

The docket for this rulemaking will be immediately reopened for written comments. This extension will end and the comment period will close on December 12, 1995.

DATES: The public hearing will be held on Tuesday, November 28, 1995, beginning at 9:30 a.m. FRA anticipates that this public hearing will conclude at 12:00 p.m.

ADDRESSES: The public hearing will be held in room 3288, Nassif Building, 400 7th Street, SW., Washington, DC 20595.

FOR FURTHER INFORMATION CONTACT:

Program Person: Gordon Davids, Program Manager, Office of Safety Assurance and Compliance, FRA, Washington, DC 20590. Telephone: (202) 366-0466. Principal Attorney: Kyle M. Mulhall, Trial Attorney, Office of Chief Counsel, FRA, Washington, DC 20590. Telephone: (202) 366-0635.

Donald M. Itzkoff,

Deputy Administrator.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AD20

Endangered and Threatened Wildlife and Plants; Proposed Special Rule for the Conservation of the Northern Spotted Owl on Non-Federal Lands

AGENCY: Fish and Wildlife Service, Interior

ACTION: Reopening of the comment period for the proposed special rule

SUMMARY: On February 17, 1995, the Fish and Wildlife Service (Service) published a proposed special rule in the Federal Register (60 FR, 9484, February 17, 1995) pursuant to section 4(d) of the Endangered Species Act (Act), to replace the blanket prohibitions against incidental take of spotted owls with a narrower, more tailor-made set of standards that reduce prohibitions applicable to timber harvest and related activities on specified non-Federal forest lands in Washington and California. The comment period was scheduled to end on November 24, 1995. The intent of this document is to reopen the comment period to January 26, 1996.

DATES: The comment period for written comments is reopened until January 26, 1996.

ADDRESSES: Comments and materials concerning this proposed rule should be sent to Mr. Michael J. Spear, Regional Director, Region 1, U.S. Fish and Wildlife Service, 911 N.E. 11th Avenue, Portland, Oregon 97232-4181.

FOR FURTHER INFORMATION CONTACT: Mr. Curt Smitch, Assistant Regional Director, North Pacific Coast Ecoregion, 3704 Griffin Lane SE, Suite 102, Olympia, Washington 98501 (360/534-9330); or Mr. Ron Crete, Manager, Habitat Protection and Restoration, Office of Technical Support-Forest Resources, P.O. Box 3623, Portland, Oregon 97204-3623 (503/326-6700).

SUPPLEMENTARY INFORMATION:

Background

The implementing regulations for threatened wildlife generally incorporate the prohibitions of section 9

of the Endangered Species Act of 1973, as amended (Act), for endangered wildlife, except when a "special rule" promulgated pursuant to section 4(d) of the Act has been issued with respect to a particular threatened species. At the time the northern spotted owl, *Strix occidentalis caurina*, was listed as a threatened species in 1990, the Service did not promulgate a special section 4(d) rule and therefore, all of the section 9 prohibitions, including the "take" prohibitions, became applicable to the species. To replace the blanket prohibitions against take of spotted owls, the Service published a proposed special rule, 50 CFR Part 17, on February 17, 1995, in the Federal Register, pursuant to section 4(d) of the Act, which proposes a narrower, more tailor-made set of standards that reduce prohibitions applicable to timber harvest and related activities on specified non-Federal forest lands in Washington and California.

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)

Dated: November 20, 1995.

Regional Director, U.S. Fish and Wildlife Service, Region 1, Portland, Oregon.

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