

beyond the expected issuance date for the MSCP permit.

The Service will continue to monitor the status of *Dudleya blochmaniae* ssp. *brevifolia* and gather information during and after the MSCP finalization process. If information obtained by the Service indicates that the taxon is threatened or endangered, the Service will re-propose or emergency list the plant.

This notice of withdrawal is published concurrently in the Federal Register with the final rule listing four plant taxa from the maritime chaparral of southern California and Mexico, in order to resolve the listing status of all six taxa that were proposed together on October 1, 1993 (58 FR 51302). Processing the final listing decisions on these six plant taxa follows the Service's listing priority guidance published in the Federal Register on May 16, 1996 (61 FR 24722).

#### References Cited

- City of San Diego. 1995. Neighborhood 8A precise plan/Del Mar Highlands Estates/Lorenz Parcel compromise Plan and Neighborhood 8A acquisition program. Final Environmental Impact Report.
- Lane, Meredith A. 1992. New combinations in Californian *Lessingia* (Compositae: Asteraceae), *Novon* 2: 213-214.
- Lane, Meredith A. 1993. *Lessingia* in: The Jepson Manual, Higher Plants of California, J. Hickman (ed.), University of California Press, Berkeley.
- OGDEN. 1995. Multiple Species Conservation Program public review draft resource document prepared for the City of San Diego.
- U.S. Fish and Wildlife Service. 1996. MSCP target plant species analysis: *Dudleya blochmaniae* ssp. *brevifolia*.

#### Author

The primary author of this document is Fred M. Roberts, Carlsbad Field Office (see ADDRESSES section).

#### Authority

The authority for this action is section 4(b)(6)(B)(ii) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).

Dated: September 27, 1996.

John G. Rogers,

Acting Director, Fish and Wildlife Service.

[FR Doc. 96-25461 Filed 10-4-96; 8:45 am]

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#### 50 CFR Part 23

RIN 1018-AD63

#### Export of River Otters Taken in Missouri in the 1996-97 and Subsequent Seasons

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

**ACTION:** Reopening of comment period on the proposed rule.

**SUMMARY:** The purpose of this notice is to advise the public of the availability of additional information that has been received and will be considered prior to the Service's decision on issuance of the Scientific Authority and Management Authority findings on the proposed export of river otters harvested in the State of Missouri. The Service may apply these findings to harvests of river otters in Missouri during the 1996-97 season and subsequent seasons, subject to the conditions applying to approved States.

**DATES:** The Service will consider comments received on or before October 28, 1996, in making its determination on the proposed rule.

**ADDRESSES:** Please send correspondence concerning the proposed rule to the Office of Scientific Authority; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, Room 750; Arlington, Virginia 22203. Comments and materials received will be available for public inspection by appointment, from 8 a.m. to 4 p.m., Monday through Friday, at the Arlington Square Building, 4401 North Fairfax Drive, Arlington, Virginia.

**FOR FURTHER INFORMATION CONTACT:** Scientific Authority—Dr. Marshall A. Howe, Office of Scientific Authority; phone 703-358-1708; fax 703-358-2276.

Management Authority/State Export Programs—Ms. Carol Carson, Office of Management Authority; U.S. Fish and Wildlife Service; 4401 North Fairfax Drive, Room 430; Arlington, Virginia 22203; phone 703-358-2095; fax 703-358-2281.

**SUPPLEMENTARY INFORMATION:** The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) regulates international trade in certain animal and plant species. Exports of animals and plants listed in Appendix II of CITES require an export permit from the country of origin. As a general rule, export permits only are issued after two conditions are met. First, the exporting country's CITES Scientific Authority must advise the permit-issuing CITES Management Authority that such exports will not be detrimental to the survival of the

species. This advice is known as a "no-detriment" finding. Second, the Management Authority must make a determination that the animals or plants were not obtained in violation of laws for their protection. If live specimens are being exported, the Management Authority must also determine that the specimens are being shipped in a humane manner with minimal risk of injury or damage to health.

On January 5, 1984 (49 FR 590), the Service published a rule granting export approval for river otters (*Lontra canadensis*) and certain other CITES-listed species of furbearing mammals from specified States and Indian Nations and Tribes for the 1983-84 and subsequent harvest seasons. In succeeding years, approval for export of one or more species of furbearers has been granted to other States and Indian Nations, Tribes, or Reservations through the rule-making process. These approvals were and continue to be subject to certain population monitoring and export requirements. Further information on the CITES requirements and the bases for the Service's Scientific Authority and Management Authority findings, as well as a summary of the information previously received from the State of Missouri, are presented in the proposed rule published in the April 2, 1996, Federal Register (61 FR 14543).

Since the close of that proposed rule's comment period (on June 3, 1996), the Service has met with staff members of the Missouri Department of Conservation and received several documents including: (1) A graph showing the relationship between the number of licensed trappers in Missouri and the price of raccoon pelts; (2) a report on "Ownership and Use of Traps by Trappers in the United States in 1992" prepared for the International Association of Fish and Wildlife Agencies; (3) trapping regulations in Missouri for the 1996-97 season; (4) a report titled "Missouri Furbearer Update, Vol. III: 1990-91"; (5) a summary of current research projects on river otters in Missouri; and (6) a portion of Missouri's Conservation Commission charter, which, among other things, stipulates that the Director of the Missouri Department of Conservation is authorized to act for the Commission on emergency matters, subject to ratification by the Commission at its next regular meeting. This includes authority for emergency closure of trapping seasons.

In addition, the Service requested updated population model scenarios based on there being no harvest season for river otters in Missouri during the 1995-96 season and using different

mortality assumptions. Furthermore, discussions have been and are being held with selected individuals concerning trapper behavior, and information obtained on the percentage of individuals trapping beaver in Missouri. The Service also is reviewing other published references including ones on the impact of market dynamics on Missouri's furbearer harvest system and on an examination of variables influencing the fur harvest in Missouri.

In addition to the information regarding Missouri since the comment period, the Service has received, will consider, and may rely upon additional information contained in letters and documents submitted by several States as part of the annual monitoring described in the January 5, 1984, Federal Register (49 FR 590), including information that was solicited in advance from the State of Tennessee.

#### Proposed Export Decision

As stated in the April 2, 1996, Federal Register (61 FR 14543), the Service proposes to approve exports of Missouri river otters harvested during the 1996-97 and subsequent harvest seasons, on the grounds that both Scientific Authority and Management Authority criteria have been satisfied. In case a decision is made to approve exports, the Service may issue its Scientific Authority and Management Authority findings for 1 or more years in an administrative decision document, or publish such findings in a Federal Register notice.

#### Comments Solicited

The Service again requests comments on these proposed findings for Missouri

and the proposed rulemaking adding Missouri to the list of States approved for export of river otters (61 FR 14543). The final decision on the proposed rule will take into account comments received and any additional information received. Such consideration may lead to findings different from those presented in the proposal.

The reopened comment period on the proposed rule is issued under authority of the Endangered Species Act of 1973 as amended (16 U.S.C. 1531 *et seq.*). The author of this notification is Dr. Charles W. Dane, Office of Scientific Authority.

#### List of Subjects in 50 CFR Part 23

Endangered and threatened species, Exports, Imports, Treaties.

Dated: October 2, 1996.

John G. Rogers,

*Acting Director, U.S. Fish and Wildlife Service.*

[FR Doc. 96-25664 Filed 10-2-96; 3:48 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 217 and 222

[Docket No. 960730211-6211-01; I.D. 072296B]

RIN 0648-AJ03

### Environmental Assessment on North Atlantic Right Whale Protection

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; availability of environmental assessment.

**SUMMARY:** NMFS announces the availability of the Environmental Assessment (EA) on a proposed rule limiting the approach to northern right whales (*Eubalaena glacialis*).

**DATES:** The comment period on the proposed rule ends on November 5, 1996.

**ADDRESSES:** Requests for copies of the EA should be sent to Dean Wilkinson, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3226.

**FOR FURTHER INFORMATION CONTACT:** Dean Wilkinson at (301) 713-2322.

**SUPPLEMENTARY INFORMATION:** On August 7, 1996, a proposed rule was published in the Federal Register to prohibit vessel and aircraft approaches within 500 yards (460 m) of northern right whales (61 FR 41116). At that time, NMFS stated that an EA on the proposed rule was in preparation. The EA is now available. Copies of the EA or the proposed rule can be obtained from the Office of Protected Resources, NMFS (see **ADDRESSES**). The public comment period on the proposed rule will end on November 5, 1996.

Dated: October 1, 1996.

Nancy Foster,

*Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.*

[FR Doc. 96-25580 Filed 10-04-96; 8:45 am]

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