

compatible and consistent with the primary purposes for which the refuge was established. The Service has also determined that there are sufficient funds to administer the fishing program. A brief description of the fishing program is as follows:

Deep Fork National Wildlife Refuge

The legislature of Oklahoma passed H.B. 1904 on May 17, 1990, authorizing the Fish and Wildlife Service (Service) to acquire and develop a national waterfowl refuge in Okmulgee County, Oklahoma. Accordingly, Deep Fork National Wildlife Refuge was established on June 30, 1993, under the authority of the Emergency Wetlands Resources Act of 1986 (P.L. 99-645, 100 Stat. 3582). The refuge acreage totals 6,801 currently; however, an established acquisition boundary will eventually include 16,104 acres. The refuge is located along the Deep Fork River in Oklahoma.

The purposes of the refuge are to contribute to the conservation of the wetlands of the Nation in order to maintain the public benefits they provide and to help fulfill international obligations contained in various migratory bird treaties and conventions (16 U.S.C. § 3901(b)) (Emergency Wetlands Resources Act of 1986).

The Deep Fork National Wildlife Refuge is located in the Deep Fork River Basin, upstream from Eufaula Reservoir. The majority of the area contains palustrine forested wetlands. Numerous sloughs exist along the river channel. Some of the sloughs exceed four feet in depth.

The numerous wetlands along the Deep Fork River are rich in diversity of wildlife. A total of 147 species of birds (8 game and 139 non-game) occur in the bottomland forest and the associated wetlands. The Deep Fork River provides feeding and spawning habitat for a variety of fish native to east central Oklahoma. Channel catfish, blue catfish, flathead catfish, crappie, white bass, and largemouth bass are the most important economically.

Sport fishing was addressed in the environmental assessment for land acquisition as a desirable activity and was listed in the Oklahoma legislation authorizing the Service to establish the refuge. Opening the area to sport fishing will aid in meeting the general refuge objective of wildlife oriented recreation. There is significant demand in the local community for sport fishing, and it is anticipated that there will be approximately 3,500 use-days of sport fishing annually at the refuge.

Bank fishing will be allowed on the refuge year-around. Fishing will be

permitted on the sloughs separated from the river from March 1 through September 30 with pole and line only. Use of firearms is prohibited. The public will be allowed to bank fish along the Deep Fork River within the refuge boundary. They will also be permitted to launch small hand-powered boats or canoes from the bank. Improved boat ramps will not be available. Signs will be placed at major access points showing the fishing regulations. In addition, maps and printed refuge-specific regulations will be available. The refuge views this initial sport fishing program as "interim," as further acquisition within the refuge boundary will require revisions and amendments to the plan in the future.

Species available, but not limited to, include channel catfish, flathead catfish, blue catfish, crappie, white bass, and largemouth bass. The Oklahoma Department of Wildlife Conservation has established daily possession limits and means of taking to protect individual species. Refuge-specific regulations are consistent with state regulations and will be observed on the refuge.

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 uses be compatible with the primary purposes for which the areas were established. The information requested in the application 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 is 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 will not have a significant effect on a substantial number of small entities, which include businesses, organizations or governmental jurisdictions. While the fishing program could increase the fishing licenses purchased and boost sales of fishing gear and tackle, the impact is not as significant as other surrounding areas. Also, opening the refuge to fishing and the addition of the refuge to local fishing waters will be only proportionally relevant to small entities. Therefore, this rule will have minimal effect on such entities.

Federalism

This rule will not have substantial direct effects on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among their various levels. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient Federalism implications to warrant preparing 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 no adverse impact would occur to any identified threatened or endangered species or their habitats.

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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 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 by adding the alphabetical