

any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the Agency must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The Agency must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the Agency explains why this alternative is not selected or the selection of this alternative is inconsistent with law.

This amendment reduces the costs of complying with the final rule, it will not increase expenditures by State, local, and tribal governments or the private sector. Therefore, the Agency has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, the Agency is not required to develop a plan with regard to small governments.

#### *Paperwork Reduction Act*

Under the Paperwork Reduction Act, 44 U.S.C 3501 et seq., the EPA must consider the paperwork burden imposed by any information collection request in a proposed or final rule. This amendment to the rule will not impose any new information collection requirements.

#### *Regulatory Flexibility Act*

The Regulatory Flexibility Act generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This proposed rule would not have a significant impact on a substantial number of small entities because this proposed rule will not result in increased economic impacts to small entities, and will result in reduced impacts in all cases. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities.

#### **List of Subjects in 40 CFR Part 63**

Environmental protection, Air pollution control, Hazardous substances, Reporting and

recordkeeping requirements, Secondary lead smelters.

Dated: June 4, 1997.

**Carol M. Browner,**  
*Administrator.*

[FR Doc. 97-15571 Filed 6-12-97; 8:45 am]

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 101**

[WT Docket No. 97-81; DA 97-839]

#### **Multiple Address Systems**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This action provides for an extension of time to file comments and reply comments in this proceeding. The effect of this action is to grant a short extension of time to file comments (ten extra days) and reply comments (fifteen days thereafter). This action provides additional time to respond to issues in this proceeding.

**DATES:** Comments on or before May 1, 1997, and Reply Comments on or before May 16, 1997.

**FOR FURTHER INFORMATION CONTACT:** Susan Magnotti of the Commission's Wireless Telecommunications Bureau at (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Memorandum Opinion and Order*, DA 97-839, adopted April 18, 1997, and released April 18, 1997 (62 FR 11407, Mar. 12, 1997). The full text of this *Memorandum Opinion and Order* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239) 1919 M Street, NW, Washington, DC. The complete text may be purchased from the Commission's copy contractor, ITS, Inc., 2100 M Street NW, Suite 140, Washington, DC 20037, telephone (202) 857-3800.

#### **Summary of Order**

1. Before us are a Motion for Extension of Time filed by UTC, The Telecommunications Association ("UTC"), for an extension of time to file comments and reply comments in this proceeding, and its concurrently filed Motion to Supplement the Record. Currently, comments in this proceeding are due on April 21, 1997, and reply comments are due on May 6, 1997. In support of its Motion for Extension of Time, UTC argues that the Commission needs this additional time to respond to

UTC's Motion to Supplement the Record, and to allow the parties to evaluate the material that UTC seeks to add to the record. In the latter pleading, UTC requests the Commission to place in the record "the applications or other information forming the factual basis of the FCC's 'preliminary examination' of the pending 932-941 MHz [Multiple Address System ("MAS")] applications," or "the basis for the FCC's characterization of the 'vast majority' of the pending 932-941 MHz MAS applicants as 'seemingly proposing to use their licenses principally to provide subscriber-based services.'" UTC argues that commenters should have a "meaningful opportunity" to respond to the Commission's assessment that the MAS applications in question primarily proposed to provide subscriber-based services, and, hence, that competitive bidding procedures rather than random selection procedures should be used to choose among mutually exclusive applicants in the MAS service.

2. The Commission's assessment of the 932/941 MHz MAS applications was made using its staff's expertise to review the applications both in paper form and as input into its database. Unfortunately, the paper versions of the applications were destroyed in a flood in Gettysburg on June 18-19, 1996. Data recorded in the Commission's database from the applications, however, have been and continue to be available to the public from the Commission's Gettysburg Public Reference Room and from the Commission's copy contractor, International Transcription Service (ITS).

3. Since all existing data regarding the MAS applications are and have been available to the public, UTC's stated reasons for an extension of time are moot. To accommodate any confusion that may have resulted from the circumstances described above, however, we will grant a short extension of time to file comments (ten extra days) and reply comments (fifteen days thereafter).

4. Accordingly, it is ordered, that the Motion to Supplement the Record filed by UTC, The Telecommunications Association, is denied;

5. It is further ordered, that the Motion for Extension of Time filed by UTC, The Telecommunications Association, is granted in part, to allow the filing of comments on or before May 1, 1997, and reply comments on or before May 16, 1997.

#### **List of Subjects 47 CFR Part 101**

Communications equipment, Radio.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 97-15314 Filed 6-12-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

RIN 1018-AE29

#### Endangered and Threatened Wildlife and Plants; Proposal to List the Klamath River Population Segment of Bull Trout as an Endangered Species and Columbia River Population Segment of Bull Trout as a Threatened Species

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

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) proposes to list the Klamath River population segment of bull trout (*Salvelinus confluentus*) as endangered from south-central Oregon; and the Columbia River population segment of bull trout as threatened from the northwestern United States and British Columbia, Canada, with a special rule, pursuant to the Endangered Species Act of 1973, as amended (Act). The Klamath River population segment, comprised of seven bull trout populations from south-central Oregon, is threatened by habitat degradation, irrigation diversions, and the presence of non-native brook trout. The Columbia River population segment, comprised of 386 bull trout populations in Idaho, Montana, Oregon, and Washington with additional populations in British Columbia, is threatened by habitat degradation, passage restrictions at dams, and competition from non-native lake and brook trout. The special rule allows for take of bull trout within the Columbia River population segment if in accordance with applicable State fish and wildlife conservation laws and regulations. Pursuant to a court order, this rule is based on the 1994 administrative record. All available information, including current data, will be considered prior to promulgation of a final rule. If, after consideration of all available data, this proposal is made final, it would extend protection of the Act to these two fish population segments.

**DATES:** Comments from all interested parties must be received by August 12, 1997. Public hearings locations and

dates are set forth in **SUPPLEMENTARY INFORMATION.**

**ADDRESSES:** Comments and material concerning this proposal should be sent to the U.S. Fish and Wildlife Service, Snake River Basin Field Office, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709. Comments and material received will be available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Robert Ruesink, Field Supervisor, Snake River Basin Field Office (see **ADDRESSES** section) (telephone 208/378-5243; facsimile 208/378-5262).

**SUPPLEMENTARY INFORMATION:** Public hearings locations and dates are:

1. Tuesday, July 1, 1997, from 2:00-4:00 p.m. and 6:00-8:00 p.m., Ramada Inn Portland Airport, 6221 N.E. 82nd Avenue, Portland Oregon.
2. Tuesday, July 8 1997, from 2:00-4:00 p.m. and 6:00-8:00 p.m., Shilo Inn, 923 East Third Avenue, Spokane, Washington.
3. Thursday, July 10, 1997, from 2:00-4:00 p.m. and 6:00-8:00 p.m., Doubletree Hotel Edgewater (formerly Village Red Lion Inn), 100 Madison Street, Missoula, Montana.
4. Tuesday, July 15, 1997, from 2:00-4:00 p.m. and 6:00-8:00 p.m., Shilo Inn, 2500 Almond Street, Klamath Falls, Oregon.
5. Thursday, July 17, 1997, from 2:00-4:00 p.m. and 6:00-8:00 p.m., Doubletree Hotel Riverside (formerly Red Lion Hotel), 2900 Chinden Blvd., Boise, Idaho.

#### Background

Bull trout (*Salvelinus confluentus*) were first described by Girard in 1856 from a specimen collected on the lower Columbia River. Cavender (1978) presented morphometric, meristic, osteological, and distributional evidence to document the separation between dolly varden (*Salvelinus malma*) and bull trout. Based on this work, taxonomists have recognized this separation since 1978 (Bond 1992). Bull trout and dolly varden were officially recognized as separate species by the American Fisheries Society in 1980 (Pratt 1992).

Although the bull trout is well accepted as a species among specialists in the evolution and classification of salmonid fishes (R. Behnke, *in litt.*, 1993), some uncertainty remains regarding the taxonomic status of bull trout among fisheries managers and industry (WDW 1992, Platts et al. 1993). When discriminate function values were used to separate populations of bull trout from dolly varden in the Puget

Sound, a normal distribution resulted rather than a bimodal curve, which indicated that a clear separation of these species does not exist (C. Kraemer, *in litt.* 1993). In addition, Kraemer (*in litt.* 1992; undated U.S. Forest Service (USFS) survey) observed the two species spawning together, and suggested introgression may be occurring. In contrast, Phillips et al. (1992) and Pleyte et al. (1992) examined evolutionary relationships among six species of *Salvelinus* using ribosomal DNA analysis, and found clear distinctions among all six species. Their results suggested that dolly varden are more closely related to arctic char than bull trout, and that bull trout evolutionarily diverged from a line that gave rise to *S. leucomaenis* (a char indigenous to Japan) rather than the line that gave rise to dolly varden or arctic char. In addition, Cavender (1984) concluded that the evolutionary distance between bull trout and dolly varden is significant based on at least four separate chromosomal changes that separate the two taxa, and that the two species cannot be considered sister species based on those differences. As a result, the 1994 record supports the distinction between bull trout and dolly varden.

Bull trout populations are known to exhibit four distinct life history forms: resident, fluvial, adfluvial, and anadromous. Resident bull trout spend their entire life cycle in the same (or nearby) streams in which they were hatched. Fluvial and adfluvial populations spawn in tributary streams where the young rear from 1 to 4 years before migrating to either a lake (adfluvial) system or a river (fluvial) system, where they grow to maturity (Fraley and Shepard 1989). Anadromous fish spawn in tributary streams, with major growth and maturation occurring in salt water. Diverse life history strategies are important to the stability and viability of bull trout populations (Rieman and McIntyre 1993).

Bull trout display a high degree of sensitivity at all life stages to environmental disturbance and have more specific habitat requirements than many other salmonids (Fraley and Shepard 1989, Howell and Buchanan 1992, Rieman and McIntyre 1993). Bull trout growth, survival, and long-term population persistence appear to be particularly dependent upon five habitat characteristics: (1) cover, (2) channel stability, (3) substrate composition, (4) temperature, and (5) migratory corridors (Rieman and McIntyre 1993).

All life history stages of bull trout are closely associated with various forms of cover, including large woody debris, undercut banks, boulders, and pools