

requirements with a site restriction of 4.6 kilometers (2.9 miles) west in order to avoid a short-spacing conflict with the licensed operation of Station WMJJ-FM, Channel 243C, Birmingham, Alabama. The coordinates for Channel 244A at Macon are 33-07-25 NL and 88-36-34 WL.

DATES: Comments must be filed on or before October 20, 1997, and reply comments on or before November 4, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Ruben C. Hughes, President, Team Broadcasting Company, Inc., 561 Golden Avenue, Mobile, Alabama 36617 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-188, adopted August 20, 1997, and released August 29, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-23439 Filed 9-3-97; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition to List the Alexander Archipelago Wolf as Threatened and to Designate Critical Habitat

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Alexander Archipelago wolf (*Canis lupus ligoni*) under the Endangered Species Act of 1973, as amended. After review of all available scientific and commercial information, the Service finds that listing the Alexander Archipelago wolf as threatened is not warranted.

DATES: The finding announced in this document was made on August 28, 1997.

ADDRESSES: Data, information, comments, or questions concerning this petition should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801-7100. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Lindell, Fish and Wildlife Biologist, at the above address, or by calling 907/586-7240.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that, for any petition to revise the Lists of Endangered and Threatened Wildlife and Plants that contains substantial scientific and commercial information, the Service make a finding on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals of higher priority.

On December 17, 1993, the Service received a petition to list the Alexander Archipelago wolf as threatened under the Act from the Biodiversity Legal Foundation, Eric Holle, and Martin Berghoffen. On May 20, 1994, the Service announced a 90-day finding (59

FR 26476) that the petition presented substantial information indicating that the requested action may be warranted and opened a public comment period until October 1, 1994 (59 FR 26476 and 59 FR 44122). The Service issued its 12-month finding that listing the Alexander Archipelago wolf was not warranted on February 23, 1995 (60 FR 10056).

On February 7, 1996, the Southwest Center for Biological Diversity, Biodiversity Legal Foundation, Save the West, Save America's Forests, Native Forest Network, Native Forest Council, Eric Holle, Martin Berghoffen, and Don Muller filed suit in the United States Court for the District of Columbia challenging the Service's not warranted finding. On October 9, 1996, the United States District Court remanded the 12-month finding to the Secretary of the Interior, instructing him to reconsider the determination "on the basis of the current forest plan, and status of the wolf and its habitat, as they stand today" (96 CV 00227 DDC).

On December 5, 1996, a public comment period was opened by the Service (61 FR 64497). It was extended until April 4, 1997, through three subsequent notices (61 FR 69065; 62 FR 6930; and 62 FR 14662). Prior to a final determination, however, the Forest Service issued the Tongass Land Management Plan Revision, which superseded the 1979 version of the plan. In keeping with the United States District Court's order that a finding be based upon the "current forest plan," the District Court granted an extension until August 31, 1997, so that the petitioners, the public, and the Service could reconsider the status of the Alexander Archipelago wolf under the revised Tongass Land Management Plan. Therefore, the Service reopened the public comment period from June 12, 1997, to July 28, 1997 (62 FR 32070).

The Service has reevaluated the petition and the literature cited in the petition, reviewed other available literature and information, and consulted with biologists and researchers familiar with gray wolves in general, and the Alexander Archipelago wolf in particular. The 1997 revised Tongass National Forest Land Management Plan formed the basis for evaluating the status of the wolf on the Tongass National Forest. On the basis of the best scientific and commercial information available, the Service finds that listing the Alexander Archipelago wolf as threatened is not warranted.

The taxonomic status of wolves in southeast Alaska, commonly referred to as Alexander Archipelago wolves, is uncertain. Nevertheless, the Service believes that there is persuasive support

in the record for treating southeast Alaska wolves as a distinct subspecies, *Canis lupus ligoni*, and, therefore, believes that it is reasonable to review the status of wolves in southeastern Alaska as a listable entity under the Endangered Species Act.

The Alexander Archipelago wolf occurs on the mainland in southeast Alaska from Dixon Entrance to Yakutat Bay and on all the major islands in the Alexander Archipelago except Admiralty, Baranof and Chichagof islands. Wolves in southeast Alaska are relatively isolated by the Pacific Ocean and the Coast Mountain Range. Six rivers or passes penetrate the Coastal Mountains and may allow some interchange between wolves in southeast Alaska and those in British Columbia, Canada. Wolves in Alaska and coastal British Columbia may also interchange along the coastal mainland; however, the amount of interchange between Alaska and British Columbia wolves has not been studied.

The current population of Alexander Archipelago wolves is thought to be stable at moderate to high densities. The population size of wolves in southeast Alaska is not known with certainty but probably numbers between 750 and 1,500 individuals. About 67 percent of the population is estimated to live on the islands in the central and southern portion of the archipelago.

Potential threats to the species' persistence include human-caused mortality, disease, loss of prey as a result of timber harvest, and loss of prey as the result of severe winter weather. Results from a recent scientific study indicate that hunting and trapping of wolves may have exceeded sustainable levels on Prince of Wales and Kosciusko Islands, Alaska. In response to that study, the Alaska Board of Game and the Federal Subsistence Board revised hunting and trapping regulations in southeast Alaska to limit annual wolf harvest to acceptable levels.

Canine diseases have been documented in other North American wolf populations. Evidence from these other populations indicates that although disease may cause mortality, it is unlikely to have an effect on the population of Alexander Archipelago wolves.

The Service considers potential loss of prey the most serious threat. Wolves are capable of exploiting a variety of ungulate and nonungulate prey. Within the major island groups in southeast Alaska, where wolves are most abundant and logging is most prevalent, Sitka black-tailed deer and, to a lesser extent, beaver are the most commonly used prey. On the mainland, goats are

the most commonly used ungulate prey. Moose and elk have very limited distributions in southeast Alaska and are probably used where available.

Logging on the Tongass National Forest has been concentrated in high volume forests since industrial scale logging began in 1955. These forests are important winter habitat for deer because the multilayered canopies intercept snow and allow deer access to highly nutritious forage that is not available in most clearcuts and second-growth forests. Much of the harvest has occurred within the major island groups and adjacent mainland occupied by wolves. The projected logging of old growth in southeast Alaska will result in a decline of deer in southeast Alaska. Effects of logging will be particularly evident during winters with heavy snow that persists on the forest floor for long periods of time. Because wolves are inextricably tied to their prey, declines in deer are expected to eventually result in declines of wolves.

Despite the anticipated population decline, the Service believes that wolves in southeast Alaska will not be in danger of extinction within the foreseeable future because we expect the population decline to stop at an acceptable level. Additionally, wolves are known to persist at low numbers in healthy populations and to be resilient to the activities of man because of their high reproductive rate and high dispersal capability. The Service, therefore, concludes that the Alexander Archipelago wolf is unlikely to become endangered throughout all or a significant portion of its range in the foreseeable future.

Authors: The primary authors of this document are Teresa Woods, Fish and Wildlife Biologist, 907/786-3505, and Tony DeGange, Fish and Wildlife Biologist, 907/786-3492, of the Fish and Wildlife Service, Alaska Regional Office.

Authority

The authority for this section is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: August 28, 1997.

Jamie Rappaport Clark,

Director, Fish and Wildlife Service.

[FR Doc. 97-23501 Filed 9-3-97; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition To List the Queen Charlotte Goshawk as Endangered and To Designate Critical Habitat

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Queen Charlotte goshawk (*Accipiter gentilis laingi*) under the Endangered Species Act of 1973, as amended. After review of all available scientific and commercial information, the Service finds that listing this subspecies as endangered or threatened is not warranted.

DATES: The finding announced in this document was made on August 28, 1997.

ADDRESSES: Data, information, comments, or questions concerning this petition should be sent to the Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 3000 Vintage Blvd., Suite 201, Juneau, Alaska 99801-7100. The petition finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: John Lindell, Fish and Wildlife Biologist, at the above address, or by calling 907/586-7240.

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires that, for any petition to revise the Lists of Endangered and Threatened Wildlife and Plants that contains substantial scientific and commercial information, the Service make a finding on whether the petitioned action is (a) not warranted, (b) warranted, or (c) warranted but precluded from immediate proposal by other pending proposals of higher priority.

On May 9, 1994, the Fish and Wildlife Service received a petition dated May 2, 1994, from the Southwest Center for Biological Diversity, Greater Gila Biodiversity Project, Biodiversity Legal Foundation, Greater Ecosystem Alliance, Save the West, Save America's