

pre-burnish test, the water test, and the dynamic emergency brake test of Standard No. 105 are not included in Standard No. 135.

### C. Agency Decision

NHTSA has decided that Standard No. 105 should continue to apply to vehicles with GVWRs between 3,501 kg (7,716 lbs.) and 4,536 kg (10,000 lbs.) for continuity with current requirements. Continuing to require vehicles with a GVWR above 3,500 kg (7,716 lbs.) to comply with Standard No. 105 would provide most of the safety benefits of Standard No. 135, while eliminating the need for possibly significant brake system redesign if such vehicles were required to comply with Standard No. 135. NHTSA believes that, given the relatively low sales volume of these vehicles, redesign of their brake systems would be particularly burdensome and any safety benefits would be limited.

In addition, extending Standard No. 135 to vehicles in the 3,501–4,536 kg weight category would unnecessarily move the standard away from harmonization with its European counterpart, ECE R13–H. Standard No. 135 was established in the first instance pursuant to NHTSA's ongoing efforts to harmonize its passenger car braking standards with international standards, consistent with the agency's statutory mandate to increase motor vehicle safety. By continuing to align the vehicle applicability of Standard No. 135 with the ECE categories M1 and N1, the agency will ensure that future harmonization efforts will be easier to implement. The vehicles to which Standard No. 135 apply will continue to be equivalent to the vehicles covered by ECE categories M1 and N1. Standard No. 105 will continue to apply to trucks, buses, and multipurpose passenger vehicles, the equivalent to ECE categories M2, M3, N2, and N3. NHTSA believes, therefore, that alignment of its standards in that way will facilitate the implementation of future harmonization efforts.

In view of the above, the agency withdraws the rulemaking action that it initiated in its May 1996 NPRM.

**Authority:** 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

Issued on April 20, 1999.

**Ricardo Martinez,**  
Administrator.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 223, 224, and 226

[I.D. 121198A and 033198A]

#### Endangered and Threatened Species; Extension of Comment Period and Notice of Public Hearings on Proposed Designation of Critical Habitat for West Coast Steelhead; Notice of Public Hearings on Proposed De-listing of Umpqua River Cutthroat Trout

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; public hearings and extension of public comment period.

**SUMMARY:** NMFS is extending the public comment period by 60 days and announcing public hearings in California, Washington, Oregon, and Idaho on the proposed designation of critical habitat for nine Evolutionarily Significant Units (ESUs) of west coast steelhead (*Oncorhynchus mykiss*). NMFS is also announcing public hearings on a proposal to de-list the Umpqua River ESU of coastal cutthroat trout (*Oncorhynchus clarki clarki*).

**DATES:** See SUPPLEMENTARY INFORMATION for dates and times of public hearings. The date of written comments on the steelhead proposed critical habitat designation is extended from May 6, 1999 to July 5, 1999. Comments on both the listing and de-listing proposals are due by July 6, 1999.

**ADDRESSES:** See SUPPLEMENTARY INFORMATION for locations of public hearings. Written comments on the proposed rules and requests for reference materials should be sent to Chief, Protected Species Division, NMFS, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737.

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, (503) 231-2005, Craig Wingert, (562) 980-4021, or Chris Mobley (301) 713-1401. Copies of the **Federal Register** documents cited herein and additional salmon-related materials are available via the Internet at [www.nwr.noaa.gov](http://www.nwr.noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 5, 1999 (64 FR 5740), NMFS issued a proposed rule to designate critical habitat for nine ESUs of west coast steelhead listed as threatened or endangered under the

Endangered Species Act (ESA) (62 FR 43937, August 18, 1997; 63 FR 13347, March 19, 1998; 64 FR 14517, March 25, 1999). Proposed critical habitat for all nine ESUs is the current freshwater and estuarine range (including all waterways, substrates, and adjacent riparian zones) below longstanding, naturally impassable barriers (i.e., natural waterfalls in existence for at least several hundred years) and several dams that block access to former anadromous habitats. Since the proposed designation, NMFS has received several requests for public hearings in affected communities within the range of the nine ESUs and is now announcing the dates and locations of these hearings. In addition, the agency is extending the May 6, 1999 comment period deadline by 60 days to allow additional time for public hearings and subsequent public responses to those hearings. Hence, July 5, 1999, is the new deadline for submitting written comments on the steelhead proposed critical habitat designation.

Also, on April 5, 1999, NMFS published a proposed rule to list one ESU of coastal cutthroat trout (Southwestern Washington/Columbia River) as a threatened species under the ESA and to de-list another ESU (Umpqua River) previously listed as an endangered species (64 FR 16397). The agency has received a request for a hearing on the latter proposal but none on the former. Therefore, NMFS is also announcing public hearings on the Umpqua River proposed de-listing; comments on both the listing and de-listing proposals are due by July 6, 1999.

##### Public Hearings

NMFS is soliciting specific information, comments, data, and/or recommendations on any aspect of these proposals from all concerned parties. Public hearings provide an additional opportunity for the public to give comments and to permit an exchange of information and opinion among interested parties. Department of Commerce ESA implementing regulations state that the Secretary of Commerce "shall promptly hold at least one public hearing if any person so requests within 45 days of publication of a proposed regulation to list...species" (50 CFR 424.16 (c)(3)). NMFS has received several requests for public hearings in the areas affected by the proposals and has made every effort to accommodate the specific requests. While the agency was unable to hold hearings at every site requested, the locations selected should be reasonably accessible to most interested parties. The public will have the opportunity to

provide oral and written testimony at the scheduled public hearings.

Interested parties unable to attend the public hearings are encouraged to send comments to NMFS (see ADDRESSES).

The agency will consider all information, comments, and recommendations received before reaching a final decision on these listing and critical habitat proposals. Public hearings will be held as follows:

*Public Hearings Regarding Steelhead Critical Habitat*

1. Tuesday, May 11, 1999, 6:30 p.m. to 9:00 p.m., DoubleTree Hotel/Redding, 1830 Hilltop Drive, Redding, California.

2. Wednesday, May 12, 1999, 6:30 p.m. to 9:00 p.m., The Heritage Hotel and Convention Center (formerly The Beverly Garland Hotel), 1780 Tribute Road, Sacramento, California.

3. Thursday, May 13, 1999, 6:30 p.m. to 9:00 p.m., Modesto Irrigation District, 1231 11th Street, Modesto, California.

4. Tuesday, May 18, 1999, 6:30 p.m. to 9:00 p.m., DoubleTree Hotel Sonoma County; One DoubleTree Drive, Rohnert Park, California.

5. Wednesday, May 19, 1999, 6:30 p.m. to 9:00 p.m., Monterey Beach Hotel; 2600 Sand Dunes Drive, Monterey, California.

6. Thursday, May 20, 1999, 6:30 p.m. to 9:00 p.m., Fess Parker's Doubletree Resort; 633 East Cabrillo Boulevard, Santa Barbara, California.

7. Tuesday, May 25, 1999, 6:30 p.m. to 9:00 p.m., Umpqua Discovery Center, 409 Riverfront Way, Reedsport, Oregon.

8. Wednesday, May 26, 1999, 6:30 p.m. to 9:00 p.m., Douglas County Courthouse, Room 216, 1036 SE Douglas Avenue, Roseburg, Oregon.

9. Thursday, May 27, 1999, 6:30 p.m. to 9:00 p.m., Eugene City Hall, Council Chambers, 777 Pearl Street, Eugene, Oregon.

10. Tuesday, June 1, 1999, 6:30 p.m. to 9:00 p.m., Chelan Center, 317 East Johnson, Chelan, Washington.

11. Wednesday, June 2, 1999, 6:30 p.m. to 9:00 p.m., Yakima County Courthouse, Room 420, 128 North 2nd Street, Yakima, Washington.

12. Thursday, June 3, 1999, 6:30 p.m. to 9:00 p.m., Lewiston Community Center, 1424 Main Street, Lewiston, Idaho.

13. Friday, June 4, 1999, 6:30 p.m. to 9:00 p.m., Natural Resource Center, Bureau of Land Management, 1387 South Binnell Way, Boise, Idaho.

14. Monday, June 7, 1999, 6:30 p.m. to 9:00 p.m., Metro Regional Center,

Council Chamber, 600 NE Grand Avenue, Portland, Oregon.

15. Thursday, June 10, 1999, 6:30 p.m. to 9:00 p.m., Wasco County Courthouse, 511 Washington Street, Courtroom 301, The Dalles, Oregon.

*Public Hearings Regarding Umpqua River Cutthroat Trout Proposal*

1. Tuesday, May 25, 1999, 6:30 p.m. to 9:00 p.m., Umpqua Discovery Center, 409 Riverfront Way, Reedsport, Oregon.

2. Wednesday, May 26, 1999, 6:30 p.m. to 9:00 p.m., Douglas County Courthouse, Room 216, 1036 SE Douglas Avenue, Roseburg, Oregon.

**Special Accommodations**

These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other aids should be directed to Garth Griffin or Craig Wingert (see ADDRESSES) by 7 days prior to each meeting date.

Dated: April 20, 1999.

**Hilda Diaz-Soltero,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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