

U.S. DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

DETERMINATION OF EFFECTS OF RULES

SECTION 1. DESCRIPTION OF RULE

This proposed rule would implement Section 10(j) of the Endangered Species Act, as amended, for the establishment of a nonessential experimental population of the red wolf from donor populations at the Point Defiance Zoo of Tacoma, Washington, to the Alligator River National Wildlife Refuge, Dare County, North Carolina. This action will greatly enhance the recovery potential of the red wolf, a species that is presently extirpated from the wild, by attempting to establish a wild population.

SECTION 2. SEMIANNUAL AGENDA LISTING

This rulemaking action has not yet appeared in the semiannual agenda. However, to delay publication until the October 1986 agenda is published would require postponing the reintroduction for a year.

SECTION 3. PURPOSE

The purpose of this rule is to increase the recovery potential for the red wolf by establishing a wild population within its historic range. The use of an experimental population designation for this reestablished population is to encourage cooperation by North Carolina and the U.S. Air Force in this effort.

SECTION 4. NEED

Red wolves have been extirpated from North Carolina for many years. Available red wolf habitat in North Carolina is located on the Alligator River National Wildlife Refuge. This species is extinct in the wild and cannot be recovered without reintroduction of captive-bred animals into suitable habitat. In addition the State of North Carolina and the U.S. Air Force would be reluctant to accept a population of endangered species on or near lands for which they have legal responsibility without some assurance that presently utilized land management practices would not be disrupted.

SECTION 5. INFORMATION COLLECTION AND RECORDKEEPING REQUIREMENTS

There would be no change in the responsibilities or direct paperwork requirements of individuals and other non-Federal entities as a result of this proposal.

SECTION 6. ECONOMIC EFFECTS

A. Effects on the Economy/Cost or Price Effects:

The red wolf is not expected to enter into commercial production or to compete with any species which is harvested for commercial use. It is not expected to become a game species or to compete with presently taken game species either for a portion of the user day or for a portion of the habitat that supports such species. Incidental take is not expected to occur, but even if such take did occur it would not affect hunting regulations or restrict hunter use days. No increase is expected in the sale of hunting or recreational equipment. No discernable impact upon the economy or price effect is known or expected. Any possible resultant effect is expected to be substantially less than \$100 million. No economic effect is expected on the State of North Carolina with the regulation making no resource demands upon the State and no action by the State is expected as a result of this action.

B. Adverse Effects on Competition, Employment, Investment, Productivity, Innovation, or on the Ability of United States-Based Enterprises to Compete with Foreign-Based Enterprises in Domestic or Export Markets:

The red wolf is not expected to enter into commercial production or to compete for resources that enter into the economy as factors of production.

These findings are made as a result of staff discussions at the Washington and Regional level and the analysis of data supplied by the Regional staff of the Endangered Species and Wildlife Resources programs of the U.S. Fish and Wildlife Service, the North Carolina Wildlife Resources Commission, and the U.S. Air Force.

SECTION 7. SIGNIFICANT ECONOMIC EFFECTS ON A SUBSTANTIAL NUMBER OF SMALL ENTITIES

No significant economic effect is expected upon small entities. The only entities expected to possibly be affected are Dare and Tyrrell Counties, North Carolina, although the regulation will make no resource demand upon the counties and no action by the counties is expected as a result of this proposal. Monitoring the population will be handled by using existing refuge resources and no additional cost will be incurred.

This finding is made as a result of a staff discussions at the Washington and Regional level and analysis of data supplied by the Regional staff of the Endangered Species and Wildlife Resources programs of the U.S. Fish and Wildlife Service and the North Carolina Wildlife Resources Commission.

SECTION 8. DETERMINATION OF "MAJOR" OR "NOT MAJOR" RULE

In accordance with Executive Order 12291, I have determined that the rules described above are not major.

James Williams
Regional Director/Date 4/7/86

Concur: *Frank Dunkel* JUN 13 1986
Director, U.S. Fish and Wildlife Service/Date

SECTION 9. CERTIFICATION OF SIGNIFICANT ECONOMIC EFFECT ON A SUBSTANTIAL NUMBER OF SMALL ENTITIES

In accordance with the Regulatory Flexibility Act, I certify that the rules described above will not have a significant economic effect on a substantial number of small entities.

James Williams
Regional Director/Date 4/7/86

Concur: *Frank Dunkel* JUN 13 1986
Director, U.S. Fish and Wildlife Service/Date

SECTION 10. APPROVING OFFICIAL'S CERTIFICATION

Approve: *[Signature]* Disapprove: _____

Other: _____ Other: _____

Acting

[Signature] 6/24/86
Assistant Secretary for Fish and Wildlife and Parks/Date

SECTION 11. DISTRIBUTION

1. Office of Policy Analysis, PBA *OPA*
2. Division of General Law, SOL
3. Division of Directives and Paperwork Management, PBA *PR*
4. Office of Small and Disadvantaged Business Utilization, OSDBU
5. Chief Council for Advocacy
Room 1010
Small Business Administration
1441 L. Street, NW
Washington, D.C. 20416
Attention: Regulatory Flexibility
6. Financial Management Systems, FMS/DM *IRM/DM*