

proposed issuance of a permit to allow incidental take of threatened and endangered species on Plum Creek Timber Company, L.P., lands in the I-90 Corridor, King and Kittitas Counties, Washington. Regulations governing permits for threatened and endangered species are in 50 CFR 17.22 and 17.32.

The Services have received a number of requests for extension of the comment period. In response the Services have extended the comment period until January 22, 1996.

Dated: January 9, 1996.

Thomas J. Dwyer,  
Deputy Regional Director, Region 1, Portland, Oregon.

[FR Doc. 96-478 Filed 1-16-96; 8:45 am]

BILLING CODE 4310-55-P

## INTERSTATE COMMERCE COMMISSION

[Docket No. AB-213 (Sub-No. 5X)]

### Canadian Pacific Limited— Abandonment Exemption—in Orleans County, VT

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

**SUMMARY:** The Commission, pursuant to 49 U.S.C. 10505, exempts Canadian Pacific Limited, operated as CP Rail System (CPRS), from the prior approval requirements of 49 U.S.C. 10903-04 to permit CPRS to abandon 4.05 miles of rail line, known as the Beebe Subdivision, from milepost 39.04 near Newport, VT, to the end of the line at milepost 34.99 near the U.S.-Canada Border. The exemption will be subject to standard employee protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on February 15, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2)<sup>1</sup> and requests for issuance of a notice of interim trail use under 49 CFR 1152.29 must be filed by January 26, 1996, petitions to stay must be filed by January 31, 1996, requests for a public use condition conforming to 49 CFR 1152.28(a)(2) must be filed by February 5, 1996, and petitions to reopen must be filed by February 12, 1996.

**ADDRESSES:** Send pleadings, referring to Docket No. AB-213 (Sub-No. 5X), to: Office of the Secretary, Case Control

<sup>1</sup> See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

Branch, Interstate Commerce Commission, Washington, D.C. 20423; 2 and (2) Petitioner's representative: Larry D. Starns, CP Legal Services, Office of the U.S. Regional Counsel, 1000 Soo Line Building, 105 South 5th Street, Minneapolis, MN 55402.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue NW., Washington, D.C. 20423. Telephone: (202) 289-4357/4359.

[Assistance for the hearing impaired is available through TDD services at (202) 927-5721]

Decided: December 28, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,  
Secretary.

[FR Doc. 96-446 Filed 1-16-96; 8:45 am]

BILLING CODE 7035-01-P

## ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

### Notice of Availability of the ACIR Preliminary Report on The Role of Federal Mandates in Intergovernmental Relations, January 1996

**SUMMARY:** As required by Section 302(c) of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), the Advisory Commission on Intergovernmental Relations (ACIR) (42 U.S.C. 4271) hereby announces the availability of the Preliminary Report on The Role of Federal Mandates in Intergovernmental Relations. The Preliminary Report was approved by the Commission on January 5, 1996, and is currently available to the public upon request. ACIR is soliciting comments on the report through March 15, 1996.

**FOR FURTHER INFORMATION CONTACT:** Philip M. Dearborn, Director, Government Finance Research, ACIR, 800 K Street, NW., Suite 450, South Tower, Washington, DC 20575, Phone: (202) 653-5540, FAX: (202) 653-5429

**SUPPLEMENTARY INFORMATION:** The Advisory Commission on

<sup>2</sup> Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is currently under consideration. Until further notice, parties submitting pleadings should continue to use the current name and address.

Intergovernmental Relations (ACIR) is charged in Section 302 of the Unfunded Mandates Reform Act of 1995 with investigating and reviewing the role of Federal mandates in intergovernmental relations and with making recommendations to the President and the Congress. For purposes of Section 302, the law defines "Federal mandate" as "any provision in statute or regulation or any Federal court ruling that imposes an enforceable duty on state, local, or tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program".

ACIR began its review process by adopting criteria for identifying mandate issues of significant concern and the types of problems to be analyzed. These criteria were published in the Federal Register on July 6, 1995. After development of the criteria, ACIR solicited information on existing federal mandates from a variety of sources including the general public, state, local, and tribal governments and organizations representing the officials of such governments, and public and private organizations interested in mandate issues. Information was received from over half the states, eight municipal leagues, four state associations of counties, several national associations representing state and local governments, and a variety of local government officials.

From the correspondence received, ACIR selected 14 mandates for special analysis. The 14 mandates selected for review illustrate the diverse, complex, and troubling challenges that federal mandates pose for our nation's intergovernmental system. In examining the individual mandates, the Commission primarily considered the fundamental intergovernmental issues associated with the mandate. We urge those reviewing the report to give similar attention to the roles of federal, state, local, and tribal governments as they relate to the mandate.

#### Common Issues

ACIR's review of existing federal mandates found a number of common issues among the mandates. The following six common issues are discussed in the report along with a proposed ACIR recommendation: (1) Detailed procedural requirements; (2) Lack of federal concern about mandate costs; (3) Federal failure to recognize state and local government's public accountability; (4) Lawsuits by individuals against state and local governments to enforce federal mandates; (5) Inability of very small