

awareness of Grand Cote NWR and the National Wildlife Refuge System, and meet public demand.

Areas that will support a fishing program include the Bayou Choctaw, Coulee des Grues, a proposed fishing lake in the existing crawfishing pond, and various refuge drainages. Areas open to fishing would depend on waterfowl use during the migration period. Resting and feeding areas may be set aside to protect waterfowl from disturbance during the winter months. These areas would be closed to fishing.

#### Paperwork Reduction Act

This regulation has been examined under the Paperwork Reduction Act of 1995 and has been found to contain no information collection requirements.

#### Economic Effect

Service review has revealed that this rulemaking will increase fishermen visitation to the surrounding area of the refuge before, during or after recreational uses, compared to the refuge being closed to these recreational uses. When the Service acquired this land, all public use ceased under law until opened to the public in accordance with this rulemaking.

The refuge is located away from large metropolitan areas. Businesses in the area consist primarily of small family owned stores, restaurants, gas stations and other small commercial enterprises. In addition, there are several small commercial and recreational fishing and hunting camps and marinas in the general area. This proposed rule would have a positive effect on such entities; however, the amount of revenue generated is not large.

Many area residents enjoy a rural lifestyle that includes frequent recreational use of the abundant natural resources of the area. A high percentage of the households enjoy hunting, fishing, and boating in area wetlands, rivers and lakes. Refuge lands were not generally available for general public use prior to government acquisition; however, they were fished and hunted upon by friends and relatives of the landowners, and some were under commercial hunting and fishing leases. Many nearby residents also participate in other forms of nonconsumptive outdoor recreation, such as biking, hiking, camping, birdwatching, canoeing, and other outdoor sports.

Economic impacts of refuge fishing and hunting programs on local communities are calculated from average expenditures in the "1995 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation". In 1995, 42 million U.S. residents 16 years

old and older hunted and/or fished. More specifically, 37 million fished and 14.5 million hunted. Those who both fished and hunted account for the 9.5 million overage. Nationwide expenditures by sportsmen totaled \$42 billion. Trip-related expenditures for food, lodging, and transportation were \$16 billion or 37 percent of all fishing and hunting expenditures; equipment expenditures amounted to \$19 billion, or 46 percent of the total; other expenditures such as those for magazines, membership dues, contributions, land leasing, ownership, licenses, stamps, tags, and permits accounted for \$6.9 billion, or 16 percent of all expenditures. Overall, anglers spent an average of \$41 per day. For each day of hunting, big game hunters averaged spending \$40, small game hunters \$20, and migratory bird hunters \$33.

Applying these national averages to projected visitation at Grand Cote NWR results in the following: 2,500 fishermen are expected to spend \$102,500 annually while fishing on the refuge.

This rulemaking was not subject to Office of Management and Budget review under Executive Order 12866. A review under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) has revealed that the rulemaking would increase visitation and expenditures in the surrounding area of the refuge. The rulemaking would not have a significant effect on a substantial number of small entities in the area, such as businesses, organizations and governmental jurisdictions.

#### Environmental Considerations

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), an environmental assessment was prepared for this opening. Based upon the Environmental Assessment, the Service issued a Finding of No Significant Impact with respect to the opening. A Section 7 evaluation pursuant to the Endangered Species Act was conducted. The Service determined that the proposed action is not likely to adversely affect any Federally listed or proposed for listing threatened or endangered species or their critical habitats. These documents are on file at the offices of the Service and may be reviewed by contacting the primary author.

#### Unfunded Mandates

The Service has determined and certifies pursuant to the Unfunded Mandates Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given

year on local or State governments or private entities.

Primary Author. Stephen R. Vehrs, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC 20240, is the primary author of this rulemaking document.

#### List of Subjects in 50 CFR Part 32

Fishing, Hunting, Reporting and recordkeeping requirements, Wildlife, Wildlife refuges.

Accordingly, Part 32 of Chapter I of Title 50 of the *Code of Federal Regulations* is proposed to be amended as follows:

#### PART 32—[AMENDED]

1. The authority citation for Part 32 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd, and 715i.

#### § 32.7 [Amended]

2. Section 32.7 *List of refuge units open to hunting and/or fishing* is amended by adding the alphabetical listing of "Grand Cote National Wildlife Refuge" under the State of Louisiana.

3. Section 32.37 *Louisiana* is amended by adding in alphabetical order Grand Cote National Wildlife Refuge to read as follows:

#### § 32.37 Louisiana.

\* \* \* \* \*

#### Grand Cote National Wildlife Refuge

A. *Hunting of Migratory Game Birds.* [Reserved]

B. *Upland Game Hunting.* [Reserved]

C. *Big Game Hunting.* [Reserved]

D. *Sport Fishing.* Fishing and the taking of crawfish is permitted on designated areas of the refuge subject to the following conditions.

1. Permits are required to take crawfish.

2. Boats may not be left on the refuge overnight.

3. Yo-yos are permitted during daylight hours only.

4. Frogging is not permitted.

\* \* \* \* \*

Dated: June 3, 1996.

George T. Frampton, Jr.,  
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-15133 Filed 6-20-96; 8:45 am]

BILLING CODE 4310-55-P

#### 50 CFR Part 32

#### RIN 1018-AD82

#### Addition of Mandalay National Wildlife Refuge to the List of Open Areas for Sport Fishing in Louisiana

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) proposes to add Mandalay National Wildlife Refuge to the list of areas open for sport fishing in Louisiana along with pertinent refuge-specific regulations for such activities. The Service has determined that such use will be compatible with the purposes for which the refuge was established. The Service has further determined that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, and is otherwise in the public interest by providing additional recreational opportunities at a national wildlife refuge.

**DATES:** Comments may be submitted on or before July 22, 1996.

**ADDRESSES:** Assistant Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1849 C Street, NW, MS 670 ARLSQ, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Stephen R. Vehrs, at the address above; Telephone (703) 358-2397.

**SUPPLEMENTARY INFORMATION:** National wildlife refuges generally are closed to hunting and sport fishing until opened by rulemaking. The Secretary of the Interior (Secretary) may open refuge areas to hunting and/or fishing upon a determination that such uses are compatible with the purpose(s) for which the refuge was established. The action also must be in accordance with provisions of all laws applicable to the areas, must be consistent with the principles of sound fish and wildlife management, and otherwise must be in the public interest. The Service proposes to open Mandalay National Wildlife Refuge to sport fishing.

#### Request for Comments

Department of the Interior policy is, whenever practicable, to afford the public a meaningful opportunity to participate in the rulemaking process. A 30-day comment period is specified in order to facilitate public input. Accordingly, interested persons may submit written comments concerning this proposed rule to the person listed above under the heading **ADDRESSES**. All substantive comments will be reviewed and considered.

#### Statutory Authority

The National Wildlife Refuge System Administration Act (NWRSA) of 1966, as amended (16 U.S.C. 668dd), and the Refuge Recreation Act of 1962 (16 U.S.C. 460k) govern the administration and public use of national wildlife refuges. Specifically, Section 4(d)(1)(A) of the NWRSA authorizes the

Secretary of the Interior to permit the use of any area within the Refuge System for any purpose, including but not limited to, hunting, fishing and public recreation, accommodations and access, when he determines that such uses are compatible with the major purpose(s) for which the area was established.

The Refuge Recreation Act (RRA) authorizes the Secretary to administer areas within the Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary purpose(s) for which the areas were established. The NWRSA and the RRA also authorize the Secretary to issue regulations to carry out the purposes of the Acts and regulate uses.

In many cases, refuge-specific regulations are developed to ensure the compatibility of the programs with the purposes for which the refuge was established. Initial compliance with the NWRSA and the RRA has been ensured for hunting and sport fishing on newly acquired refuges through an interim determination of compatibility made at the time of acquisition. This has ensured that the determinations required by these acts have been made prior to the addition of refuges to the lists of areas open to hunting and fishing in 50 CFR part 32. Continued compliance is ensured by the development of long-term hunting and sport fishing plans and by annual review of hunting and sport fishing programs and regulations.

The Service has determined that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, helps implement Executive Order 12962 (Recreational Fisheries), and is otherwise in the public interest by providing additional recreational opportunities at national wildlife refuges. Sufficient funds will be available within the refuge budget to operate the hunting and sport fishing programs as proposed.

#### Opening Package

In preparation for this opening, the following documents are included in the refuge's "openings package" for Regional review and approval from the Washington Office: a hunting and fishing management plan; an environmental assessment; a Finding of No Significant Impact (FONSI); a Section 7 evaluation or statement, pursuant to the Endangered Species Act, that this opening is not likely to adversely affect a listed species or

critical habitat; a letter of concurrence from the affected State; and refuge-specific regulations to administer the hunting and fishing programs. Upon review of these documents, the Secretary has determined that the opening of the Mandalay National Wildlife Refuge to hunting and sport fishing is compatible with the principles of sound fish and wildlife management and otherwise will be in the public interest.

In accordance with the NWRSA and the RRA, the Secretary also has determined that this opening for hunting and sport fishing is compatible and consistent with the primary purposes for which the refuge was established and that sufficient funds are available to conduct the activity. A brief description of the refuge program follows.

#### *Mandalay National Wildlife Refuge*

The Mandalay NWR is located 5 miles west of Houma, in south central Louisiana. It contains 4,618 acres of freshwater marshes, bordering swamps, upland ridges, oil field canals, and other bodies of water. The refuge is bisected by the Gulf Intracoastal Waterway and bordered by private marshes on three sides. Swamps, bottom land hardwoods and agricultural (sugarcane) areas border the refuge to the north.

Parts of the project area are seasonally flooded by the Lower Atchafalaya River and water is impounded in the marshes because drainage is slow. High tides further complicate drainage. The area's poor interior drainage has caused some changes in the vegetation, but in general the existing plant communities remain essentially the same.

The refuge was established to preserve and protect freshwater marshes in the Western Terrebonne Parish. The refuge is a top priority wetland conservation project of the Gulf Coast Joint Venture of the North American Waterfowl Management Plan. The refuge contains cypress-tupelo swamp and numerous canals that are used by the petroleum industry. It provides excellent habitat for water birds, other migratory birds, white-tailed deer, furbearers and many other wildlife species.

The primary purpose of the Mandalay NWR is to manage the area from an ecosystem perspective for the benefit of migratory birds and other wildlife. In order to meet specific refuge and other broader Service directives, the following objectives have been established for Mandalay NWR:

- To provide the highest quality migratory bird habitat possible;

- To provide for the needs of endangered plants and animals;
- To allow compatible public uses such as fishing, trapping, wildlife observation and photography;
- To promote research and restoration of wetland resources; and
- To provide opportunities for environmental education and interpretation when possible.

The proposed sport fishing program is designed to contribute to or be compatible with refuge objectives. It will provide high quality, wildlife-dependent recreation to the general public and the opportunity to utilize a renewable resource. It would also maintain fish populations at optimum levels.

The species represented include largemouth bass, bluegill, red-ear and other sunfishes, and channel catfish and are all capable of sustaining fishing pressure. Areas that will support the fisheries resources are limited to Lake Hatch, canals and ponds on the refuge.

Areas open to sport fishing would depend on migratory bird use during the migration period. Resting and feeding areas will be closed to fishing to protect migratory birds from disturbance during the winter months. Other areas may be open to sport fishing throughout the fishing season. An existing 1,972 acre private hunting and fishing lease surrounds Lake Hatch and will be closed to public use until May 15, 2000.

#### Paperwork Reduction Act

The Service has examined this regulation under the Paperwork Reduction Act of 1995 and has found it to contain no information collection requirements.

#### Economic Effect

Service review has revealed that this rulemaking will increase fishermen visitation to the surrounding area of the refuge before, during or after recreational uses, compared to the refuge being closed to these recreational uses. When the Service acquired this land, all public use ceased under law until opened to the public in accordance with this rulemaking.

The refuge is located away from large metropolitan areas. Businesses in the area consist primarily of small family-owned stores, restaurants, gas stations and other small commercial enterprises. In addition, there are several small commercial and recreational fishing and hunting camps and marinas in the general area. This proposed rule would have a positive effect on such entities, however, the amount of revenue generated is not large.

Many area residents enjoy a rural lifestyle that includes frequent recreational use of the abundant natural resources of the area. A high percentage of the households enjoy hunting, fishing, and boating in area wetlands, rivers and lakes. Many nearby residents also participate in other forms of nonconsumptive outdoor recreation, such as biking, hiking, camping, birdwatching, canoeing, and other outdoor sports.

Economic impacts of refuge fishing on local communities are calculated from average expenditures in the "1995 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation". In 1995, 42 million U.S. residents 16 years old and older hunted and/or fished. More specifically, 37 million fished and 14.5 million hunted. Those who both fished and hunted account for the 9.5 million overage. Nationwide expenditures by sportsmen totaled \$42 billion. Trip-related expenditures for food, lodging, and transportation were \$16 billion or 37 percent of all fishing and hunting expenditures; equipment expenditures amounted to \$19 billion, or 46 percent of the total; other expenditures such as those for magazines, membership dues, contributions, land leasing, ownership, licenses, stamps, tags, and permits accounted for \$6.9 billion, or 16 percent of all expenditures. Overall, anglers spent an average of \$41 per day. For each day of hunting, big game hunters averaged spending \$40, small game hunters \$20, and migratory bird hunters \$33.

Applying these national averages to projected visitation at Mandalay NWR results in the following: 500 fishermen are expected to spend \$20,500 annually in pursuit of their sport while on the refuge.

This rulemaking was not subject to Office of Management and Budget review under Executive Order 12866. A review under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.) has revealed that although the rulemaking would increase visitation and expenditures in the surrounding area of the refuge, it would not have a significant effect on a substantial number of small entities in the area, such as businesses, organizations and governmental jurisdictions.

#### Environmental Considerations

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), an environmental assessment was prepared for this opening. Based upon the Environmental Assessment, the Service issued a

Finding of No Significant Impact with respect to the opening. A Section 7 evaluation pursuant to the Endangered Species Act was conducted. The Service determined that the proposed action will not affect any Federally listed or proposed for listing threatened or endangered species or their critical habitats. These documents are on file at the offices of the Service and may be reviewed by contacting the primary author.

#### Unfunded Mandates

The Service has determined and certifies pursuant to the Unfunded Mandates Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State governments or private entities.

Primary Author. Stephen R. Vehrs, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC 20240, is the primary author of this rulemaking document.

#### List of Subjects in 50 CFR Part 32

Fishing, Hunting, Reporting and recordkeeping requirements, Wildlife, Wildlife refuges.

Accordingly, Part 32 of Chapter I of Title 50 of the *Code of Federal Regulations* is proposed to be amended as follows:

#### PART 32—[AMENDED]

1. The authority citation for Part 32 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd, and 715i.

#### § 32.7 [Amended]

2. Section 32.7 *List of refuge units open to hunting and/or fishing*, is amended by alphabetically adding the listing "Mandalay National Wildlife Refuge" under the State of Louisiana.

3. Section 32.37 *Louisiana* is amended by adding in alphabetical order Mandalay National Wildlife Refuge to read as follows:

#### § 32.37 Louisiana.

\* \* \* \* \*

#### Mandalay National Wildlife Refuge

A. *Hunting of Migratory Game Birds*. [Reserved].

B. *Upland Game Hunting*. [Reserved].

C. *Big Game Hunting*. [Reserved].

D. *Sport Fishing*. Sport fishing is permitted subject to the following conditions:

1. Refuge permits required (Free).

2. Any person entering, using or occupying the refuge must abide by all terms and conditions set forth in the appropriate refuge permit (brochure).

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Dated: June 7, 1996.  
George T. Frampton, Jr.,  
*Assistant Secretary for Fish and Wildlife and Parks.*  
[FR Doc. 96-15291 Filed 6-20-96; 8:45 am]  
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## 50 CFR Part 32

RIN 1018-AD81

### Addition of Tallahatchie National Wildlife Refuge to the List of Open Areas for Sport Fishing in Mississippi

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

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) proposes to add Tallahatchie National Wildlife Refuge to the list of areas open for sport fishing in Mississippi along with pertinent refuge-specific regulations for such activities. The Service has determined that such use will be compatible with the purposes for which the refuge was established. The Service has further determined that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, and is otherwise in the public interest by providing additional recreational opportunities at national wildlife refuges.

**DATES:** Comments may be submitted on or before July 22, 1996.

**ADDRESSES:** Assistant Director—Refuges and Wildlife, U.S. Fish and Wildlife Service, 1849 C Street, NW, MS 670 ARLSQ, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** Stephen R. Vehrs, at the address above; Telephone (703) 358-2397.

**SUPPLEMENTARY INFORMATION:** National wildlife refuges generally are closed to hunting and sport fishing until opened by rulemaking. The Secretary of the Interior (Secretary) may open refuge areas to hunting and/or fishing upon a determination that such uses are compatible with the purpose(s) for which the refuge was established. The action also must be in accordance with provisions of all laws applicable to the areas, must be consistent with the principles of sound fish and wildlife management, and otherwise must be in the public interest. The Service proposes to open Tallahatchie National Wildlife Refuge to sport fishing.

#### Request for Comments

Department of the Interior policy is, whenever practicable, to afford the public a meaningful opportunity to

participate in the rulemaking process. A 30-day comment period is specified in order to facilitate public input. Accordingly, interested persons may submit written comments concerning this proposed rule to the person listed above under the heading **ADDRESSES**. All substantive comments will be reviewed and considered.

#### Statutory Authority

The National Wildlife Refuge System Administration Act (NWRSA) of 1966, as amended (16 U.S.C. 668dd), and the Refuge Recreation Act of 1962 (16 U.S.C. 460k) govern the administration and public use of national wildlife refuges. Specifically, Section 4(d)(1)(A) of the NWRSA authorizes the Secretary of the Interior to permit the use of any area within the Refuge System for any purpose, including but not limited to, hunting, fishing and public recreation, accommodations and access, when he determines that such uses are compatible with the major purpose(s) for which the area was established.

The Refuge Recreation Act (RRA) authorizes the Secretary to administer areas within the Refuge System for public recreation as an appropriate incidental or secondary use only to the extent that it is practicable and not inconsistent with the primary purpose(s) for which the areas were established. The NWRSA and the RRA also authorize the Secretary to issue regulations to carry out the purposes of the Acts and regulate uses.

In many cases, refuge-specific regulations are developed to ensure the compatibility of the programs with the purposes for which the refuge was established. Initial compliance with the NWRSA and the RRA has been ensured for hunting and sport fishing on newly acquired refuges through an interim determination of compatibility made at the time of acquisition. This has ensured that the determinations required by these acts have been made prior to the addition of refuges to the lists of areas open to hunting and fishing in 50 CFR part 32. Continued compliance is ensured by the development of long-term hunting and sport fishing plans and by annual review of hunting and sport fishing programs and regulations.

The Service has determined that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound fish and wildlife management, helps implement Executive Order 12962 (Recreational Fisheries), and is otherwise in the public interest by providing additional recreational

opportunities at national wildlife refuges. Sufficient funds will be available within the refuge budget to operate the hunting and sport fishing programs as proposed.

#### Opening Package

In preparation for this opening, the following documents are included in the refuge's "openings package" for Regional review and approval from the Washington Office: a fishing management plan; an environmental assessment; a Finding of No Significant Impact (FONSI); a Section 7 evaluation or statement, pursuant to the Endangered Species Act, that this opening is not likely to adversely affect a listed species or critical habitat; a letter of concurrence from the affected State; and refuge-specific regulations to administer the fishing program. Upon review of these documents, the Secretary has determined that the opening of the Tallahatchie National Wildlife Refuge to sport fishing is compatible with the principles of sound fish and wildlife management and otherwise will be in the public interest.

In accordance with the NWRSA and the RRA, the Secretary also has determined that this opening for sport fishing is compatible and consistent with the primary purposes for which the refuge was established and that sufficient funds are available to conduct the activity. A brief description of the refuge program follows.

#### Tallahatchie National Wildlife Refuge

Tallahatchie National Wildlife Refuge is located in Grenada, Quitman, and Tallahatchie Counties in the central portion of the Mississippi Wetland Management District. Clarksdale is northwest of Black Bayou and Grenada is east of Bear Lake. Mathews Brake National Wildlife Refuge lies south of Bear Lake. Access to the property is by county-maintained gravel roads, field roads, and State Highway 8.

The Service proposes to acquire approximately 15,000 acres in two separate units. The northern unit, Black Bayou, is located in the southeast corner of Quitman County and adjacent Tallahatchie County. The southern unit, Bear Lake, lies along the Tallahatchie-Grenada county line.

The refuge is located in an area of the Lower Mississippi River Delta known as the Yazoo Basin, of which the Tallahatchie River Basin is a component. The entire area is subject to seasonal backwater flooding from the Tallahatchie River System.

This area is rich in biological diversity and is home for myriad wildlife species such as deer, squirrel,