biodiversity Project, Silver City, New Mexico, and nine copetitioners including, the Southwest Center for Biological Diversity, the Biodiversity Legal Foundation, Greater Ecosystem Alliance, Save the West, Save America's Forests, Native Forest Network, Native Forest Council, Eric Holle, and Don Muller. On August 26, 1994, the Service announced a 90-day finding (59 FR 44124) that the petition presented substantial information indicating that the requested action may be warranted, and opened a public comment period until November 25, 1994. The Service extended the public comment period until February 28, 1995, through two subsequent Federal Register notices on January 4, 1995 (60 FR 425), and February 24, 1995 (60 FR 10344). The Service issued its 12-month finding on June 29, 1995 (60 FR 33784), indicating that listing the Queen Charlotte goshawk under the Act was not warranted.

On July 16, 1995, the petitioners filed a 60-day notice of intent to sue the Service over its 12-month finding, and

on November 17, 1995, they filed suit in the United States District Court for the District of Columbia challenging the not warranted finding made by the Service. As a result of a recent court order the Service is reevaluating the status of the Queen Charlotte goshawk. The Service is requesting any information, data, comments, and suggestions from the public, other concerned government agencies, the scientific community, industry, or other interested parties concerning the status of this species. The public comment period specified in this notice may have to be shortened in order to comply with any deadline established in a future court ruling.

After considering the best available scientific and commercial data on the Queen Charlotte goshawk and its habitat, the Service will issue a new 12-month finding on the petition to list this subspecies.

Alexander Archipelago Wolf

The Alexander Archipelago wolf occurs in forested areas of insular and mainland southeast Alaska, from Dixon Entrance (US/Canada border) to Yakutat Bay, including all large islands of the Alexander Archipelago except Admiralty, Baranof, and Chichagof Islands. On December 17, 1993, the Service received a petition to list the Alexander Archipelago wolf as threatened under the Act, from the Biodiversity Legal Foundation, Eric Holle and Martin J. Berghoffen. A 90-day finding was made by the Service that the petition presented substantial information indicating that the requested action may be warranted. The 90-day finding was announced (59 FR 26476) and a status review was initiated on May 20, 1994. The public comment period was open between May 20 and October 1, 1994 (59 FR 26476 and 59 FR 44122). The Service announced its finding that listing the Alexander Archipelago wolf was not warranted on February 23, 1995 (60 FR 10056).

The petitioners issued a 60-day notice of intent to sue over the Service's not warranted finding on November 13, 1995. On February 7, 1996, they filed suit in the United States District Court for the District of Columbia challenging the not-warranted finding made by the Service. As a result of a recent court order the Service is reevaluating the status of the Alexander Archipelago wolf. The Service is requesting any information, data, comments, and suggestions from the public, other concerned government agencies, the scientific community, industry, or other interested parties concerning the status of this species. The public comment period specified in this notice may have

to be shortened in order to comply with any deadline established in a future court ruling.

After considering the best available scientific and commercial data on the Alexander Archipelago wolf and its habitat, the Service will issue a new 12-month finding on the petition to list this subspecies.

Author

This notice was prepared by Ms. Teresa Woods, U.S. Fish and Wildlife Service, Alaska Region, 1011 E. Tudor Road, Anchorage, Alaska 99503.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1544).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Export, Import, Reporting and recordkeeping requirements, Transportation.

Dated: November 26, 1996.

David B. Allen,
Regional Director, Region 7, Fish and Wildlife Service.

[FR Doc. 96-30939 Filed 12-4-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 656

[Docket No. 950915230-6327-04; I.D. 110196E]

RIN 0648-AH57

Atlantic Striped Bass Fishery; Withdrawal of Proposed Rule

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; withdrawal.

SUMMARY: NMFS withdraws the September 27, 1995, proposed rule to remove a Federal moratorium on the harvest or possession of Atlantic striped bass in the exclusive economic zone (EEZ), offshore from Maine to Florida, and the implementation of a minimum size limit for Atlantic striped bass possessed in the EEZ. The proposed rule is withdrawn because of specific recommendations not considered at the time of proposed rulemaking.

DATES: This proposed rule is withdrawn on December 4, 1996.

FOR FURTHER INFORMATION CONTACT: Tom Meyer, 301-427-2014.