

operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, we believe that this rule should be categorically excluded, under figure 2–1, paragraph (34)(f), of the Instruction, from further environmental documentation.

A preliminary “Environmental Analysis Check List” is available in the docket where indicated under **ADDRESSES**. Comments on this section will be considered before we make the final decision on whether this rule should be categorically excluded from further environmental review.

#### List of Subjects in 33 CFR Part 110

Anchorage grounds.

#### Words of Issuance and Proposed Regulatory Text

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR Part 110 as follows:

#### PART 110—ANCHORAGE REGULATIONS

1. The authority citation for part 110 continues to read as follows:

**Authority:** 33 U.S.C. 471, 1221 through 1236, 2030, 2035, 2071; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.

2. Add § 110.184 to read as follows:

#### § 110.184 Seventh Coast Guard District, Captain of the Port Zone Jacksonville, Temporary Restricted Anchorage.

(a) *Applicability.* This section applies to all vessels regardless of tonnage or service and all persons on such vessels subject to COTP authority within the COTP Zone Jacksonville as defined by 33 CFR 3.35–20.

(b) *Temporary Restricted Anchorage Zones:* The following three temporary restricted anchorage areas are established off Amelia Island, FL within the COTP Zone Jacksonville, as defined by 33 CFR 3.35–20. Each anchorage area

has an accompanying 500 yard safety/security zone, as applicable, emanating from its center point described in the following section:

(1) Anchorage A: Originates approximately four nautical miles off Amelia Island, Florida in position 30–36N 81–21.8W.

(2) Anchorage B: Originates approximately seven nautical miles off Amelia Island, Florida in position 30–36N 81–18.5W.

(3) Anchorage C: Originates approximately twelve nautical miles off Amelia Island, Florida in position 30–36N 81–13.5W.

(c) *Definitions.* The following definition applies to this section:

(1) *Temporary Restricted Anchorage* refers to off-shore areas designated for the geographic separation and/or restriction of vessels or persons on such vessels posing or are suspected of posing a safety, public health, environmental, or security threat.

(2) *Designated representatives means* Coast Guard Patrol Commanders including Coast Guard coxswains, petty officers and other officers operating Coast Guard assets, and federal, state, and local officers designated by or assisting the Captain of the Port (COTP), Jacksonville, Florida, in the enforcement of the temporary restricted anchorage area.

(d) *Anchorage Requirements.* Vessels directed to a temporary anchorage shall:

(1) If equipped with an Automatic Identification System (AIS), maintain it in the “on” position.

(2) Maintain a 24-hour bridge watch by an English-speaking, licensed deck officer monitoring VHF–FM Channel 16. This individual shall perform frequent checks of the vessel’s position to ensure the vessel is not dragging anchor.

(e) *Safety/Security Zone requirements.*

(1) Only the specified vessel may occupy the temporary restricted anchorage area. In accordance with the general regulations in § 165.23 and § 165.33 of this part, no person or vessel may anchor, moor, or transit the Regulated Area without permission of the Captain of the Port Jacksonville, Florida, or a designated representative.

(2) The Coast Guard will issue a broadcast notice to mariners to advise mariners of the temporary restricted anchorage activation.

(f) *Captain of the Port Contact Information.* If you have questions about the conditions under which the COTP may direct a vessel to temporary restricted anchorage, location of the temporary restricted anchorage areas, the requirements once a vessel is directed to temporary restricted anchorage, or other matters dealing with

this regulation, please contact the Sector Jacksonville Command Center at (904) 564–7513.

Dated: February 12, 2008.

**W.D. Lee,**

*Captain, U.S. Coast Guard, Commander, Coast Guard Seventh District (Acting).*

[FR Doc. E8–4757 Filed 3–10–08; 8:45 am]

**BILLING CODE 4910–15–P**

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 08–504; MB Docket No. 08–30; RM–11419]

#### Television Broadcasting Services; Riverside, California

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a channel substitution proposed by KRCA License, LLC, requesting the post-transition digital television allotment for KRCA-DT, Riverside, California be changed from Channel 45 to Channel 35.

**DATES:** Comments must be filed on or before April 10, 2008, and reply comments on or before April 25, 2008.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the petitioner as follows: Marnie K. Sarver, Esq., Wiley Rein, LLP, 1776 K Street, NW., Washington, DC 20006.

**FOR FURTHER INFORMATION CONTACT:** Shaun A. Maher, Media Bureau (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s Notice of Proposed Rule Making, MB Docket No. 08–30, adopted March 5, 2008, and released March 5, 2008. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC’s Reference Information Center at Portals II, CY–A257, 445 Twelfth Street, SW., Washington, DC, 20554. This document may also be purchased from the Commission’s duplicating contractors, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160 or via e-mail <http://www.BCPIWEB.com>. This document does not contain proposed information collection requirements subject to the

Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

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

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

##### § 73.202 [Amended]

2. Section 73.622(i), the DTV Table of Allotments under California, is amended by substituting channel 35 for channel 45.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. E8-4909 Filed 3-10-08; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

[FWS-R6-2008-0029; 1111 FY07 MO-B2]

#### Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition To List the North American Wolverine as Endangered or Threatened

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

**ACTION:** Notice of 12-month petition finding.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 12-month finding on a petition to list as an endangered or threatened species under the Endangered Species Act of 1973, as amended (Act), the population of the North American wolverine (*Gulo gulo luscus*) that occurs in the contiguous United States. After a review of the best available scientific and commercial information, we have determined that the population of North American wolverine occurring in the contiguous United States does not constitute a listable entity under the Act. Therefore, we find that the petition to list the North American wolverine (*Gulo gulo luscus*) that occurs in the contiguous United States is not warranted for listing. The Service will continue to seek new information on the taxonomy, biology, ecology, and status of the North American wolverine and we will continue to support cooperative conservation of wolverines in the contiguous United States.

**DATES:** This finding was made on March 11, 2008.

**ADDRESSES:** This finding is available on the Internet at <http://www.regulations.gov>. Supporting documentation we used to prepare this finding is available for public inspection, by appointment, during normal business hours at the U.S. Fish and Wildlife Service, Montana Field Office, 585 Shepard Way, Helena, MT 59601; telephone (406) 449-5225. Please submit any new information, materials, comments, or questions concerning this finding to the above street address.

**FOR FURTHER INFORMATION CONTACT:** Mark Wilson, Field Supervisor, U.S. Fish and Wildlife Service, Montana Field Office (see **ADDRESSES**). If you use a telecommunications device for the deaf (TDD), call the Federal Information Relay Service (FIRS) at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4(b)(3)(B) of the Act (16 U.S.C. 1531 et seq.) requires that, for any petition containing substantial scientific and commercial information that listing may be warranted, we make a finding within 12 months of the date of receipt of the petition on whether the petitioned action is: (a) Not warranted, (b) warranted, or (c) warranted, but that immediate proposal of a regulation implementing the petitioned action is precluded by other pending proposals to determine whether species are threatened or endangered, and

expeditious progress is being made to add or remove qualified species from the Lists of Endangered and Threatened Wildlife and Plants. Section 4(b)(3)(C) of the Act requires that we treat a petition for which the requested action is found to be warranted but precluded as though resubmitted on the date of such finding, that is, requiring a subsequent finding to be made within 12 months. We must publish these 12-month findings in the **Federal Register**.

#### Previous Federal Actions

We received a petition dated August 3, 1994, from the Predator Project (now named the Predator Conservation Alliance) and Biodiversity Legal Foundation to list the North American wolverine in the contiguous United States as a threatened or endangered species under the Act and to designate critical habitat concurrent with listing. On April 19, 1995, we published a finding (60 FR 19567) that the petition did not provide substantial scientific or commercial information indicating that listing the North American wolverine in the contiguous United States may be warranted. We did not make a determination as to whether the contiguous United States population of the North American wolverine constituted a distinct population segment or other listable entity.

On July 14, 2000, we received another petition dated July 11, 2000, submitted by the Biodiversity Legal Foundation, Predator Conservation Alliance, Defenders of Wildlife, Northwest Ecosystem Alliance, Friends of the Clearwater, and Superior Wilderness Action Network, to list the North American wolverine within the contiguous United States as a threatened or endangered species under the Act and to designate critical habitat for the species concurrent with the listing.

On October 21, 2003, we published a 90-day finding that the petition to list the North American wolverine in the contiguous United States did not present substantial scientific and commercial information indicating that listing as threatened or endangered may be warranted (68 FR 60112). We did not determine whether the contiguous United States population of the North American wolverine constituted a distinct population segment (or other listable entity), because sufficient information was not available at the time.

On September 29, 2006, as a result of a complaint filed by Defenders of Wildlife and others alleging we used the wrong standards to assess the wolverine petition, the U.S. District Court, Montana District, ruled that our 90-day