

final rules that have a significant economic impact on a substantial number of small business entities. The purpose of these reviews is to determine whether such rules should be continued without change, amended, or rescinded, consistent with the objectives of applicable statutes, to minimize any significant economic impact of the rules on a substantial number of small entities. We will consider: (1) The continued need for the rule; (2) the nature of complaints or comments received from the public; (3) the complexity of the rule; (4) the extent to which the rule overlaps, duplicates, or conflicts with other federal rules or with state or local government rules; and (5) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule. We are seeking comments on whether any requirements in 49 CFR 571.131, 571.217, and 571.220 through 571.222 have a significant economic impact on a substantial number of small entities. In conjunction with our section 610 reviews, we will review §§ 57.131, 571.217, and 571.220 through 571.222 to determine if these regulations can be organized and/or rewritten to make them easier to read, understand, and use.

The request for comments specified a comment closing date of September 29, 2000. However, on September 13, 2000, we received a request for an extension of the comment closing date from the National Truck Equipment Association (NTEA) on behalf of its affiliate division, the Manufacturers Council of Small School Buses (MCSSB). NTEA stated that it wished to provide comments on our request, but was unable to gather information from small businesses and submit comments within the time frame. Therefore, NTEA requested an additional 60 days for submission of its comments.

The agency is interested in comments from NTEA, small businesses and other interested parties. Thus, in order to provide NTEA and other interested parties ample time and opportunity to express their views on the small business impacts of school bus safety, NHTSA believes that there is good cause for the extension of the comment period. NHTSA has determined that an appropriate comment period is the same amount of time it typically allows for comments to a notice of proposed rulemaking. However, the agency does not believe that an extension of 60 days past the original comment date is warranted. NHTSA has determined that it is appropriate to extend the comments

period for 45 days and that such an extension is consistent with the public interest. Accordingly, NTEA's request to extend the comment period for an additional 60 days is denied, but the comment period is extended for a period of 45 days to November 13, 2000.

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority is at 49 CFR 1.50.

William H. Walsh,

Associate Administrator for Plans and Policy.
[FR Doc. 00-24666 Filed 9-26-00; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AF41

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period, Notice of Public Hearings, and Clarification of Special Rule on Proposed Threatened Status for Chiricahua Leopard Frog

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period, notice of public hearing, and clarification.

SUMMARY: We, the U.S. Fish and Wildlife Service give notice that the comment period is reopened and that public hearings are scheduled on the proposed rule to list the Chiricahua leopard frog as threatened with a special rule. The hearings and the reopening of the comment period will allow all interested parties to submit oral or written comments on the proposal. We also clarify the extent of lands to which a proposed special rule for the frog would apply.

DATES: We will hold the public hearings 7 p.m. to 9 p.m. on October 10, 2000, in Silver City, New Mexico; and October 11, 2000, in Bisbee, Arizona. The comment period for this proposal is now reopened until November 13, 2000. Comments must be received by the closing date. We will not consider any comments we receive after the closing date in the final decision on the proposal.

ADDRESSES: We will hold the public hearings at Light Hall Auditorium, Western New Mexico University, 1000 College Street, Silver City, New Mexico; and Bisbee High School Auditorium, School Terrace Road (south of Highway 92), Bisbee, Arizona. Send written

comments to the Field Supervisor, U.S. Fish and Wildlife Service, 2321 W. Royal Palm Road, Suite 103, Phoenix, Arizona 85021. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above Fish and Wildlife Service address.

FOR FURTHER INFORMATION CONTACT: Jeffrey A. Humphrey, at the above address (602-640-2720).

SUPPLEMENTARY INFORMATION:

Background

We published a proposed rule to list Chiricahua leopard frog (*Rana chiricahuensis*) as threatened pursuant to the Endangered Species Act of 1973, as amended (Act) in the **Federal Register** on June 14, 2000 (64 FR 37343). The Chiricahua leopard frog is now absent from many historical localities and numerous mountain ranges, valleys, and drainages within its former range. In areas where it is present, populations are often few, small and widely scattered. Known threats include habitat alteration, destruction, and fragmentation; predation by nonnative organisms; and disease. Problems associated with small population numbers and size, and adverse effects from water-borne contaminants may also threaten the species.

Concurrently with publication of the proposed rule to list the Chiricahua leopard frog as threatened, we published a proposed special rule under 4(d) of the Act to amend regulations at 50 CFR 17.43. The special rule stated that “. . . incidental take of the Chiricahua leopard frog will not be considered a violation of section 9 of the Endangered Species Act of 1973, as amended (Act), if it results from livestock use of or maintenance activities at livestock tanks located on private or tribal lands.” The intent of the special rule was to encourage continued conservation of Chiricahua leopard frog habitat in livestock tanks on all non-Federal lands, rather than limiting the conservation incentive to just private and tribal lands. Incidental take of Chiricahua leopard frogs during operations and maintenance of livestock tanks on Federal lands will be reviewed under the section 7 consultation process.

Clarification of Special Rule

3. We propose to amend 50 CFR 17.43 by adding paragraphs to read as follows:

§ 17.43 Special rules-amphibians.

* * * * *

(b) *What species is covered by this special rule?* Chiricahua leopard frog (*Rana chiricahuensis*).

(1) *What activities are prohibited?* Except as noted in paragraph (b)(2) of this section, all prohibitions of § 17.31 will apply to the Chiricahua leopard frog.

(2) *What activities are allowed on non-Federal land?* Incidental take of the Chiricahua leopard frog will not be considered a violation of section 9 of the Endangered Species Act of 1973, as amended (Act), if it results from livestock use of, or maintenance activities at, livestock tanks located on any non-Federal lands. A livestock tank is defined as an existing or future impoundment in an ephemeral drainage or upland site constructed primarily as a watering site for livestock.

Comments Solicited

Pursuant to 50 CFR 424.16(c)(2), we may extend or reopen a comment period upon finding that there is good cause to do so. Full participation of the affected public in the species listing process, allowing us to consider the best scientific and commercial data available in making a final determination on the proposed action, is deemed as sufficient cause. Additionally, this reopened comment period will allow the public to consider and comment on the clarification of the special rule provided in this notice.

Section 4(b)(5)(E) of the Act, as amended (16 U.S.C. 1531 *et seq.*), requires that a public hearing be held if it is requested within 45 days of the publication of a proposed rule. In response to 11 such requests, we will hold two public hearings (see **DATES** and **ADDRESSES**).

Anyone wishing to make an oral statement for the record is encouraged to provide a written copy of their statement and submit it at the start of the hearing. In the event there is a large attendance, the time allotted for oral statements may have to be limited. Oral and written statements receive equal consideration. There are no limits to the length of written comments submitted at the hearings or mailed to the Fish and Wildlife Service.

The comment period on this proposal closed on September 12, 2000. In order to accommodate public hearings, we now reopen the public comment period. Written comments may now be submitted until October 27, 2000, to our office in the **ADDRESSES** section.

Author: The primary author of this notice is James Rorabaugh (see **ADDRESSES**).

Authority: The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531–1544).

Dated: September 20, 2000.

Nancy M. Kaufman,
Regional Director, Region 2, Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AF41

Endangered and Threatened Wildlife and Plants; Reopening of Comment Period, Notice of Public Hearings on Proposed Threatened Status for Chiricahua Leopard Frog, and Clarification of Special Rule

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period, notice of public hearing, and clarification.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service) give notice that the comment period is reopened and that public hearings are scheduled on the proposed rule to list the Chiricahua leopard frog as threatened with a special rule. The hearings and the reopening of the comment period will allow all interested parties to submit oral or written comments on the proposal. We also clarify the extent of lands to which a proposed special rule for the frog would apply.

DATES: The public hearings will be held from 7 p.m. to 9 p.m. on October 10, 2000, in Silver City, New Mexico; and October 11, 2000, in Bisbee, Arizona. The comment period for this proposal is now reopened until October 27, 2000. Comments must be received by the closing date. Any comments that are received after the closing date may not be considered in the final decision on the proposal.

ADDRESSES: The public hearings will be held at Light Hall Auditorium, Western New Mexico University, 1000 College Street, Silver City, New Mexico; and Bisbee High School Auditorium, School Terrace Road (south of Highway 92), Bisbee, Arizona. Written comments should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, 2321 W. Royal Palm Road, Suite 103, Phoenix, Arizona 85021. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above Fish and Wildlife Service address.

FOR FURTHER INFORMATION CONTACT: Jeffrey A. Humphrey, at the above address (602–640–2720).

SUPPLEMENTARY INFORMATION:

Background

A proposed rule to list Chiricahua leopard frog (*Rana chiricahuensis*) as threatened pursuant to the Endangered Species Act of 1973, as amended (Act) was published in the **Federal Register** on June 14, 2000 (65 FR 37343). The Chiricahua leopard frog is now absent from many historical localities and numerous mountain ranges, valleys, and drainages within its former range. In areas where it is present, populations are often few, small, and widely scattered. Known threats include habitat alteration, destruction, and fragmentation; predation by nonnative organisms; and disease. Problems associated with small population numbers and size, and adverse effects from water-borne contaminants may also threaten the species.

Concurrently with publication of the proposed rule to list the Chiricahua leopard frog as threatened, we published a proposed special rule under 4(d) of the Act to amend regulations at 50 CFR 17.84. The special rule stated that “incidental take of the Chiricahua leopard frog will not be considered a violation of section 9 of the Endangered Species Act of 1973, as amended (Act), if it results from livestock use of or maintenance activities at livestock tanks located on private or tribal lands.” The intent of the special rule was to encourage continued conservation of Chiricahua leopard frog habitat in livestock tanks on all non-Federal lands, rather than limiting the conservation incentive to just private and tribal lands.

Incidental take of Chiricahua leopard frogs during operations and maintenance of livestock tanks on Federal lands will be reviewed under the section 7 consultation process.

Clarification of Special Rule

3. We propose to amend 50 CFR 17.84 by adding paragraphs to read as follows:

§ 17.84 Special rules-vertebrates

* * * * *

(1) What species are covered by this special rule?

(i) Chiricahua leopard frog (*Rana chiricahuensis*).

(2) What activities are prohibited?

(i) Except as noted in paragraph (3) of this section, all prohibitions of § 17.31 will apply to the Chiricahua leopard frog.

(3) What activities are allowed on non-Federal land?