

procurement rules from \$25,000 to \$100,000, effective October 24, 1983.

9. Pursuant to Section 605(b) of the Regulatory Flexibility Act (Pub. L. 96-345) It is certified, that Sections 603 and 604 of the Act do not apply because this rule will not have a significant economic impact on a substantial number of small entities. See 5 U.S.C. 603, 604, 605(b). As stated above, the rule change is in large part an adjustment for inflation and does not alter the intent of the original rule.

10. It is further ordered, that the Secretary shall cause a copy of this Report and Order to be published in the *Federal Register* and shall mail a copy of this Report and Order to the Chief for Advocacy of the Small Business Administration.

11. It is further ordered, that this rulemaking proceeding is terminated.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 305)

Federal Communications Commission.

William J. Tricarico,

Secretary.

#### Appendix

47 CFR Part 25 is amended to read as set forth below.

Section 25.151 is amended by revising paragraph (a), and § 25.176 is amended by revising paragraph (c) to read as follows:

#### § 25.151 Scope, purpose and application of this subpart.

(a) The value of the procurement is less than \$100,000, except as provided in § 25.176(c).

(c) In addition to complying with the requirements applicable to procurements of \$100,000, or more, all parties making procurements shall cooperate with the Small Business Administration to the extent feasible even if the value of the procurement is less than \$100,000, for the purpose of insuring that small business has an equitable opportunity to participate in all procurements.

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#### 47 CFR Part 97

[PR Docket No. 83-27; RM-4229]

#### Use of Volunteers To Prepare and Administer Operator Examinations in the Amateur Radio Service; Correction.

**AGENCY:** Federal Communication Commission.

**ACTION:** Final rule; correction

**SUMMARY:** This document corrects an FCC Rule regarding Volunteer-Examiner Coordinators (VEC's) in the Amateur Radio Service. This correction is necessary in order to clarify that VEC's will not be required to coordinate amateur radio operator examinations for the Novice Class.

**FOR FURTHER INFORMATION CONTACT:** John J. Borkowski, Private Radio Bureau, Washington, D.C. 20554 (202) 632-4964.

#### Erratum

In the matter of amendment of parts 0, 1 and 97 of the commission's rules to allow the use of volunteers to prepare and administer operator examinations in the Amateur Radio Service; PR Docket No. 83-27, RM-4229.

Released: October 12, 1983.

1. On September 29, 1983, the Commission released a *Report and Order*, FCC 83-433, in the above captioned proceeding. In the *Report and Order*, the Commission amended Parts 0, 1 and 97 of its Rules to allow the use of volunteers to prepare and administer operator examinations in the Amateur Radio Service.

2. At paragraph 9 of the *Report and Order*, the Commission indicated that it was adopting new rules to apply above the Novice Class, while retaining rules recently adopted in another proceeding for the Novice Class. *See Report and Order*, PR Docket No. 82-727, 48 FR 32586 (July 18, 1983). However, paragraph (d) of newly added Section 97.507 of the Rules in the Appendix would appear to require Volunteer-Examiner Coordinators (VEC's) to coordinate examinations for all classes, including the Novice Class. This was not intended.

3. Accordingly, paragraph (d) of Section 97.507 of the Rules in the Appendix is corrected to read as follows:

#### § 97.507 VEC Qualifications.

(d) Agree to coordinate all amateur radio operator examination elements for all amateur radio operator license classes except Novice Class;

Federal Communications Commission.  
William J. Tricarico,  
Secretary.

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#### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; Preparation of Environmental Assessments for Listing Actions under the Endangered Species Act

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

**ACTION:** Rule-related notice.

**SUMMARY:** The Fish and Wildlife Service has determined that Environmental Assessments, as defined by the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to Section 4(a) of the Endangered Species Act of 1973, as amended. These documents will no longer be prepared for such routine actions.

**DATES:** This procedural change became effective on September 21, 1983.

**FOR FURTHER INFORMATION CONTACT:** Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-2771).

#### SUPPLEMENTARY INFORMATION:

#### Background

In the past, the U.S. Fish and Wildlife Service has prepared Environmental Assessments (EA's), as described by the National Environmental Policy Act of 1969 (NEPA), for all Endangered species listing regulations. As of September 21, 1983, the Service has ceased preparing EA's in connection with regulations adopted pursuant to Section 4(a) of the Endangered Species Act of 1973 (ESA), as amended. This procedural change was based on recommendations from the Council on Environmental Quality (CEQ). The Service has accepted CEQ's judgment that Section 4 listing actions are exempt from NEPA review "as a matter of law."

Three other considerations supported the decision to alter procedures.

1. Over the past 10 years the Service had approved approximately 130 EA's in connection with Section 4(a) actions (listings, delistings, reclassifications, and Critical Habitat designations), none of which resulted in a decision to prepare an Environmental Impact Statement (EIS).

2. A decision delivered in a Sixth Circuit Court of Appeals case [*Pacific Legal Foundation v. Andrus*, 657 F. 2d 829 (1981)] found that as a matter of law an Environmental Impact Statement is

not required for listings under the Act. The decision further noted that preparing EIS's on listing actions does not further the goals of NEPA or ESA.

3. The Endangered Species Act Amendments of 1982 further support this action by requiring listing decisions under the Endangered Species Act to be based solely upon biological grounds and not upon consideration of economic or socioeconomic factors.

This notice is being published to inform the public of the Service's action. The Service believes this action will allow better utilization of personnel and fiscal resources and will eliminate the preparation of documents that did not further the goals of either NEPA or ESA. This action will be incorporated in the Departmental NEPA procedures (516DM6, Appendix 1) as soon as practicable.

#### Author

The primary author of this notice is Ms. E. LaVerne Smith, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1975).

Dated: October 13, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 83-28805 Filed 10-24-83; 8:45 am]

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#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Population of Woodland Caribou Found in Washington, Idaho, and Southern British Columbia

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

**ACTION:** Emergency rule.

**SUMMARY:** The Fish and Wildlife Service determines as Endangered the population of woodland caribou (*Rangifer tarandus caribou*), sometimes known as the southern Selkirk Mountain herd, found in extreme northeastern Washington, northern Idaho, and southern British Columbia. This isolated herd is the only population of caribou that still regularly occurs in the conterminous United States. The population has fallen to only about 30 individuals, a level that probably cannot sustain the herd much longer. At least one or two adults and subadults are being lost each year, calf survival is apparently low, and there is evidently no immigration from other herds in Canada. The population is jeopardized

by such factors as poaching, habitat loss to timber harvesting and wildfires, collisions with motor vehicles, and genetic problems through inbreeding. The population was first listed as Endangered through an emergency rule on January 14, 1983. The present rule will reestablish this emergency coverage until a new final rule, providing permanent protection of the Endangered Species Act, can take effect.

**DATE:** The effective date of this rule is October 25, 1983.

**ADDRESS:** The complete file for this rule is available for inspection during normal business hours, by appointment, at the Service's Regional Office, Lloyd 500 Building, Suite 1692, 500 NE Multnomah Street, Portland, Oregon 97232.

**FOR FURTHER INFORMATION CONTACT:** Mr. Sanford R. Wilbur at the above address (503/231-6131 or FTS 429-6131).

#### SUPPLEMENTARY INFORMATION:

##### Background

According to the most recent taxonomic work (Banfield, 1961; Hall, 1981), the reindeer of Eurasia and the caribou of North America belong to a single species, *Rangifer tarandus*. This species is divided into a number of subspecies, among which is the woodland caribou (*Rangifer tarandus caribou*). This subspecies once occupied nearly the entire forested region from southeastern Alaska and British Columbia to Newfoundland and Nova Scotia. In the 48 conterminous States of the United States, the subspecies is known to have occurred in Washington, Idaho, North Dakota, Montana, Minnesota, Wisconsin, Michigan, Vermont, New Hampshire, and Maine. Largely because of killing and habitat alteration by people, indigenous caribou disappeared from New England by about 1908 and from the Great Lakes States by 1940. A few individuals, probably wanderers from Canada, were observed in northeastern Minnesota in 1980-1981 (Mech, Nelson, and Drabik, 1982). There have been scattered reports from northwestern Montana during the last decade (Carlton, 1983), but the animals involved are probably not members of the herd that is the subject of this rule. There are still substantial numbers of woodland caribou in Canada, though populations there have been generally declining.

The only caribou population that is still known to regularly occupy the conterminous United States is found in northern Idaho and northeastern Washington. This population, sometimes called the southern Selkirk Mountain herd, also occurs in southern British Columbia. The total approximate area of

normal utilization is bounded as follows: starting at the point where the Columbia River crosses the Washington-British Columbia border; thence northward along the Columbia River to its confluence with the Kootenay River in British Columbia; thence northeastward along the Kootenay River to its confluence with Kootenay Lake; then southward along Kootenay Lake and the Kootenai River, and across the Idaho-British Columbia border, to the town of Bonners Ferry, Idaho; thence southward along U.S. Highway 95 to the Pend Oreille River; thence westward and northward along the Pend Oreille River, and across the Idaho-Washington State line, to the Washington-British Columbia border; thence westward along the Washington-British Columbia border to the point of beginning.

Early records suggest that in the 19th century, caribou were plentiful in the mountains of northeastern Washington, northern Idaho, northwestern Montana, and adjacent parts of southwestern Canada. As in the case of other big game animals of North America, unrestricted hunting probably led to a major reduction of caribou numbers in this region by 1900. Subsequently, the numerical status of the southern Selkirk herd has not been completely clear. Various estimates, including some of those published by the Service in earlier Federal Register notices on this herd, now appear to have been incorrect. Only since January 1983, after initiation of radio-tracking studies and other survey work funded through the Federal Pittman-Robertson program and section 6 of the Endangered Species Act, has a definitive picture begun to emerge. The estimates by Flinn (1956) and Evans (1960), that there were still about 100 individuals in the population during the 1950's, do seem reasonable. It also is apparent that numbers then continued to decline, but not to as few as 13-20 individuals, as had been previously suggested. In the spring of 1983, an actual count of 26 caribou was obtained, and several other animals were thought to exist. Therefore, it is likely that the herd currently contains about 30 individuals.

In the Federal Register of February 9, 1981 (46 FR 11567-11568), the Service published a notice accepting two petitions to add the southern Selkirk mountain population of woodland caribou to the U.S. List of Endangered and Threatened Wildlife, and announced its intention to issue a proposal to this effect. As further evidence accumulated relative to the precarious status of the population, the Service came to consider it necessary to