Closing out your permit

**§ 4300.70 May I relinquish my permit?**

Yes. You may relinquish the permit by filing advance written notice with BLM. Your relinquishment will be effective on the date you indicate, as long as it is at least 30 days after the date you file.

**§ 4300.71 Under what circumstances can BLM cancel my permit?**

(a) BLM may cancel the permit if:

(1) BLM issued it improperly through error as to a material fact;

(2) You fail to comply with any of the provisions of the permit or the regulations of this part; or

(3) Disposal, withdrawal, natural causes, such as drought or fire, or any other reason in § 4300.50 so requires.

(b) BLM will not cancel the permit for your default until BLM has notified you in writing of the nature of your default, and you have been given at least 30 days to show why BLM should not cancel your permit.

**§ 4300.72 May I remove my personal property or improvements when the permit expires or terminates?**

(a) Yes. Within 90 days of the expiration or termination of the grazing permit, or within any extension period, you may remove all your personal property and any removable range improvements you own, such as fences, corrals, and buildings.

(b) Property that is not removed within the time allowed will become property of the United States.

Reindeer crossing permits

**§ 4300.80 How can I get a permit to cross reindeer over public lands?**

(a) BLM may issue a crossing permit free of charge when you file an application with BLM at least 30 days before the crossing is to begin. Lands crossed may include lands under a grazing permit.

(b) The application must show:

(1) The number of reindeer to be driven;

(2) The start date;

(3) The approximate period of time required for the crossing; and

(4) The land to be crossed.

(c) You must comply with applicable State and Federal laws on livestock quarantine and sanitation when crossing reindeer on public land.

Trespass

**§ 4300.90 What is a trespass?**

(a) A trespass is any use of Federal land for reindeer grazing purposes without a valid permit issued under the regulations of this part; a trespass is unlawful and is prohibited.

(b) Any person who willfully violates the regulations in this part shall be deemed guilty of a misdemeanor, and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than $500.

[FR Doc. 96–27581 Filed 10–31–96; 8:45 am]

BILLING CODE 4310–84–P

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## Fish and Wildlife Service

## 50 CFR Part 17

**RIN 1018–AC32**

## Endangered and Threatened Wildlife and Plants, Notice of Reopening of Comment Period on Proposed Endangered Status for the Alameda Whipsnake, the Callippe Silverspot Butterfly, and the Behren's Silverspot Butterfly

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

**ACTION:** Proposed Rule, notice of reopening of comment period.

**SUMMARY:** The Fish and Wildlife Service (Service), pursuant to the Endangered Species Act of 1973, as amended (Act), provides notice of reopening of the comment period on proposed endangered status for Alameda whipsnake (*Masticophis lateralis euryxanthus*), the callippe silverspot butterfly (*Speyeria callippe callippe*), and Behren's silverspot butterfly (*Speyeria zerene behrensii*). The comment period has been reopened to acquire additional information from interested parties, and to resume the proposed listing actions.

**DATES:** The public comment period closes December 2, 1996.

Any comments received by the closing date will be considered in the final decision on this proposal.

**ADDRESSES:** Written comments and materials concerning this proposal should be sent directly to the Field Supervisor, Sacramento Field Office, 3310 El Camino Ave., Suite 130, Sacramento, California 95821. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Diane Windham (see ADDRESSES section) at (916) 979–2725.

**SUPPLEMENTARY INFORMATION:**

Background

On February 4, 1994, the Service published a rule proposing endangered status for the Alameda whipsnake, and the callippe silverspot and Behren's silverspot butterflies. The original comment period closed on April 5, 1994.

The Alameda whipsnake occurs in northern coastal scrub, chaparral, and adjacent habitats in the inner coast ranges of western and central Contra Costa and Alameda counties. Five populations of the whipsnake are centered in the (1) Sobrante Ridge, Tilden/Wildcat Regional Parks area to the Briones Hills, in Contra Costa County; (2) Oakland Hills, Anthony Chabot area to Las Trampas Ridge, in Contra Costa County; (3) Hayward Hills, Palomares area to Pleasanton Ridge, in Alameda County; (4) Mount Diablo vicinity and the Black Hills, in Contra Costa County; and (5) Wauhag Ridge, Del Valle area to the Cedar Mountain Ridge, in Alameda County. Little or no genetic flow occurs between these population centers. The whipsnake occurs on State, county, and privately owned lands.

The callippe silverspot butterfly (*Speyeria calippe callippe*) is found in native grassland and adjacent habitats, where it lays its eggs on the dry remains of the larval foodplant, Johnny- jump-up (*Viola pedunculata*), or on surrounding debris. Populations of the callippe silverspot butterfly occur only in the San Francisco Bay area, south of the Golden Gate and Carquinez Straits. The only two known remaining colonies occur on private, county, and State lands on San Bruno Mountain in San Mateo County, and a city park in Alameda County.

The Behren's silverspot butterfly (*Speyeria zerene behrensii*) inhabits coastal terrace prairie habitat where it lays its eggs in the debris and dried stems of the larval foodplant, the western dog violet (*Viola adunca*). The single, extant population occurs on private land near Point Arena in Mendocino County.

These animals, their habitats, and the foodplants of the larval butterflies may be threatened by one or more of the following: commercial and residential development, fire suppression, overcollecting, competition from alien plants, inappropriate grazing levels, off-road vehicle use, trampling by hikers and livestock, and random chance events by virtue of their small numbers, and small, fragmented population sizes.

The Service was unable to make a final listing determination on these species because of a limited budget, other endangered species assignments driven by court orders, and higher listing priorities. In addition, a moratorium on listing actions (Public

Law 104–6), which took effect on April 10, 1995, stipulated that no funds could be used to make final listing or critical habitat determinations. Now that funding has been restored, the Service is proceeding with a final determination for these three animal species.

Due to the length of time that has elapsed since the close of the initial comment period, changing procedural and biological circumstances and the need to review the best scientific information available during the decision-making process, the comment period is being reopened. The Service now believes that the effects of fire suppression, a factor not identified in the proposed rule as a threat to the Alameda whipsnake and its habitat, may be a significant factor in the determination of the final status for the whipsnake. For this reason, the Service particularly seeks information concerning:

(1) the known or potential effects of fire suppression and general fire management practices on the Alameda whipsnake and its habitat.

In addition, the Service seeks information that has become available in the last two years concerning:

(2) other biological, commercial, or other relevant data on any threat (or lack thereof) to any of these species; and

(3) the size, number, or distribution of populations of any of these species.

Written comments may be submitted until December 2, 1996 to the Service office in the **ADDRESSES** section.

## Author

The primary author of this notice is Diane Windham (see **ADDRESSES** section).

## Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: October 25, 1996.

Thomas Dwyer,

*Acting Regional Director, Region 1.*

[FR Doc. 96–28058 Filed 10–31–96; 8:45 am]

**BILLING CODE 4310–55–P**

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## 50 CFR Part 36

**RIN 1018–AD93**

## Regulations for the Administration of Special Use Permits on National Wildlife Refuges in Alaska

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

**ACTION:** Proposed rule.

**SUMMARY:** The Fish and Wildlife Service (Service) proposes these regulations to clarify, update, and add to existing regulations for the administration of all special use permits (permits) on national wildlife refuges (refuges) in Alaska. These regulations are being revised to provide the Service with the necessary regulatory authority to administer the recent changes in the refuges' commercial visitor service programs and to ensure proper and uniform management of all permits on refuges in Alaska.

**DATES:** For written comments to be considered, they must be received by December 31, 1996.

**ADDRESSES:** Comments should be sent to the Regional Director, Attention: Daryle R. Lons, U.S.F.W.S., 1011 Tudor Rd., Anchorage, AK 99503.

**FOR FURTHER INFORMATION CONTACT:** Daryle R. Lons, telephone (907) 786–3354.

**SUPPLEMENTARY INFORMATION:**

## Background

The Alaska National Interest Lands Conservation Act of 1980 (ANILCA, Pub.L. 96–487; 94 Stat. 2371) and the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee) authorize the Secretary of Interior to prescribe regulations as necessary to administer permits for compatible activities on refuges in Alaska.

The current regulations governing issuance of permits on units of the National Wildlife Refuge System in Alaska, codified at 50 CFR 36.41, and originally published in the Federal Register in 1981 (46 FR 40192, August 7, 1981), and were amended in 1986 (51 FR 44794, December 12, 1986). Since then, the permit administration program on refuges in Alaska has continued to evolve and grow in both size and complexity. Although special use permits were issued for a variety of economic and other privileged specialized uses, most permits issued on Alaska Refuges are for commercial visitor service activities involving guide-outfitters.

The primary purpose of the revised regulations is to provide better guidance to Service employees and permittees concerning the administration of commercial visitor service permits on refuges in Alaska. Regulations implementing Section 1307 of ANILCA (see 60 FR 20374–20378, April 25, 1995) are currently being promulgated separately from this rulemaking. The 1307 regulations will establish procedures for granting historical use, Native Corporation, and local preferences in the selection of commercial operators who provide visitor services other than hunting and fishing guiding on refuges in Alaska. The 1307 regulations will supplement these proposed regulations.

Since the original regulations were promulgated, the program has evolved due to significant changes in State of Alaska guiding regulations and programs, increases in commercial visitor services on refuges, and changes in the economic environment of the guiding industry.

The most visible and significant change in the Service's administration of refuge permits in Alaska was caused by the decision of the Alaska Supreme Court in *Owsichek* v. *State Guide Licensing and Control Board,* 763 P. 2 d 488 (Alaska 1988). That ruling overturned as unconstitutional the State of Alaska's (State) system of assigning exclusive big game guide areas. Until that ruling, the Service depended upon the State's system for selecting big game guides for use areas within refuge lands in Alaska. To allow the State an opportunity to develop a constitutionally acceptable system that would meet Service needs, the Service imposed a moratorium on issuance of permits to new big game guide applicants. After a period of operating under this moratorium, it became apparent that the State would not be able to adopt and implement a program for selection of big game guide outfitters which also would satisfy Service requirements and mandates. Therefore, the Service developed its own interim program in order to provide an equal opportunity for all registered big game guide-outfitters to compete for permits to operate on refuges in Alaska. After soliciting public comment on a draft system, and making revisions based on those comments, an interim program was implemented in June 1992. Requests for proposals were then solicited and applicants were notified of selections in January 1993. Successful applicants were awarded 5-year permits effective July 1, 1993.

It appears unlikely the State will be able to implement a suitable competitively-based system for selection of guides to start in time to allow the reissuance of permits in 1998. These revised regulations will provide the proper authority to allow the Service's big game guide permitting program to continue.

Another factor in the evolution of the permit program has been the significant increase in the number of permits being issued by the refuges. Increase in