

(iv) *Location: 100-Yard Zone.* All waters of Jamaica Bay within approximately 100 yards of John F. Kennedy Airport bound by the following points: Onshore east of Bergen Basin, Queens in approximate position 40°38'49.0" N, 073°49'09.1" W, thence to 40°38'45.1" N, 073°49'11.6" W, thence to 40°38'02.0" N, 073°47'31.8" W, thence to 40°37'52.3" N, 073°47'55.0" W, thence to 40°37'50.3" N, 073°47'53.5" W, thence to 40°38'00.8" N, 073°47'29.4" W, thence to 40°37'47.4" N, 073°47'02.4" W, thence to 40°37'19.9" N, 073°47'25.0" W, thence to 40°37'10.0" N, 073°47'03.7" W, thence to 40°37'37.7" N, 073°46'41.2" W, thence to 40°37'22.6" N, 073°46'21.9" W, thence to 40°37'05.7" N, 073°46'34.9" W, thence to 40°36'54.8" N, 073°46'26.7" W, thence to 40°37'14.1" N, 073°46'10.8" W, thence to 40°37'40.0" N, 073°45'55.6" W, thence to 40°38'02.8" N, 073°44'57.5" W, thence to 40°38'05.1" N, 073°45'00.3" W, (NAD 1983) thence along the shoreline to the point of origin.

(v) *Enforcement period.* The zones described in paragraphs (a)(8) of this section will be effective at all times. When port security conditions permit, the Captain of the Port will allow vessels to operate within that portion of the waters described in paragraph (a)(8)(iii) that lies outside of the waters described in paragraph (a)(8)(iv). Authorization to enter the waters that lie between the outer boundaries of the zones described in paragraphs (a)(8)(iii) and (a)(8)(iv) will be communicated by the Captain of the Port to the public by marine broadcast, local notice to mariners, or notice posted at <http://www.harborops.com>.

(9) *NYPD Ammunition Depot, Rodman Neck, Eastchester Bay, NY.* (i) *Location: 150-Yard Zone.* All waters of Eastchester Bay within approximately 150 yards of Rodman Neck bound by the following points: Onshore in approximate position 40°51'30.4" N, 073°48'14.9" W, thence to 40°51'29.9" N, 073°48'20.7" W, thence to 40°51'16.9" N, 073°48'22.5" W, thence to 40°51'07.5" N, 073°48'18.7" W, thence to 40°50'54.2" N, 073°48'11.1" W, thence to 40°50'48.5" N, 073°48'04.6" W, thence to 40°50'49.2" N, 073°47'56.5" W, thence to 40°51'03.6" N, 073°47'47.3" W, thence to 40°51'15.7" N, 073°47'46.8" W, thence to 40°51'23.5" N, 073°47'41.9" W, (NAD 1983) thence southwesterly along the shoreline to the point of origin.

(ii) *Location: 100-Yard Zone.* All waters of Eastchester Bay within approximately 100 yards of Rodman Neck bound by the following points: Onshore in approximate position 40°51'30.4" N, 073°48'14.9" W, thence to 40°51'30.1" N, 073°48'19.0" W, thence to 40°51'16.8" N, 073°48'20.5" W, thence to

40°51'07.9" N, 073°48'16.8" W, thence to 40°50'54.9" N, 073°48'09.0" W, thence to 40°50'49.7" N, 073°48'03.6" W, thence to 40°50'50.1" N, 073°47'57.9" W, thence to 40°51'04.6" N, 073°47'48.9" W, thence to 40°51'15.9" N, 073°47'48.4" W, thence to 40°51'23.5" N, 073°47'41.9" W, (NAD 1983) thence southwesterly along the shoreline to the point of origin.

(iii) *Enforcement period.* The zones described in paragraph (a)(9) of this section will be effective at all times. When port security conditions permit, the Captain of the Port will allow vessels to operate within that portion of the waters described in paragraph (a)(9)(i) that lies outside of the waters described in paragraph (a)(9)(ii). Authorization to enter the waters that lie between the outer boundaries of the zones described in paragraphs (a)(9)(i) and (a)(9)(ii) will be communicated by the Captain of the Port to the public by marine broadcast, local notice to mariners, or notice posted at <http://www.harborops.com>.

(10) *Port Newark/Port Elizabeth, Newark Bay, NJ.* All waters of Newark Bay bound by the following points: 40°41'49.9" N, 074°07'32.2" W, thence to 40°41'46.5" N, 074°07'20.4" W, thence to 40°41'10.7" N, 074°07'45.9" W, thence to 40°40'54.3" N, 074°07'55.7" W, thence to 40°40'36.2" N, 074°08'03.8" W, thence to 40°40'29.1" N, 074°08'06.3" W, thence to 40°40'21.9" N, 074°08'10.0" W, thence to 40°39'27.9" N, 074°08'43.6" W, thence to 40°39'21.5" N, 074°08'50.1" W, thence to 40°39'21.5" N, 074°09'54.3" W, (NAD 1983) thence northerly along the shoreline to the point of origin.

(11) *Global Marine Terminal, Upper New York Bay.* All waters of Upper New York Bay between the Global Marine and Military Ocean Terminals, west of the New Jersey Pierhead Channel.

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Dated: July 14, 2003.

C.E. Bone,

Captain, U.S. Coast Guard, Captain of the Port, New York.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants: Reconsidered Finding for an Amended Petition To List the Westslope Cutthroat Trout as Threatened Throughout Its Range

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: We, the Fish and Wildlife Service (Service), announce our reconsidered 12-month finding for an amended petition to list the westslope cutthroat trout (WCT) (*Oncorhynchus clarki lewisi*) as a threatened species throughout its range in the United States, pursuant to a Court order and the Endangered Species Act (Act) of 1973, as amended. After a thorough review of all available scientific and commercial information, we find that listing the WCT as either threatened or endangered is not warranted at this time. Also pursuant to the Court order, we assert our scientifically-based conclusion about the extent to which it is appropriate to include "hybrid" WCT populations and populations of unknown genetic characteristics in the taxonomic group that we considered for listing.

DATES: The finding announced in this document was made on August 1, 2003.

ADDRESSES: Data, information, comments, or questions regarding this document should be sent to the Chief, Branch of Native Fishes Management, U.S. Fish and Wildlife Service, Montana Fish and Wildlife Management Assistance Office, 4052 Bridger Canyon Road, Bozeman, Montana 59715. The complete administrative file for this finding is available for inspection, by appointment and during normal business hours, at the above address. The new petition finding, the status update report for WCT, the amended petition and its bibliography, our initial status review document and petition finding, related **Federal Register** notices, the Court Order and Judgement and Memorandum Opinion, and other pertinent information, may be obtained at our Internet Web site: <http://mountain-prairie.fws.gov/endspp/fish/wct/>.

FOR FURTHER INFORMATION CONTACT:

Lynn R. Kaeding, by e-mail (Lynn_Kaeding@fws.gov) or telephone (406-582-0717).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(B) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires that within 90 days of receipt of the petition, to the maximum extent practicable, we make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information indicating that the requested action may be warranted. The term "species" includes any subspecies of fish or wildlife or plants,