

conservation and management, (2) to protect species listed as endangered or threatened, or identified as candidates for listing pursuant to the Endangered Species Act of 1973, (3) to preserve and enhance the water quality of aquatic habitats within the refuge, and (4) to fulfill the international treaty obligations of the United States relating to fish and wildlife.

The refuge is located on the eastern shores of Great Bay. The refuge protects 922 acres of upland, 132 acres of wetlands, and 6.5 miles of Great Bay's shoreline. Wetland habitat types include 64 acres of open (fresh water) impoundments, 37 acres of forested wetlands, and 31 acres of salt marsh. The upland habitat includes 585 acres of hardwood forests interspersed with white pine, red pine, spruce, and fir, 200 acres of open (grasslands) area, and 137 acres of shrub dominate upland.

Waterfowl are commonly seen throughout the year. In 1994 spring waterfowl migration peaked around mid-April with over 300 birds observed. In summer the refuge supports breeding waterfowl. Typically, the fall waterfowl migration is larger than spring. In 1994, fall migration peaked around the end of October with over 900 birds observed. The refuge also supports wintering black ducks when open water is available. With wetland restoration and wetland habitat management, the refuge will be able to attract and support more breeding waterfowl.

Currently, the deer population is being monitored. High deer density and its effect on the habitat is the number one concern of the refuge. Habitat degradation can occur quickly and take many years to overcome. The refuge is constructing deer enclosures to monitor the condition of the habitat. An index of deer use during October and November has begun. A night spot-light count was conducted in 1993 and 1994 to monitor deer populations during these months. The index results show an increase in deer observed from 4.7 deer/night in 1993 to 11.5 deer/night in 1994. The University of New Hampshire is assisting the refuge in developing more detailed data. There is a need for deer harvesting due to the many years the Pease Air Force Base was off-limits to all but military personnel. The hunting of deer was, therefore, quite limited.

Opening the refuge to hunting has been found to be compatible in a separate compatibility determination. The hunting programs will be reviewed, as appropriate, to ensure that sensitive habitats are protected from disturbance. A Section 7 evaluation pursuant to the Endangered Species Act was conducted. The Service determined that the

proposed action will not affect any Federally listed or proposed for listing threatened or endangered species or their critical habitats. Pursuant to the National Environmental Policy Act (NEPA), an environmental assessment was made and a Finding of No Significant Impact (FONSI) was made regarding the hunting programs. Sufficient funds would be available within the refuge unit budget to operate the hunting programs as proposed.

Paperwork Reduction Act

The information collection requirements for Part 32 are found in 50 CFR Part 25 and have been approved by the Office of Management and Budget under Public Law 104-13 and assigned clearance number 1018-0014. The information is being collected to assist the Service in administering these programs in accordance with statutory authorities which require that recreational used be compatible with the primary purposes for which the areas were established. The information requested in the applicable form is required to obtain a benefit.

The public reporting burden for the application form is estimated to average six (6) minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing the form. Direct comments on the burden estimate or any other aspect of this form to the Service Information Collection Officer, U.S. Fish and Wildlife Service, 1849 C Street NW., MS 224 ARLSQ, Washington, DC 20240; and the Office of Management and Budget, Paperwork Reduction Project (1018-0014), Washington, DC 20503.

Economic Effect

This rulemaking was not subject to Office of Management and Budget review under Executive Order 12866. In addition, a review under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) has revealed that the rulemaking would not have a significant effect on a substantial number of small entities, which include businesses, organizations or governmental jurisdictions. While the proposed hunting programs could increase the number of hunting licenses purchased and boost sales of hunting gear, the impact would not be considered significant as other surrounding areas are, also, open to hunting and the addition of the refuge to those areas open for hunting would be only proportionally relevant to small entities. Therefore, this proposed rule would have minimal effect on such entities.

Federalism

This proposed rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Considerations

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), an environmental assessment has been prepared for this opening. Based upon the Environmental Assessment, the Service issued a Finding of No Significant Impact with respect to the opening. A Section 7 evaluation was prepared pursuant to the Endangered Species Act with a finding that the opening will not affect any identified threatened or endangered species or critical habitat. These documents are on file at the offices of the Service, and may be reviewed by making preliminary arrangements with the primary author.

Primary Author. Stephen R. Vehrs, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC, is the primary author of this rulemaking document.

List of Subjects in 50 CFR Part 32

Hunting, Fishing, Reporting and recordkeeping requirements, Wildlife, Wildlife refuges.

Accordingly, Part 32 of chapter I of Title 50 of the *Code of Federal Regulations* is proposed to be amended as set forth below:

PART 32—[AMENDED]

1. The authority citation for Part 32 continues to read as follows:

Authority: 5 U.S.C. 301; 16 U.S.C. 460k, 664, 668dd, and 715i.

§ 32.7 [Amended]

2. Section 32.7 List of refuge units open to hunting and/or fishing is amended to add the alphabetical listing of Great Bay National Wildlife Refuge under the State of New Hampshire.

3. Section 32.48 New Hampshire is added to read as follows:

§ 32.48 New Hampshire.

The following refuge units have been opened to hunting and/or fishing, and are listed in alphabetical order with applicable refuge-specific regulations.