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This rulemaking petition was proposed in a *Notice of Proposed Rule Making and Order to Show Cause*. See 70 FR 70777, November 11, 2005. To accommodate the upgrade and reallocation of Station WVEK-FM to Weber City, it also proposed (1) the substitution of Channel 263A for then vacant Channel 274A at Glade, Spring, VA; and (2) the substitution of Channel 273A for Channel 263A at Marion, VA, and the modification of Station WOLD-FM's license accordingly. The rulemaking petition was denied because the proposed allotment of Channel 273A at Marion, Virginia is 6.6 and 0.6 kilometers short-spaced to two mutually exclusive applications for a new FM station on Channel 273A at Shawsville, Virginia.

This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this Report and Order to GAO, pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A) because the proposed rule was denied.)

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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BILLING CODE 6712-01-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 10, 13, 17, and 23

RIN 1018-AD87

#### Revision of Regulations for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Reopening of the Comment Period

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

**ACTION:** Proposed rule; notice of reopening of comment period.

**SUMMARY:** We, the Fish and Wildlife Service (Service), give notice that we are reopening the comment period for the proposed rule to revise the regulations for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). We are reopening the public comment period to

allow interested parties additional time to comment on the proposed rule. The proposed rule was published and the public comment period initially opened on April 19, 2006 (71 FR 20168). In response to requests, we are reopening the public comment period for an additional 30 days.

**DATES:** Comments must be received by July 28, 2006. If you previously submitted comments on this proposed rule, you do not need to resubmit them during this comment period. Any comments received after the closing date may not be considered in the final determination on the proposal.

**ADDRESSES:** You may send comments, identified by RIN 1018-AD87, by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-mail:* [part23@fws.gov](mailto:part23@fws.gov).

- *Fax:* (703) 358-2280.

- *Mail or hand delivery:* Dr. Peter Thomas, Chief, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 700, Arlington, Virginia 22203.

See Public Comments Solicited at the end of **SUPPLEMENTARY INFORMATION** for further information about submitting comments. All comments received will be available for public inspection by appointment from 7:45 a.m. to 4:15 p.m., Monday through Friday, at the above address.

Comments specific to the information collection aspects of this proposed rule should be submitted to the Desk Officer for the Department of the Interior at OMB-OIRA via facsimile or e-mail using the following fax number or e-mail address: (202) 395-6566 (fax); [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov) (e-mail). Please provide a copy of your comments to the U.S. Fish and Wildlife Service's Information Collection Officer, 4401 N. Fairfax Drive, MS 222 ARLSQ, Arlington, Virginia 22203; (703) 358-2269 (fax); or [hope\\_grey@fws.gov](mailto:hope_grey@fws.gov) (e-mail).

**FOR FURTHER INFORMATION CONTACT:** Dr. Peter Thomas, at the above address (telephone, (703) 358-2093; fax, (703) 358-2280).

#### SUPPLEMENTARY INFORMATION:

##### Background

CITES is a treaty that regulates international trade in certain protected species. The United States was one of the original signatories to the Treaty, which has been in effect since July 1, 1975. CITES uses a system of permits and certificates to help ensure that international trade is legal and does not threaten the survival of wildlife or plant

species in the wild. Currently 169 countries have ratified, accepted, approved, or acceded to CITES; these countries are known as Parties. In the United States, CITES is implemented under the Endangered Species Act, and implementation authority for CITES has been delegated to the Service. We implement CITES through regulations in 50 CFR part 23. Changes to the interpretation and implementation of CITES and amendments to the listing of species in the CITES Appendices occur at meetings of the Conference of the Parties (CoP), which are held every 2 to 3 years.

We published a proposed rule on May 8, 2000 (65 FR 26664) (2000 proposal), to incorporate in the CITES regulations at 50 CFR part 23 needed changes resulting from CoP2 through CoP10. The 2000 proposal was never finalized. On April 19, 2006, we published a new proposed rule (71 FR 20168) to incorporate, as appropriate, applicable resolutions adopted at CoP2 through CoP13. We reviewed all of the comments received on the 2000 proposal and addressed them where appropriate in the current proposed rule. The initial comment period on this proposed rule closed on June 19, 2006. In response to requests we received, we are reopening the comment period for an additional 30 days.

#### Public Comments Solicited

We invite interested organizations and the public to comment on the proposed rule, which generally reflects the way we currently implement CITES. We have drafted the proposal as part of our ongoing permits reform effort to simplify procedures, use risk assessment to reduce paperwork while still ensuring effective species conservation, and help people understand how to conduct international trade in CITES species. We are seeking comments, in particular, on whether the provisions of the proposed rule allow the affected public to effectively comply with CITES.

When providing comments, to the extent possible, reference the section of the proposed regulations on which you are commenting and give the category of your comments. Select one of the following categories: (1) International organization; (2) government; (3) nongovernmental conservation organization; (4) humane or animal welfare organization; (5) wildlife/pet business; (6) other business; or (7) private citizen. You may send comments via e-mail to: [part23@fws.gov](mailto:part23@fws.gov). Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption.

Also, please reference in your e-mail message the following information: "IN 1018-AD87"; your name and mailing address; and the category of your comments.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Any person commenting may request that we withhold their name and home address, which we will honor to the extent allowable by law. In some circumstances, we may also withhold a commenter's identity, as allowable by law. If you wish us to withhold your name and address or e-mail address, you must state this request prominently at the beginning of your comments. We will not, however, consider anonymous comments. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. Comments and materials received will be available for public inspection by appointment, from 7:45 a.m. to 4:15 p.m., at the Division of Management Authority (see **ADDRESSES** section).

#### Authority

The authority for this action is 27 U.S.C. 1087 and 16 U.S.C. 1531 *et seq.*

Dated: June 19, 2006.

#### Matt Hogan,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants: Notice of Finding on a Petition To Delist the Morelet's Crocodile From the List of Threatened and Endangered Species

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

**ACTION:** Notice of petition finding.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to delist the Morelet's crocodile (*Crocodylus moreletii*) throughout its range from the Endangered Species Act of 1973, as amended. The Service finds that the petitioner has presented substantial

scientific and commercial information indicating that the action may be warranted. A status review of the species is initiated. We seek comments on the petition or information on status of the species, particularly in Guatemala and Belize.

**DATES:** This finding was made on June 21, 2006. Comments and information may be submitted until September 26, 2006.

**ADDRESSES:** Submit comments, information, and questions to the Chief, Division of Scientific Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 750, Arlington, VA 22203, USA; or by fax (703-358-2276) or by e-mail ([ScientificAuthority@fws.gov](mailto:ScientificAuthority@fws.gov)). Comments and supporting information will be available for public inspection, by appointment, from 8 a.m. to 4 p.m. at the above address.

**FOR FURTHER INFORMATION CONTACT:** Robert R. Gabel, Chief, Division of Scientific Authority at the above address; or by telephone, 703-358-1708; fax, 703-358-2276; or e-mail, [ScientificAuthority@fws.gov](mailto:ScientificAuthority@fws.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4(b)(3)(A) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires the Service to make a finding on whether a petition to list, delist, or reclassify a species has presented substantial scientific or commercial information indicating that the requested action may be warranted. This finding is to be based on all information available to us at the time the finding is made. To the maximum extent practicable, the finding shall be made within 90 days following receipt of the petition (this finding is referred to as the "90-day finding") and published promptly in the **Federal Register**. If the finding is that substantial information was presented indicating that the requested action may be warranted, Section 4(b)(3)(A) of the Act requires the Service to commence a status review of the species if one has not already been initiated under the Service's internal candidate-assessment process.

The Service has made a 90-day finding on a petition to remove from the List of Endangered and Threatened Wildlife (50 CFR 17.11) the Morelet's crocodile (*Crocodylus moreletii*), currently listed as endangered under the Act. The petition was submitted by Mexico's Comisión Nacional para el Conocimiento y Uso de la Biodiversidad (CONABIO; National Commission for the Understanding and Use of

Biodiversity), and was received by the Service on May 26, 2005.

The documents provided by the petitioner to substantiate the petition included: the raw data and results of a recent population survey and a population viability analysis for the Morelet's crocodile in Mexico with extrapolations for Belize and Guatemala; a detailed analysis of the species against the five factors to be considered by the Service in determining whether to add, reclassify, or remove a species from the list of endangered and threatened species, as per Section 4(a)(1) of the Act; a reevaluation of the risk category assignable to the Morelet's crocodile under the current criteria of The World Conservation Union (IUCN); a reevaluation of the current status of the Morelet's crocodile under Mexican law; information on the Mexican legal framework as related to the conservation and sustainable use of the Morelet's crocodile; and information on conservation actions in Mexico that support the improved status of the Morelet's crocodile. Most of the information provided by the petitioner emphasizes Mexican field studies and species management, with little direct information on the species in the other range countries, but 85 percent of the species' range is in Mexico. Thus, the petition represents substantial information for a significant portion of the species' range.

The Morelet's crocodile was listed as endangered throughout its entire range under the predecessor of the Act on June 2, 1970 (35 FR 8495). The species is found naturally along the Atlantic coast of Mexico and northern Central America (*i.e.*, Belize and Guatemala), where it inhabits freshwater habitats such as marshes, swamps, ponds, lagoons, and slow-moving rivers (Ross 1998).

Throughout the Morelet's crocodile's range, modification of wetlands for agriculture, ranching, development, aquaculture, and plague control previously contributed to significant declines in the species during the 1950s and 1960s (Ross 1998). To reduce the overall impact of habitat loss on biodiversity, all three range countries of the Morelet's crocodile have established protected areas, many of which are inhabited by the Morelet's crocodile. In Mexico, approximately 20 protected areas, comprising an area of 51,867 square kilometers, are inhabited by the Morelet's crocodile (CONABIO 2005). Furthermore, using field data and computer models, CONABIO has recently estimated that, in Mexico alone, a little over 200,000 square kilometers of suitable habitat remain