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Wednesday  
October 29, 1997

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**Part X**

**Department of the  
Interior**

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Semiannual Regulatory Agenda

**DEPARTMENT OF THE INTERIOR (DOI)**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**25 CFR Ch. I**

**30 CFR Chs. II and VII**

**36 CFR Ch. I**

**43 CFR Subtitle A, Chs. I and II**

**48 CFR Ch. 14**

**50 CFR Chs. I and IV**

**Semiannual Regulatory Agenda**

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This notice provides the semiannual agenda of rules scheduled for review or development between October 1997 and April 1998. An

agenda is required by the Regulatory Flexibility Act and Executive Order 12866.

**ADDRESSES:** Unless otherwise indicated, all agency contacts are located at the Department of the Interior, 1849 C Street NW., Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** All comments and inquiries with regard to these rules should be directed to the appropriate agency contact. General comments relating to the agenda should be directed to the Office of Executive Secretariat, Department of the Interior, at the address above or on 202-208-5271.

**SUPPLEMENTARY INFORMATION:** With this publication, the Department satisfies the requirement of Executive Order 12866 that the Department publish an agenda of rules that have been issued or are expected to be issued and of currently effective rules that are scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that an agenda be published in April and October of each year identifying rules that will have significant economic effects on a substantial number of small entities. Rules that will have such effects are specifically identified in the agenda.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of today's **Federal Register**. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference that directs the reader to the appropriate Sequence Number in Part II.

**Dated:** August 15, 1997.

**Richard A. Stephan,**  
*Federal Register Liaison Officer.*

**Assistant Secretary for Policy, Management and Budget—Proposed Rule Stage**

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1498	Principles of Ethical Conduct .....	1090-AA38
1499	Records and Testimony; Freedom of Information Act .....	1090-AA61
1500	Nondiscrimination on the Basis of Sex in Federally Assisted Education Programs or Activities .....	1090-AA64

**Assistant Secretary for Policy, Management and Budget—Final Rule Stage**

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1501	Administrative Requirements for Grantees To Reflect Single Audit Act Amendments .....	1090-AA62
1502	General Rules Relating to Procedures and Practice; Effect of Decision Pending Appeal .....	1090-AA63
1503	Department of the Interior Acquisition Regulation; Foreign Acquisitions .....	1090-AA65

**Assistant Secretary for Policy, Management and Budget—Long-Term Actions**

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1504	Revised Statute 2477 Rights-of-Way .....	1090-AA44

**Assistant Secretary for Policy, Management and Budget—Completed Actions**

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1507	Individual Indian Money Accounts .....	1035-AA02
1508	Appealing Administrative Actions of the Office of the Special Trustee .....	1035-AA03

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1510	Export of Appendix I Specimens That Were Bred for Commercial Purposes .....	1018-AD64
1511	Reclassification of Yacare Caiman From Endangered to Threatened With Special Rule .....	1018-AD67
1512	Migratory Bird Hunting: Regulations Regarding Prohibition Against Artificially Altering/Manipulating Natural Vegetation in Moist Areas To Attract Waterfowl .....	1018-AD74
1513	Federal Aid in Sport Fish Restoration Program Participation for District of Columbia and Insular Territories and Commonwealths .....	1018-AD83
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1515	Rescission of Administrative Procedures for Grants in Aid (Marine Mammal Protection Act of 1972) .....	1018-AD92
1516	Endangered and Threatened Wildlife and Plants; Proposed Reintroduction of a Nonessential Experimental Population of Grizzly Bears in Idaho and Montana .....	1018-AE00
1517	Proposed Special Rule With the Reclassification of the Vicuna From Endangered to Threatened .....	1018-AE04
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1521	Revisions to the Federal Aid Administrative Requirements .....	1018-AE17
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1524	Exportation of Marine Mammal Products for Cultural Exchange .....	1018-AE33
1525	Injurious Wildlife; Addition of Brush-Tailed Possum .....	1018-AE34
1526	Migratory Bird Hunting; Temporary Approval of Tungsten-Polymer Shot as Non-Toxic for 1998-99 Season .....	1018-AE35

United States Fish and Wildlife Service—Final Rule Stage

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1532	Standards for the Humane and Healthful Transport of Wild Reptiles and Amphibians to the United States .....	1018-AD98
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1534	Announcement of CITES Action Concerning Changes to Appendices to Listed Species; Service Announcement Concerning Reservations .....	1018-AE16
1535	Regulations for Administrative and Visitor Facility Sites on National Wildlife Refuges .....	1018-AE21

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1559	Endangered and Threatened Wildlife and Plants: Critical Habitat Designation for the Western Snowy Plover .....	1018-AD10
1560	Endangered and Threatened Wildlife and Plants: U.S. Populations of Atlantic Salmon .....	1018-AD12
1561	Endangered and Threatened Wildlife and Plants: Two San Francisco Marsh Plants .....	1018-AD14
1562	Marine Mammal Protection Act; Unintentional Take of Marine Mammals by Harassment Only in Activities Other Than Commercial Fishing .....	1018-AD18
1563	Marine Mammal Protection Act; Measures to Safely Deter Marine Mammals, Including Threatened and Endangered Marine Mammals .....	1018-AD19
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1579	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population of Ten Freshwater Mussels in Holston River System in TN and VA .....	1018-AE01
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1581	Proposed Approval of Selected State Programs Allowing the Export of Ginseng Harvested in 1997-1999 .....	1018-AE03
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1583	Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for Blackburn's Sphinx Moth from the Hawaiian Islands .....	1018-AE20
1584	Endangered and Threatened Wildlife and Plants; Proposed Status for Ten Plant Taxa from Maui Nui, Hawaii .....	1018-AE22
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1590	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Plant Keck's Sidalcea from Tulare County, California .....	1018-AE30
1591	Endangered and Threatened Wildlife and Plants; Proposed Rule to List the Illinois Cave Amphipod as Endangered .....	1018-AE31
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1596	Endangered and Threatened Wildlife and Plants: Jaguar .....	1018-AC61
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1608	Disposition of Surplus Range Animals .....	1018-AD75
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1612	1997 Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) Contest .....	1018-AE07
1613	Migratory Bird Hunting: Temporary Approval of Tungsten-Iron Shot as Nontoxic for 1997-98 Season .....	1018-AE09
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1615	Migratory Bird Harvest Information Program—Participating States for the 1997-98 Season .....	1018-AE13
1616	Migratory Bird Hunting: Proposed 1997-98 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals .....	1018-AE14
1617	1997-98 Refuge Specific Regulations .....	1018-AE18
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1630	Shenandoah National Park: Backcountry and Fishing Regulations .....	1024-AC33
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1635	Big Cypress National Preserve; Recreational Frogging .....	1024-AC54
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1645	Leasing Restricted Lands of Members of the Five Civilized Tribes, Oklahoma, for Mining .....	1076-AD33
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1751	Disposal of Reserved Minerals Under the Stock Raising Homestead Act .....	1004-AC59
1752	Land Withdrawals .....	1004-AC63
1753	Cost Recovery; Mineral Filings and Operations .....	1004-AC64
1754	Grazing Administration; Alaska; Livestock .....	1004-AC70
1755	Rights-of-Way Under the Mineral Leasing Act .....	1004-AC74
1756	Use; Rights-of-Way .....	1004-AC75
1757	Railroad Grants .....	1004-AC76
1758	Land Classification .....	1004-AC78
1759	Conveyances, Disclaimers, and Correction Documents .....	1004-AC82
1760	Application Procedures .....	1004-AC83
1761	Segregation and Opening of Lands .....	1004-AC84
1762	Oil and Gas Leasing and Operations ( <b>Reg Plan Seq. No. 61</b> ) .....	1004-AC94
1763	Appeals Procedures; Hearings Procedures .....	1004-AC99
1764	Color of Title and Omitted Lands .....	1004-AD00
1765	Paleontological Resources .....	1004-AD03
1766	Geothermal Resource Unit Agreement .....	1004-AD10
1767	Coal Management .....	1004-AD11
1768	Oil and Gas Leasing; National Petroleum Reserve, Alaska— Transfers, Extensions, and Consolidations .....	1004-AD13
1769	Authorities/Mission Statement .....	1004-AD15
1770	Assignments .....	1004-AD17
1771	Qualifications .....	1004-AD18
1772	BLM Insignia .....	1004-AD20
1773	Surface Management (Locatable Minerals) ( <b>Reg Plan Seq. No. 62</b> ) .....	1004-AD22
1774	Financial Assistance; Local Governments .....	1004-AD23
1775	Helium Contracts .....	1004-AD24
1776	Use Authorizations (Recreation) .....	1004-AD25
1777	Advisory Committees .....	1004-AD26
1778	Coal Management: General (Public Participation) .....	1004-AD27

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1779	Public Availability of Minerals Resources Information .....	1004-AB55
1780	Management of Designated Wilderness Area .....	1004-AB69
1781	Coalbed Methane Development .....	1004-AC27
1782	Management of Solid Minerals Other Than Coal .....	1004-AC49

## DOI

## Bureau of Land Management—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1783	Special Areas; State Irrigation Districts .....	1004-AC53
1784	State Exchanges; National Park System Exchanges; Wildlife Refuge Exchanges; Miscellaneous Exchanges .....	1004-AC58
1785	Mineral Materials Disposal .....	1004-AC68
1786	State Grants .....	1004-AC71
1787	Definitions .....	1004-AC73
1788	Indian Allotments .....	1004-AC77
1789	Carey Act Grants .....	1004-AC80
1790	Wild and Scenic Rivers .....	1004-AC87
1791	Patent Preparation and Issuance .....	1004-AC88
1792	Reclamation/Townsites .....	1004-AC91
1793	Sustained Yield Forest Units .....	1004-AC93
1794	National Forest Exchanges .....	1004-AC97
1795	Gifts; Acquisition of Lands or Interest in Lands by Purchase or Condemnation .....	1004-AC98
1796	Mining Claims Under the General Mining Laws .....	1004-AD05
1797	Grazing Administration: Alaska; Reindeer .....	1004-AD06
1798	Geothermal Resources Leasing .....	1004-AD08
1799	Logical Mining Units: General; LMU Application Procedures; LMU Approval Criteria; LMU Diligence; Administration of LMU Operations .....	1004-AD12

## Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1800	Sales—Federal Land Policy and Management Act .....	1004-AB77
1801	Alaska Native Selections .....	1004-AC72
1802	Planning, Programming, and Budgeting .....	1004-AC86

## Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1803	Tramroads and Logging Roads .....	1004-AC24
1804	Emergency Fire and Disaster Rehabilitation .....	1004-AC36
1805	Bodie Bowl, California: Surface Management .....	1004-AC60
1806	Protection, Management, and Control of Wild Free-Roaming Horses and Burros; Private Maintenance; Adoption Fees .....	1004-AC61
1807	Non-Mineral Entry on Mineral Land .....	1004-AC65
1808	Public Land Records .....	1004-AC81
1809	Equitable Adjudication .....	1004-AC89
1810	Free Use of Timber .....	1004-AC92
1811	Special Resource Values; Shore Space .....	1004-AD01
1812	Wildlife Management .....	1004-AD02
1813	Delegation of Authority, Cooperative Agreements and Contracts for Oil and Gas Inspection .....	1004-AD09
1814	National Petroleum Reserve in Alaska .....	1004-AD14
1815	Bonding .....	1004-AD16
1816	Application Procedures .....	1004-AD19

## Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1817	Transportation and Utility Systems In and Across, and Access Into, Conservation System Units in Alaska .....	1093-AA07

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Assistant Secretary for Policy, Management and Budget (ASPMB)**

**Proposed Rule Stage**

**1497. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES**

**Priority:** Other Significant

**Legal Authority:** 42 USC 9651(c)

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called "type B" procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment Period End	09/16/96	
NPRM	05/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Willie R. Taylor, Director, Office of Environmental Policy and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 2340, MIB, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3891

**RIN:** 1090-AA29

**1498. PRINCIPLES OF ETHICAL CONDUCT**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 7301; 5 USC app (Ethics Reform Act of 1989); EO 12731

**CFR Citation:** 5 CFR 3501

**Legal Deadline:** None

**Abstract:** The U.S. Office of Government Ethics (OGE) has issued new standards of conduct regulations. The Department of the Interior (DOI) is preparing special conduct regulations (applies only to DOI employees) to supplement OGE's new standards of conduct. Interior's supplemental regulations, if approved by OGE, will be codified in 5 CFR part 3501.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** On June 10, 1993, the Department published a final rule that removed portions of 43 CFR 20 that have been superseded by Standards of Conduct regulations issued by the U.S. Office of Government Ethics (OGE). The remaining regulations in 43 CFR 20 are preserved until they can be recodified in 5 CFR 3501 on or before February 3, 1994. OGE recently extended this date until February 3, 1995. Draft proposed supplemental regulations have been submitted to OGE and it has agreed to extend the recodification deadline for the Department.

**Agency Contact:** Mason Tsai, Deputy Ethics Program Coordinator, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-5916

**RIN:** 1090-AA38

**1499. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 552 Freedom of Information Act

**CFR Citation:** 43 CFR 2

**Legal Deadline:** Final, Statutory, October 2, 1997.

**Abstract:** 43 CFR part 2, subparts A and B, are being revised in their entirety to reflect the provisions of the new FOIA law, "Electronic FOIA Amendments of 1996," Pub. L. 104-231, the recommendations of the National Performance Review lab, and other changes as necessary.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Alexandra Mallus, DOI FOIA Officer (OIRM), Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., MS 5312, MIB, Washington, DC 20240  
 Phone: 202 208-5342  
 Fax: 202 501-2360  
 Email: alexandra\_mallus@ios.doi.gov

**RIN:** 1090-AA61

**1500. • NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS OR ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 92-318; PL 93-568, sec 3; 20 USC 1681; 20 USC 1682; 20 USC 1683; 20 USC 1685; 20 USC 1686

**CFR Citation:** 43 CFR 17, subpart D

**Legal Deadline:** None

**Abstract:** The purpose of this regulatory action is to proscribe discrimination on the basis of sex in federally assisted education programs or activities of the Department of the Interior.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Melvin C. Fowler, Civil Rights Staff Assistant, Department of the Interior, Assistant Secretary for

**DOI—ASPMB**

**Proposed Rule Stage**

Policy, Management and Budget, Office for Equal Opportunity, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3455

Fax: 202 219-2184  
**RIN:** 1090-AA64

**DEPARTMENT OF THE INTERIOR (DOI)**

**Final Rule Stage**

**Assistant Secretary for Policy, Management and Budget (ASPMB)**

**1501. • ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS**

**Priority:** Info./Admin./Other

**Legal Authority:** 5 USC 301; 31 USC 6101 note; 31 USC 7501; 41 USC 252a; 41 USC 701 et seq; PL 104-206, sec 501; PL 104-208, sec 307; EO 12549; EO 12674; EO 12689; EO 12731; OMB Circular A-102; OMB Circular A-110; OMB Circular A-133

**CFR Citation:** 43 CFR 12

**Legal Deadline:** None

**Abstract:** This rule will remove the reference to OMB Circular A-128, "Audit Requirements for State and Local Governments," in several subparts. OMB Circular A-128 will be rescinded upon publication of the final revision to OMB Circular A-133, which will replace it.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/29/97	62 FR 45937
Interim Final Rule Effective	09/29/97	
Interim Final Rule Comment Period End	10/28/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Debra E. Sonderman, Director, Procurement and Property Management Systems, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3336  
 Fax: 202 219-4244  
 Email: debra\_sonderman@ios.doi.gov  
**RIN:** 1090-AA62

**1502. • GENERAL RULES RELATING TO PROCEDURES AND PRACTICE; EFFECT OF DECISION PENDING APPEAL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** RS 2478, as amended; 43 USC 1201

**CFR Citation:** 43 CFR 4.21

**Legal Deadline:** None

**Abstract:** The Office of Hearings and Appeals is proposing to amend its rules to provide that except as otherwise provided by law or other regulation, a decision will be stayed, if it is appealed, until there is a dispositive decision on appeal.

**Timetable:**

Action	Date	FR Cite
NPRM	08/28/97	62 FR 45606
NPRM Comment Period End	12/02/97	62 FR 51822
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James L. Byrnes, Chief Administrative Judge, Interior Board of Land Appeals, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203  
 Phone: 703 235-3750

**RIN:** 1090-AA63

**1503. • DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION; FOREIGN ACQUISITIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 63 Stat 390, sec 205(c); 40 USC 486(c); 5 USC 301; PL 103-355

**CFR Citation:** 48 CFR 1401.105; 48 CFR 1425; 48 CFR 1452.225-70

**Legal Deadline:** None

**Abstract:** Under the auspices of the National Performance Review, the Department conducted a thorough review of the DIAR. The reviewers determined that only a few DIAR sections required codification in the CFR. This action will remove from 48 CFR chapter 14 part 1425 and clause 1452.225-70. This action will also remove one segment from section 1401.105 as it is now part of the Federal Acquisition Regulation.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Mary L. McGarvey, Procurement Analyst, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., MS 5512, Washington, DC 20240  
 Phone: 202 208-3158  
 Fax: 202 219-4244  
 Email: mary\_mcgarvey@ios.doi.gov

**RIN:** 1090-AA65

**DEPARTMENT OF THE INTERIOR (DOI)**

**Long-Term Actions**

**Assistant Secretary for Policy, Management and Budget (ASPMB)**

**1504. REVISED STATUTE 2477 RIGHTS-OF-WAY**

**Priority:** Other Significant

**Legal Authority:** 43 USC 1201; 43 USC 1732(b); 43 USC 1740; 43 USC 1457; 43 USC 1782(c); 16 USC 668dd; 16 USC 460k-3; 16 USC 1 to 4

**CFR Citation:** 43 CFR 39

**Legal Deadline:** None

**Abstract:** This proposed rule would implement the Secretary of the Interior's June 1, 1993, recommendation to Congress that the Department promulgate regulations addressing rights-of-way pursuant to R.S. 2477 across lands now administered by the Bureau of Land Management, the

National Park Service, and the U.S. Fish and Wildlife Service. R.S. 2477--a provision adopted in 1866 that granted a right-of-way for the construction of highways across public land not reserved for public uses--was repealed in 1976, but valid existing rights-of-way were not terminated. This proposed rule is intended to clarify the meaning of the statute and provide a workable administrative process and standards for recognizing valid claims.

**Timetable:**

Action	Date	FR Cite
NPRM	08/01/94	59 FR 39216
NPRM Comment	08/01/95	60 FR 4135
Period End		
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**Additional Information:** Congress provided in the Department's appropriation act that final regulations cannot take effect unless "expressly authorized by an Act of Congress" subsequent to the enactment of the appropriation. Pub. L. 104-208, 108, 110 Stat. 3009 (1996).

**Agency Contact:** Ron Montagna, Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7782

**RIN:** 1090-AA44

**DEPARTMENT OF THE INTERIOR (DOI)**

**Completed Actions**

**Assistant Secretary for Policy, Management and Budget (ASPMB)**

**1505. DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION SYSTEM**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 48 CFR 1401

**Completed:**

Reason	Date	FR Cite
Final Action	04/14/97	62 FR 18053
Final Action Effective	05/14/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Mary L. McGarvey  
Phone: 202 208-3158  
Fax: 202 208-6301  
Email: mary\_mcgarvey@ios.doi.gov

**RIN:** 1090-AA60

**BILLING CODE** 4310-RK-F

**DEPARTMENT OF THE INTERIOR (DOI)**

**Proposed Rule Stage**

**Office of the Special Trustee (OST)**

**1506. SPECIAL DEPOSITS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2; 25 USC 9; PL 97-100; PL 97-257

**CFR Citation:** 25 CFR 114

**Legal Deadline:** None

**Abstract:** This rule sets forth the conditions governing the deposit, investment, and distribution of interest on funds held by BIA in special deposits. It also provides procedures for determination of ownership and distribution of funds that are on deposit in account 14X6703, Indian monies proceeds of labor escrow account - pending determination of ownership.

**Timetable:**

Action	Date	FR Cite
Tribal Consultation	01/21/97	62 FR 3051
NPRM	04/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Bird Ford, Chief, Policies and Procedures, Department of the Interior, Office of the Special Trustee, 505 Marquette NW., Albuquerque, NM 87102  
Phone: 505 248-5751

**RIN:** 1035-AA01

**1507. • INDIVIDUAL INDIAN MONEY ACCOUNTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 103-412

**CFR Citation:** 25 CFR 1215; 25 CFR 115

**Legal Deadline:** None

**Abstract:** This rule will clarify the responsibilities of the Office of Trust Funds Management in the administration of Individual Indian Money accounts.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/98	
NPRM Comment	05/00/98	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** J. Bird Ford, Chief, Branch of Policies and Procedures, Department of the Interior, Office of the Special Trustee, 505 Marquette NW., Suite 1000, Albuquerque, NM 87102  
Phone: 505 248-5711  
Fax: 505 248-5782

**RIN:** 1035-AA02

DOI—OST

Proposed Rule Stage

**1508. • APPEALING ADMINISTRATIVE ACTIONS OF THE OFFICE OF THE SPECIAL TRUSTEE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** PL 103-412  
**CFR Citation:** 25 CFR 1202  
**Legal Deadline:** None  
**Abstract:** This rule will establish a procedure for appealing decisions of

the Office of the Special Trustee and the Office of Trust Funds Management.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/98	
NPRM Comment Period End	05/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal

**Agency Contact:** J. Bird Ford, Chief, Branch of Policies and Procedures, Department of the Interior, Office of the Special Trustee, 505 Marquette NW., Suite 1000, Albuquerque, NM 87102  
 Phone: 505 248-5711  
 Fax: 505 248-5782

**RIN:** 1035-AA03  
**BILLING CODE** 4310-53-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

United States Fish and Wildlife Service (FWS)

**1509. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS, 50 CFR PART 20**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742a to 742d; 16 USC 742e to 742j

**CFR Citation:** 50 CFR 20  
**Legal Deadline:** None

**Abstract:** The Service proposes to revise and update regulations governing migratory bird hunting. Changes will be proposed that will clarify and include all the specific prohibitions in part 20 to apply to migratory game hunting during closed and open hunting seasons.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Businesses  
**Government Levels Affected:** State

**Agency Contact:** John J. Doggett, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
 Phone: 703 358-1949

**RIN:** 1018-AD01

**1510. EXPORT OF APPENDIX I SPECIMENS THAT WERE BRED FOR COMMERCIAL PURPOSES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** The regulations need to be updated to clarify the process of obtaining export permits for appendix I specimens that are bred for commercial purposes including the procedure for becoming registered with the Convention on International Trade in Endangered Species (CITES) Secretariat.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** None

**Agency Contact:** Margaret Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
 Phone: 703 358-2104  
 Fax: 703 358-2281

**RIN:** 1018-AD64

**1511. RECLASSIFICATION OF YACARE CAIMAN FROM ENDANGERED TO THREATENED WITH SPECIAL RULE**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1531 et seq  
**CFR Citation:** 50 CFR 17  
**Legal Deadline:** None

**Abstract:** The Service will develop regulations to declassify populations of the Yacare caiman in South America. Also included in this rulemaking is a special rule to allow commercial trade in skins, other parts, and products of Yacare caimans from South America.

The combination of actions proposed will have the effect of stimulated legal and responsible trade in Yacare caiman hides, and in this respect, constitutes removal of a barrier to trade.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Businesses, Organizations  
**Government Levels Affected:** Federal

**Agency Contact:** Charles W. Dane, Chief, Office of Scientific Authority, U.S. Fish and Wildlife Service, Department of the Interior, United States Fish and Wildlife Service, MS-750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
 Phone: 703 358-1708

**RIN:** 1018-AD67

**1512. MIGRATORY BIRD HUNTING: REGULATIONS REGARDING PROHIBITION AGAINST ARTIFICIALLY ALTERING/MANIPULATING NATURAL VEGETATION IN MOIST AREAS TO ATTRACT WATERFOWL**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 703 et seq; 16 USC 712; 16 USC 742

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** This action notifies the public and invites comments regarding promulgation of a separate rulemaking that will govern the manner in which or if at all natural vegetation in moist soil areas may be altered or manipulated artificially to attract waterfowl for hunting purposes. Previously, the subject regulations had been part of the ongoing review of 50

DOI—FWS

Proposed Rule Stage

CFR 20 but now will be considered separately.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/22/96	61 FR 11805
ANPRM Comment Period End	06/20/96	
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Thomas Striegler, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS520 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AD74

**1513. FEDERAL AID IN SPORT FISH RESTORATION PROGRAM PARTICIPATION FOR DISTRICT OF COLUMBIA AND INSULAR TERRITORIES AND COMMONWEALTHS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 669i; 16 USC 777i

**CFR Citation:** 50 CFR 80

**Legal Deadline:** None

**Abstract:** The Service is proposing to define new standards for the District of Columbia and Insular Territories and Commonwealths for participation in the Federal Aid in Sport Fish Restoration program by waiving the 10 percent cap on use of these funds for education.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bob Lang, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS 140 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2156

**RIN:** 1018-AD83

**1514. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This will be a revision to an existing rule that will incorporate decisions/interpretations made at the last six Conferences of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Ken Stansel, Deputy Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 430 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2093

**RIN:** 1018-AD87

**1515. RESCISSION OF ADMINISTRATIVE PROCEDURES FOR GRANTS IN AID (MARINE MAMMAL PROTECTION ACT OF 1972)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 16 USC 1361 to 1407

**CFR Citation:** 50 CFR 82

**Legal Deadline:** None

**Abstract:** The Service is rescinding 50 CFR 82, Administrative Procedures for Grants-in-Aid (Marine Mammal Protection Act of 1972). This regulation was determined unnecessary because funding has not been provided for many years and adequate instructions are contained in the Act and in existing regulations to disseminate funds if they become available in the future. This action is part of the regulatory reinvention effort and the Service is skipping the proposed rule stage and going directly to a final rule.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bob Lang, Chief, Division of Federal Aid, Department of

the Interior, United States Fish and Wildlife Service, MS 140 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2156

**RIN:** 1018-AD92

**1516. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED REINTRODUCTION OF A NONESSENTIAL EXPERIMENTAL POPULATION OF GRIZZLY BEARS IN IDAHO AND MONTANA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes to establish a nonessential experimental population of grizzly bears into the Bitterroot ecosystem in central Idaho and western Montana in late September or early October 1996. This experimental population is proposed to be designated a nonessential experimental population in accordance with section 10(j) of the Act.

**Timetable:**

Action	Date	FR Cite
NPRM	07/02/97	62 FR 35762
NPRM Comment Period End	10/09/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE00

**1517. PROPOSED SPECIAL RULE WITH THE RECLASSIFICATION OF THE VICUNA FROM ENDANGERED TO THREATENED**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** This special rule will be associated with the reclassification of

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Proposed Rule Stage

vicuna from endangered to threatened under the Endangered Species Act. The rule will provide for the conservation of the species and will stipulate conditions that must be met to allow for the importation of commercial specimens of the species.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Charles W. Dane, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1708

**RIN:** 1018-AE04

**1518. IMPORTATION, EXPORTATION, TRANSPORTATION OF WILDLIFE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 to 1407

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** This rule would revise the Service regulations providing for user fee collections from commercial importers and exporters of wildlife and wildlife products. The Service proposes a licensing and fee scheme which will exempt certain commercial importers and exporters from our inspection fee, based upon specific criteria including, country of origin, numbers of items, and permitting requirements. We propose to modify our user fee regulations to grant relief to certain individuals and small businesses, meeting the outlined criteria, from the designated port inspection fee and nondesignated administrative fee and hourly minimums only. This proposal, if implemented, will allow us to continue to collect data on fee collections in order to analyze the impact of user fees on small businesses for future decision making.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Thomas L. Striegler, Chief, Division of Law Enforcement,

Department of the Interior, United States Fish and Wildlife Service, MS500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AE08

**1519. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; SUBPARTS C&D—1998-99 SUBSISTENCE TAKING OF FISH AND WILDLIFE REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3111 to 3126

**CFR Citation:** 50 CFR 100

**Legal Deadline:** None

**Abstract:** This rule would revise the customary and traditional use determinations and establish regulations for hunting and trapping seasons, harvest limits, methods, and means related to taking of wildlife for subsistence uses during the 1998-1999 regulatory year. The rulemaking is necessary because subpart D regulations require annual public review, and the customary and traditional use determinations also are open to the same annual regulatory revision process. When final this rulemaking will replace hunting and trapping regulations in "Subsistence Management Regulations for Public Lands in Alaska, subparts C and D - 1997-1998 Subsistence Taking of Fish and Wildlife Regulations," which expire on June 30, 1998. This is a joint program with the Departments of Interior and Agriculture.

**Timetable:**

Action	Date	FR Cite
NPRM	07/25/97	62 FR 39987
NPRM Comment Period End	10/24/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard Pospahala, Chief, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 E Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3467

**RIN:** 1018-AE12

**1520. EXPORT OF AMERICAN ALLIGATOR FOR THE 1998-2000 HARVEST SEASONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23.57; 50 CFR 17.42(a)

**Legal Deadline:** None

**Abstract:** This rule will make minor changes in the tagging requirements for American alligator skins to conform with the CITES tagging resolution and announces proposed findings on the effects of the export of American alligator under CITES for the 1998-2000 harvest seasons. This rule provides for the export of American alligator parts and products under CITES.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Susan Lieberman, Chief, Branch of Operations, Department of the Interior, United States Fish and Wildlife Service, MS 430 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2095

**RIN:** 1018-AE15

**1521. REVISIONS TO THE FEDERAL AID ADMINISTRATIVE REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 777i; 16 USC 669i; 18 USC 701

**CFR Citation:** 50 CFR 80

**Legal Deadline:** None

**Abstract:** The Service proposes to revise part 80 to clarify the language in the administrative requirements section and simplify some of the procedures to enable the states and the public to better understand the procedures and requirements for obtaining and administering grants under the Federal Aid in Fish and Federal Aid in Wildlife Restoration Acts.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** Governmental Jurisdictions

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Proposed Rule Stage

**Government Levels Affected:** State, Tribal

**Agency Contact:** Bob Lang, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS 420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2156

**RIN:** 1018-AE17

**1522. ESTABLISHMENT OF REGULATIONS GOVERNING THE CONDUCT ON MIDWAY ATOLL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 460k; 16 USC 668dd; 16 USC 742(a); 16 USC 3101 et seq; 44 USC 359 et seq; 5 USC 301

**CFR Citation:** 50 CFR 26

**Legal Deadline:** None

**Abstract:** The Service proposes regulations to establish a special criminal and civil code of regulations for Midway Atoll, an unincorporated possession of the United States. The U.S. Navy had special criminal and civil regulations in 32 CFR part 762 - Midway Islands Code, during their tenure as administrators. It is necessary to reestablish this code because the existing code terminated when the U.S. Naval Air Facility was closed and the atoll was transferred to the U.S. Fish and Wildlife Service for administration as Midway Atoll National Wildlife Refuge by Executive Order 13022 on October 31, 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	08/27/97	62 FR 45381
NPRM Comment Period End	10/27/97	
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, MS 670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

**RIN:** 1018-AE19

**1523. • IMPORTATION OF POLAR BEAR TROPHIES FROM CANADA; ADDITION OF POPULATIONS TO THE LIST OF AREAS APPROVED FOR IMPORT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** This rule announces proposed findings on the import of polar bears taken in sport hunts in the areas formerly known as Parry Channel-Baffin Bay and Queen Elizabeth Islands, Northwest Territories, Canada. These findings include polar bears taken but not imported prior to enactment of the 1994 amendments to the Marine Mammal Protection Act (MMPA). The Service summarizes the new research data used by Canada to redefine these areas into five populations: Queen Elizabeth Islands, Norwegian Bay, Kane Basin, Lancaster Sound and Baffin Bay and provides a summary of the Nunavut Land Claim and the new flexible quota option. The Service proposes to find that Lancaster Sound and Norwegian Bay meet the requirements of the MMPA and to add them to the list of approved populations in the regulations. On the other hand, the Service proposes to defer the decision on the remaining three populations; Queen Elizabeth Islands, Baffin Bay and the Kane Basin. The Service intends to make these findings for multiple sport hunting seasons pending receipt of substantial new information or review as required under the MMPA.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Maggie Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 420 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2104

**RIN:** 1018-AE26

**1524. • EXPORTATION OF MARINE MAMMAL PRODUCTS FOR CULTURAL EXCHANGE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** This regulatory action concerns a modification to export marine mammal products and to Native exemption provisions in the Marine Mammal Protection Act. The action will be made to allow for cultural exchange of marine mammal products between Natives of Alaska, Greenland, Russia and Canada.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Thomas Striegler, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 520 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AE33

**1525. • INJURIOUS WILDLIFE; ADDITION OF BRUSH-TAILED POSSUM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** The Service proposes to review the economic and biological information on the brush-tailed possum of genus Trichosurus for possible addition to the list of injurious wildlife under the Lacey Act.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/24/96	61 FR 1893
ANPRM Comment Period End	03/25/96	
NPRM	03/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Hannibal Bolton, Chief, Fish and Wildlife Management, Assistance, Department of the Interior,

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Proposed Rule Stage

United States Fish and Wildlife Service, 840 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

RIN: 1018-AE34

**1526. • MIGRATORY BIRD HUNTING; TEMPORARY APPROVAL OF TUNGSTEN-POLYMER SHOT AS NON-TOXIC FOR 1998-99 SEASON**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742a to 742j

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** The Service proposes to temporarily approve tungsten-polymer shot as non-toxic for the 1998-99 migratory bird hunting season. The toxicological report, an extensive literature search and analysis, suggests that tungsten-polymer is nontoxic under conditions for the proposed shot configuration. Analysis of the toxicity study reveal no adverse effects over a 30-day period when dosing mallards with 8 BB-size tungsten-polymer shot.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1838

RIN: 1018-AE35

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

United States Fish and Wildlife Service (FWS)

**1527. LIST OF MIGRATORY BIRDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 704; 16 USC 712

**CFR Citation:** 50 CFR 10.13

**Legal Deadline:** None

**Abstract:** The List of Migratory Birds found at 50 CFR 10.13 is being revised to (1) bring the list into conformity with generally accepted taxonomy and nomenclature--English (common) and scientific names, as reflected in four published supplements to the 6th (1983) edition of the American Ornithologists' Union Checklist of North American Birds; and (2) add species that are of regular occurrence in the United States that are not included on the current list.

**Timetable:**

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS-634 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1714

RIN: 1018-AB72

**1528. MIGRATORY BIRD HUNTING: REVISED TEST PROTOCOL FOR NONTOXIC APPROVAL PROCEDURES FOR SHOT AND SHOT COATINGS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 703 et seq

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** The principal purpose of this action is to promulgate a rulemaking that will update and amend the current nontoxic shot approval procedures by establishing a 3-tiered approval process. Shot approval will be considered at each tier with the testing becoming progressively more demanding. An environmentally benign shot could be granted approval at the first tier. This process is designed to include both candidate shot and shot coatings. Service has a policy regarding regulating anticorrosive coatings of steel shot to ensure nontoxicity, the policy has not been codified. The Service will seek public comment on its regulation of shot coatings to prevent inadvertent toxicity problems for waterfowl and other migratory birds.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/30/93	58 FR 35332
ANPRM Comment	09/28/93	
Period End		
NPRM	01/26/96	61 FR 2470
NPRM Comment	04/29/96	61 FR 18924
Period Reopened		
Final Action	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** This RIN was completed in error in the October 1995 agenda.

**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS-634, Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1838

RIN: 1018-AB80

**1529. EAGLE PERMITS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668

**CFR Citation:** 50 CFR 22

**Legal Deadline:** None

**Abstract:** Presently, the taking, possession, and transportation of bald or golden eagles, or their parts, nests, or eggs for the religious use of Native Americans is a permitted activity. The Service proposes to revise 50 CFR 22.22 to provide an import or export mechanism for eagle feathers legally possessed by Native Americans.

**Timetable:**

Action	Date	FR Cite
NPRM	06/16/94	59 FR 30892
NPRM Comment	08/15/94	
Period End		
Final Action	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Thomas L. Striegler, Deputy Chief, Division of Law

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Final Rule Stage

Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

RIN: 1018-AB81

**1530. EXPORT OF AMERICAN GINSENG HARVESTED IN 1994-1996**

**Priority:** Routine and Frequent

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** NPRM, Statutory.

**Abstract:** This proposed rule will announce findings on the export of American ginseng from the 1994-96 harvest season in 21 States. The Service reviews information and data as a basis for determining whether to continue approval of export from specified States for this harvest season, or to initiate changes. Also, North Dakota has applied to export cultivated ginseng under a State program, and Michigan has submitted draft legislation and is intending to apply soon to export ginseng. Acceptance of information provided by State ginseng management programs allows the Service to expedite the issuance of permits as required by the CITES treaty.

**Timetable:**

Action	Date	FR Cite
NPRM	09/26/94	59 FR 49046
NPRM Comment Period End	10/26/94	
Final Action	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Marshall Jones, Assistant Director, International Affairs, Department of the Interior, United States Fish and Wildlife Service, U.S. Fish and Wildlife Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-6393

RIN: 1018-AC55

**1531. SEIZURE AND FORFEITURE PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 4222 to 4241; 16 USC 4901 to 4916; 18 USC 42

**CFR Citation:** 50 CFR 12

**Legal Deadline:** None

**Abstract:** The Service proposes to amend regulations in 50 CFR part 12 that establish procedures relating to property seized or subject to administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisal, administrative proceeding, petition for remission, and disposal of items subject to forfeiture. Also these revisions are intended to provide for greater consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service.

**Timetable:**

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58468
Interim Final Rule	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Thomas L. Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

RIN: 1018-AC89

**1532. STANDARDS FOR THE HUMANE AND HEALTHFUL TRANSPORT OF WILD REPTILES AND AMPHIBIANS TO THE UNITED STATES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42(c); 16 USC 3371 to 3378; 16 USC 1538d to 1538f; 16 USC 1540(f); 16 USC 1382; 16 USC 705; 16 USC 712(j); 31 USC 483(a)

**CFR Citation:** 50 CFR 14

**Legal Deadline:** None

**Abstract:** The purpose of these regulations is to prescribe requirements necessary to ensure that the wild reptiles and amphibians shipped to the United States arrive alive, healthy and uninjured and that transportation of such animals occurs under humane and healthful conditions.

**Timetable:**

Action	Date	FR Cite
NPRM	06/06/97	62 FR 31044
NPRM Comment Period Reopened	08/05/97	62 FR 42091
NPRM Comment Period End	09/04/97	
Final Action	12/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Dr. Susan Liberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 430 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2095

RIN: 1018-AD98

**1533. PROPOSED DEPREDATION ORDER FOR THE DOUBLE-CRESTED CORMORANT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** The Service proposes to implement a depredation order for the double-crested cormorant. In those states in which double-crested cormorants have been shown to be seriously injurious to commercial freshwater aquaculture, and when found committing or about to commit depredations upon aquaculture stock, persons engaged in the production of aquaculture commodity stocks would be allowed, without a Federal permit, to take or cause to be taken such double-crested cormorants as might be necessary to protect aquaculture stocks.

**Timetable:**

Action	Date	FR Cite
NPRM	06/23/97	62 FR 33960
NPRM Comment Period End	08/22/97	
Final Action	01/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS 634 Arlington Square, 1849 C Street NW., Washington, DC 20240

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Final Rule Stage

Phone: 703 358-1838

RIN: 1018-AE11

**1534. ANNOUNCEMENT OF CITES ACTION CONCERNING CHANGES TO APPENDICES TO LISTED SPECIES; SERVICE ANNOUNCEMENT CONCERNING RESERVATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** The Service will announce decisions by the Conference of the Parties to CITES held in Harare, Zimbabwe, June 9-20, 1997, and request comments on possible reservations.

**Timetable:**

Action	Date	FR Cite
NPRM	08/22/97	62 FR 44627
NPRM Comment Period End	09/12/97	
Final Action	04/00/98	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Federal

**Agency Contact:** Charles W. Dane, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1708

RIN: 1018-AE16

**1535. • REGULATIONS FOR ADMINISTRATIVE AND VISITOR FACILITY SITES ON NATIONAL WILDLIFE REFUGES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 16 USC 460k; 16 USC 668dd; 16 USC 742a; 16 USC 3101; 44 USC 3501

**CFR Citation:** 50 CFR 36

**Legal Deadline:** None

**Abstract:** The Service proposes this amendment to current regulations in order to provide the Service with the proper authority to enforce regulations concerning public safety, protection of government property, and applicable State of Alaska fish and wildlife regulations on administrative and visitor facility sites which commonly are located outside the approved boundaries of national wildlife refuges.

**Timetable:**

Action	Date	FR Cite
NPRM	06/27/97	62 FR 34681
NPRM Comment Period End	08/26/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rick Coleman, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, 670 ARLSQ, 1849 C Streets NW., Washington, DC 20240  
Phone: 703 358-2029

RIN: 1018-AE21

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

United States Fish and Wildlife Service (FWS)

**1536. CAPTIVE-BRED WILDLIFE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Fish and Wildlife Service regulates certain activities involving non-native endangered or threatened wildlife species that are born in captivity in the United States. Currently, this is accomplished by requiring persons who wish to conduct otherwise prohibited activities with such wildlife to register with the Service to obtain a captive-bred wildlife or CBW registration. These regulations will be reviewed to determine if further action is necessary to relieve certain restrictions on the public that may have become burdensome, counterproductive, or outmoded.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/07/92	57 FR 548
ANPRM Comment Period End	03/09/92	
NPRM	06/11/93	58 FR 32632

Action	Date	FR Cite
NPRM Comment Period End	09/09/93	
Interim Final Rule	12/27/93	58 FR 68323
Final Action	00/00/00	

**Captive-bred wildlife regulations, part 2**  
NPRM 12/27/93 (58 FR 68323)

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** On June 11, 1993, the Service published a proposed rule that would revise the captive-bred wildlife regulations and the definitions of the terms "harass" and "enhance the propagation or survival". During the 90-day comment period, extensive comments on the proposal were received. The Service has decided to eliminate education as the sole basis for justifying issuance of a captive-bred wildlife registration, and a final rule to that effect was published on December 27, 1993 (58 FR 68323). The Service will split this action into three final rules and reopen the comment period on the balance of the issues in the proposals, including the question of the

value of education as it relates to endangered species permits.

**Agency Contact:** Kenneth Stansell, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS-420 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2093

RIN: 1018-AB10

**1537. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the

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Long-Term Actions

Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

**Addax antelope**

NPRM 11/05/91 (56 FR 56491)  
 NPRM Comment Period Reopened 06/08/92 (57 FR 24220)  
 Final Action 00/00/00

**Dama gazelle**

NPRM 11/05/91 (56 FR 56491)  
 NPRM Comment Period Reopened 06/08/92 (57 FR 24220)  
 Final Action 00/00/00

**Ohio emerald dragonfly**

Final Action 01/26/95 (60 FR 5267)

**Oryx antelope**

NPRM 11/05/91 (56 FR 56491)  
 NPRM Comment Period Reopened 06/08/92 (57 FR 24220)  
 Final Action 00/00/00

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
 Phone: 703 358-2171

**RIN:** 1018-AB66

**1538. ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological

information available to the Department.

**Timetable:**

**Appalachian elktoe**

NPRM 09/03/93 (58 FR 46940)  
 Final Action 11/23/94 (59 FR 60324)

**Arroyo southwestern toad**

NPRM 08/03/93 (58 FR 41378)  
 NPRM Comment Period Reopened 09/09/93 (58 FR 47428)  
 Final Action 12/16/94 (59 FR 64859)

**Dugong**

NPRM 08/05/93 (58 FR 41688)  
 Withdrawn 08/26/96

**Louisiana black bear, critical habitat**

NPRM 12/03/93 (58 FR 63560)  
 NPRM Comment Period Reopened 03/07/94 (59 FR 10607)  
 Final Action 00/00/00

**McFarlane's four-o'clock**

NPRM 08/26/93 (58 FR 45085)  
 Final Action 03/15/96 (61 FR 10693)

**Pahrump poolfish**

Final Action 08/05/93 (58 FR 41688)  
 NPRM 09/22/93 (58 FR 49279)

**Southwestern willow flycatcher, critical habitat**

Final Action 07/22/97 (62 FR 39129)

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
 Phone: 703 358-2171

**RIN:** 1018-AB97

**1539. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SAN XAVIER TALUSSNAIL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which would list, reclassify, or delist, as appropriate, the San Xavier talussnail under the Endangered Species Act. Where prudent, critical habitat will be identified for the endangered or threatened species. Such actions are taken only upon determination that the species is endangered, threatened, or neither, and are based solely on the biological

information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	03/23/94	59 FR 13691
NPRM Comment Period End	05/23/94	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
 Phone: 703 358-2171

**RIN:** 1018-AC13

**1540. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE LOCH LOMOND COYOTE THISTLE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed which will list, reclassify, or delist, as appropriate, the Loch Lomond coyote thistle under the Endangered Species Act. Where prudent, critical habitat will be identified for the species. Such actions are taken upon determination that the species is endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	11/29/93	58 FR 62629
NPRM Comment Period End	01/28/94	
Final Action	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240

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Phone: 703 358-2171

RIN: 1018-AC14

**1541. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CRITICAL HABITAT FOR THE PECOS PUPFISH**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be proposed that will determine the appropriate status for the Pecos pupfish and identify critical habitat.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC18

**1542. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PARISH'S ALKALI GRASS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, Parish's alkali grass, under the Endangered Species Act, and where prudent, critical habitat is identified. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	03/28/94	59 FR 14378
NPRM Comment Period End	05/27/94	
NPRM Comment Period Reopened	08/30/94	59 FR 44700
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC21

**1543. ENDANGERED AND THREATENED SPECIES: SACRAMENTO SPLITTAIL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will list, reclassify, or delist, as appropriate, the Sacramento splittail under the Endangered Species Act, and where prudent, will identify critical habitat. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

**Timetable:**

Action	Date	FR Cite
NPRM	01/06/94	59 FR 862
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC26

**1544. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO CALIFORNIA BUTTERFLIES AND A SNAKE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing, no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Callippe silverspot butterfly, the Behren's silverspot butterfly, and the Alameda whipsnake. All three species, and the larval food plants on which the female butterflies lay their eggs are threatened by over-collection, commercial/residential development, alien plant competition, unsuitable levels of livestock grazing, trampling by hikers, livestock, and off-road vehicle use.

**Timetable:**

Action	Date	FR Cite
NPRM	02/04/94	59 FR 5377
NPRM Comment Period End	04/05/94	
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

RIN: 1018-AC32

**1545. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: INTERCROSS PROGENY POLICY AND DEFINITIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Fish and Wildlife Service and the National Marine Fisheries Service propose to amend the regulations implementing the Endangered Species Act by adding

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definitions for intercross and intercross progeny (to include hybrids). Also, 50 CFR 17.11(g) and 17.12(g) will be amended by adding wording to indicate that the listing of a taxon as endangered or threatened would include all individuals that share characteristic traits of that taxon, including individuals produced under conditions of confinement. The amendments are necessary in order to proceed with the evaluation and implementation of intercrossing as a recovery technique for the Florida panther.

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/96	61 FR 4710
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC54

**1546. GENERAL PROVISIONS AND GENERAL PERMIT PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 10; 50 CFR 13; 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes to amend 50 CFR part 13 which provides uniform permit procedures relating to the application, issuance, renewal, suspension, revocation and general administration of Service permits. The Service's criteria for suspension and revocation of permits and its review procedures will also be revised. Permit fee rates are amended to increase rates for the cost of processing certain permits. This change is necessary in order to recover a larger percentage of the cost of processing the permits. Several new permit fee exemptions will be added.

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/95	60 FR 46087
NPRM Comment	11/15/95	60 FR 57386
Period Reopened		
Final Action	10/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Thomas L. Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AC57

**1547. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ARKANSAS RIVER SHINER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Arkansas River population of the Arkansas River shiner. This small minnow is endemic to the Arkansas River drainage in Arkansas, Kansas, New Mexico, Oklahoma, and Texas, but is presently almost entirely restricted to the Canadian/South Canadian River in Oklahoma, Texas, and New Mexico.

**Timetable:**

Action	Date	FR Cite
NPRM	08/03/94	59 FR 39532
NPRM Comment	10/03/94	
Period End		
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC62

**1548. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SEVEN FRESHWATER MUSSELS FROM ALABAMA, FLORIDA, AND GEORGIA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for seven freshwater mussels from the Apalachicola Region of SE Alabama, SW Georgia and north Florida. The seven species are: Chipola slabshell, Purple bankclimber, Fat three-ridge, Shiny-rayed pocketbook Gulf moccasinshell, Ochlockonee moccasinshell, and Oval pigtoe. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/03/94	59 FR 39524
NPRM Comment	11/01/94	
Period End		
NPRM (Reopening of Comment Period)	12/12/94	59 FR 63987
NPRM (Reopening of Comment Period)	04/24/95	60 FR 20072
NPRM (Reopening of Comment Period)	07/09/96	61 FR 36020
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC63

**1549. MIGRATORY BIRD HUNTING AND MIGRATORY BIRD PERMITS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

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**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742(a) to 742 (d); 16 USC 742(e) to 742 (j)

**CFR Citation:** 50 CFR 20; 50 CFR 21

**Legal Deadline:** None

**Abstract:** In November 1991, the Service began a review of its regulations on migratory bird hunting and migratory bird permits. In a notice published in the Federal Register on December 1, 1993, (58 FR 63488) the issues were described and needed changes and possible alternatives were discussed. That notice also provided additional information that would facilitate public comment on the regulations being reviewed. The Service will develop regulations that will clarify the regulations in 50 CFR parts 20 and 21 that are perceived by many individuals to be unclear, update any outdated information, and correct any technical errors.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Thomas L. Striegler, Deputy Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-500 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1949

**RIN:** 1018-AC69

**1550. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TROPICAL BIRDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for up to 38 species of tropical birds.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Charlie Dane, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1708

**RIN:** 1018-AC77

**1551. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed to determine the appropriate status for four plants found in southwestern California and northwestern Baja California, Mexico. These species are: Munz's onion, San Jacinto Valley crownscale, Thread-leaved brodiaea, and Spreading navarretia. These four plants occur in vernal pools and other wetlands or on clay soils and moist grasslands throughout their range. Critical habitat will be proposed for the San Jacinto Valley crownscale, only at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	12/15/94	59 FR 64794
NPRM Comment	02/13/95	
Period End		
NPRM (Reopening of Comment Period)	03/07/95	60 FR 12531
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC88

**1552. CRITICAL HABITAT DESIGNATION FOR THE LOST RIVER AND SHORTNOSE SUCKERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will identify critical habitat for the Lost River and Shortnose suckers, two species federally listed as endangered. Both species are endemic to the Upper Klamath River Basin of Oregon and California.

**Timetable:**

Action	Date	FR Cite
NPRM	12/01/94	59 FR 61744
NPRM Comment	01/30/95	
Period End		
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC90

**1553. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: LEAST CHUB**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend that rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Least chub under the Endangered Species Act.

**Timetable:**

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50518
NPRM Comment	11/28/95	
Period End		

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Action	Date	FR Cite
NPRM (Reopening of Comment Period)	06/07/96	61 FR 29047
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC91

**1554. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TEN PLANTS FROM THE CALIFORNIA SIERRA NEVADA MOUNTAINS FOOTHILLS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine appropriate status for 10 plants: Chinese Camp brodiaea, Piute Mountains navaretia, Carpenteria, Springville clarkia, Kelso Creek monkeyflower, Red Hills vervain, Rawhide Hill onion, Mariposa lupine, Mariposa pussypaws, and Greenhorn adobe lily, under the Endangered Species Act. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/04/94	59 FR 50540
NPRM Comment Period End	12/05/94	
NPRM Comment Period Reopened	12/29/94	59 FR 67268
NPRM Comment Period Reopened	02/14/95	60 FR 8342
NPRM Comment Period Reopened	02/04/97	62 FR 5199
NPRM Comment Period Reopened	06/30/97	62 FR 35116
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AC99

**1555. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: NORTHERN AND SOUTHERN POPULATIONS OF THE BOG TURTLE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the northern population (ranges from New York to Maryland) of the bog turtle, and the southern population (ranges from southwestern Virginia to northern Georgia) as endangered due to similarity of appearance. This action is being taken because of constriction of the species' range, the declining size of remaining populations, and illegal collection. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	01/29/97	62 FR 4229
NPRM Comment Period End	04/29/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD05

**1556. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: BROTHER'S ISLAND TUATARA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed to determine the status for the reptile, Brother's Island tuatara. This reptile is known only from North Brother's Island in Cook Strait, New Zealand. Although legally covered by an endangered classification, this species previously was considered part of the related and more widespread tuatara (*Sphenodon punctatus*). Both species are threatened by various factors (excessive human hunting) especially predation from introduced rats.

**Timetable:**

Action	Date	FR Cite
NPRM	01/26/95	60 FR 5159
NPRM Comment Period End	04/26/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Charlie Dane, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1708

**RIN:** 1018-AD06

**1557. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: REINTRODUCTION OF A NONESSENTIAL EXPERIMENTAL POPULATION OF MEXICAN WOLVES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** Regulations will be developed designating a nonessential experimental population of Mexican wolves, three family groups per year for

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five years, into the Blue Range Area (Arizona) primary wolf recovery zone and allow population expansion into secondary wolf recovery zones in the Apache and Gila National Forests in New Mexico.

**Timetable:**

Action	Date	FR Cite
NPRM	05/01/96	61 FR 19237
Final Action	00/00/00	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD07

**1558. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CALIFORNIA PLANTS AND THE BLACK LEGLESS LIZARD**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for five plants--Coastal dunes milk-vetch, Yadon's piperia, Hickman's potentilla, Monterey clovers, Gowen cypress, and the Black legless lizards--under the Endangered Species Act. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39326
NPRM Comment Period End	09/25/95	
NPRM Comment Period Reopened	04/02/97	62 FR 15646
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-

452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD09

**1559. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CRITICAL HABITAT DESIGNATION FOR THE WESTERN SNOWY PLOVER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, June 1, 1995.

**Abstract:** The Service proposes to designate critical habitat for the Pacific coast population of the Western snowy plover. The plover was listed as a threatened species on March 5, 1993. Critical habitat for the plover is proposed in coastal areas of Washington, Oregon, and California.

**Timetable:**

Action	Date	FR Cite
NPRM	03/02/95	60 FR 11768
NPRM (Reopening of Comment Period)	05/15/95	60 FR 25882
Next Action Undetermined		

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD10

**1560. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: U.S. POPULATIONS OF ATLANTIC SALMON**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for a distinct

population segment (in seven eastern Maine river systems) of anadromous Atlantic salmon without critical habitat, under the Endangered Species Act. Where once the Atlantic salmon occurred from the Housatonic River, Connecticut to the St. Croix River on the Maine-New Brunswick, Canada border, now most salmon populations have been extirpated and some spawning habitat is no longer accessible or is unsuitable, due to dams or water pollution. Currently, remnant populations of anadromous Atlantic salmon are restricted to several rivers in eastern Maine. This is a joint Fish and Wildlife Service/National Marine Fisheries Service rule/finding with neither agency having the lead.

**Timetable:**

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50530
NPRM Comment Period End	12/28/95	
NPRM Comment Period Extended to 06/23/97	05/23/97	62 FR 28413
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD12

**1561. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO SAN FRANCISCO MARSH PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for two San Francisco marsh plants, Suisun thistle and Soft bird's-beak, under the Endangered Species Act. These two species are restricted to either salt or brackish marshes within the greater San

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Francisco Bay area in northern California.

**Timetable:**

Action	Date	FR Cite
NPRM	06/12/95	60 FR 31000
NPRM Comment Period End	07/27/95	
NPRM (Comment Period Extended)	09/06/96	61 FR 47105
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD14

**1562. MARINE MAMMAL PROTECTION ACT; UNINTENTIONAL TAKE OF MARINE MAMMALS BY HARASSMENT ONLY IN ACTIVITIES OTHER THAN COMMERCIAL FISHING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Marine Mammal Protection Act, as amended in April 1994, authorizes the Secretary to allow U.S. citizens to incidentally, unintentionally take small numbers of marine mammals by harassment only for periods up to one year during specified activities other than commercial fishing. This regulatory action would implement this statutory provision.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS-840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD18

**1563. MARINE MAMMAL PROTECTION ACT; MEASURES TO SAFELY DETER MARINE MAMMALS, INCLUDING THREATENED AND ENDANGERED MARINE MAMMALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 et seq

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Marine Mammal Act as amended in April 1994, requires the Service to develop a list of guidelines to safely deter marine mammals for which the Service has statutory management responsibility, including threatened and endangered species. Such measures of deterrence are for use in protecting: (1) fishing gear or catch; (2) private property; (3) personal human safety; or (4) public property. This regulatory action would implement these statutory provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Robert Peoples, Acting Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, MS-840 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1718

**RIN:** 1018-AD19

**1564. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE FOR THE NORTHERN SPOTTED OWL**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service will propose a section 4(d) rule for the northern spotted owl under the Endangered Species Act that will define the conditions under which incidental take of the species through habitat modification would not be a violation of section 9 of the Act. An environmental impact statement is also being prepared, and will be available

for review concurrent with the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	02/17/95	60 FR 9484
NPRM Comment Period End	05/18/95	
NPRM Comment Period Reopened	05/18/95	60 FR 26712
NPRM Comment Period Reopened	07/17/95	60 FR 36382
NPRM Comment Period Reopened	09/25/95	60 FR 49358
NPRM Comment Period Reopened	11/27/95	60 FR 58323
NPRM Comment Period Reopened	01/31/96	61 FR 3369
NPRM Comment Period Reopened	02/23/96	61 FR 6964
NPRM Comment Period Reopened	04/08/96	61 FR 15452
NPRM Comment Period Reopened	05/10/96	61 FR 21426
NPRM Comment Period Reopened	06/17/96	61 FR 30588
Final Action	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD20

**1565. TAXONOMIC CHANGE FROM SUBSPECIES TO VERTEBRATE POPULATION SEGMENT FOR THE VIRGIN RIVER CHUB**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** Recent taxonomic work concluded that specific rank is warranted for the Virgin River chub, a federally listed endangered species found in the Virgin River system of Arizona, Nevada, and Utah. Additionally, researchers concluded that the chub in the Muddy River of Nevada, is conspecific with the Virgin River chub. Previously this distinctive population of the Virgin River chub, a category 2 candidate for Federal listing, was considered a separate, unnamed subspecies of roundtail chub, and was

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referred to as the Moapa roundtail chub. Because of this recent taxonomic work, the Service accepts that specific rank is warranted for the Virgin River chub and proposes to change the listing of the Virgin River chub in the Virgin River from a subspecies to a vertebrate population segment in the List of Endangered and Threatened Wildlife. In addition, the Service initiates a status review of the Virgin River chub in the Muddy River to determine whether this vertebrate population warrants listing as a threatened or endangered species.

**Timetable:**

Action	Date	FR Cite
NPRM	07/24/95	60 FR 37866
NPRM Comment Period End	09/22/95	
Final Action	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Local

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD22

**1566. CRITICAL HABITAT PROPOSAL FOR VIRGIN RIVER FISHES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes to designate critical habitat for the Virgin River Chub, the Woundfin and Virgin spinedace. The Virgin River chub and Woundfin are listed as endangered; the Virgin spinedace has been proposed for listing as threatened (May 18, 1994), but the listing has not been finalized as yet.

**Timetable:**

Action	Date	FR Cite
NPRM	04/05/95	60 FR 17296
NPRM Comment Period End	06/05/95	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Additional Information:** This rulemaking was inadvertently published as RIN 1018-AD22. The final rule will be published with the correct RIN 1018-AD23. The rulemaking action(s) listed under this RIN has (have) been temporarily suspended due to legislative restriction on publication of final listing and critical habitat determinations.

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD23

**1567. ENDANGERED SPECIES LISTING: THREE AQUATIC INVERTEBRATES IN COMAL AND HAYS COUNTIES, TEXAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for three aquatic invertebrates: Peck's cave amphipod, Comal Springs riffle beetle and Comal Springs dryopid beetle. These species are known only from springs in Comal County and Hays County, Texas. They are threatened by loss of necessary aquatic habitat due to increasing groundwater withdrawal by humans throughout the aquifer that supplies the springs and by the potential for contamination of their limited range.

**Timetable:**

Action	Date	FR Cite
NPRM	06/05/95	60 FR 29537
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-

452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD28

**1568. SEVEN PLANTS FROM THE MOUNTAINS OF SOUTHERN CALIFORNIA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service will develop regulations that will determine the appropriate status for seven plants from the mountains of southern California: San Bernardino bluegrass, California dandelion, Johnson's rock-cress, Bear Valley sandwort, Ash-grey Indian paintbrush, Southern mountain wild buckwheat, and Hidden Lake bluecurls.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39337
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD34

**1569. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PALLID MANZANITA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for the Pallid

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manzanita. This plant species is found only in dry chaparral habitat within or near the northern Diablo Range of California in Alameda and Contra Costa Counties. The species is threatened by shading and competition from native and non-native plants, fire suppression, habitat regulatory mechanisms, and stochastic events by virtue of the small isolated nature of the remaining populations. All occurrences of this species are located on state, county and private lands.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39309
NPRM Comment Period Reopened	02/25/97	62 FR 8417
NPRM Comment Period Extended to 06/04/97	05/05/97	62 FR 24388

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD35

**1570. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: NINE PLANTS FROM CALIFORNIA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for nine California plants: Sonoma alopecurus, Clara Hunt's milkvetch, white sedge, Vine Hill clarkia, Pitkin marsh lily, Calistoga allocarya, Napa bluegrass, Kenwood marsh checkermallow, and Showy Indian clover. These plants are found in the grasslands and mesic areas of the central coast of California. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39314
NPRM (Comment Period Extended)	09/11/96	61 FR 47856

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD36

**1571. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for four California plants: San Diego thornmint, Laguna Beach liveforever, Otay tarweed and Willowy monardella. These species are found in San Diego County and northern Baja, California. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	08/09/95	60 FR 40549

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD38

**1572. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR PLANTS FROM INTERIOR CHAPARRAL OF SOUTHWESTERN CALIFORNIA AND NORTHWESTERN BAJA CALIFORNIA, MEXICO**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** Regulations will be developed that will determine the appropriate status for four plants Nevin's barberry, Mexican flannelbush, Vail Lake ceanothus and Dehesa beargrass. These perennial shrubs and plants are found in chaparral habitat west of the Peninsular Ranges in southwestern California and northwestern Baja California, Mexico. Critical habitat is not being proposed at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51445

Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD60

**1573. EXPORT OF RIVER OTTERS TAKEN IN MISSOURI IN 1996-1997 AND SUBSEQUENT SEASONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) regulates international trade in certain animal and plant species. Exports of animals and plants listed on appendix II of CITES require an export

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permit from the country of origin. The purpose of this rulemaking is to announce findings by the Scientific and Management Authorities of the United States on the proposed export of river otters harvested in the State of Missouri, and to add Missouri to the list of States and Indian Nations for which the export of river otters is approved. The Service intends to apply these findings to harvests in Missouri during the 1996-97 season and subsequent seasons, subject to the conditions applying to approved states.

**Timetable:**

Action	Date	FR Cite
NPRM	04/02/96	61 FR 14543
NPRM Comment Period End	06/03/96	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** Marshall Jones, Assistant Director, International Affairs, Department of the Interior, United States Fish and Wildlife Service, U.S. Fish and Wildlife Service, 1849 C Street NW., Washington, DC 20240 Phone: 202 208-6393

**RIN:** 1018-AD63

**1574. CONSOLIDATION OF LISTS OF WILDLIFE OF FEDERAL CONCERN**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1531 et seq; 16 USC 703; 16 USC 1361; 16 USC 4901; 18 USC 42; 16 USC 3371

**CFR Citation:** 50 CFR 10

**Legal Deadline:** None

**Abstract:** The Service proposes to consolidate into this part 10 lists of plants and wildlife currently contained in various parts of Subchapter B (parts 14, 15, 16, 17, 18, and 23).

**Timetable:**

Action	Date	FR Cite
ANPRM	03/19/96	61 FR 11180
ANPRM Comment Period End	05/03/96	
Next Action	Undetermined	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Marshall Jones, Assistant Director, International Affairs, Department of the Interior, United States Fish and Wildlife Service, U.S. Fish and Wildlife Service, 1849 C Street NW., Washington, DC 20240 Phone: 202 208-6393

**RIN:** 1018-AD66

**1575. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3101 to 3126

**CFR Citation:** 36 CFR 242; 50 CFR 100

**Legal Deadline:** None

**Abstract:** Identification of waters included within ANILCA definition of public lands and amendment of Federal Subsistence Board's authority.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/04/96	61 FR 15014
ANPRM Comment Period End	06/14/96	
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The Department of Justice has advised the U.S. District Court that the proposed rulemaking will be published within 60 days of February 5, 1996.

**Agency Contact:** Tom Boyd, Office of Subsistence Management, U.S. Fish and Wildlife Service, Department of the Interior, United States Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503 Phone: 907 786-3447 Fax: 907 786-3898

**RIN:** 1018-AD68

**1576. ENDANGERED AND THREATENED SPECIES: REMOVAL OF LLOYD'S HEDGEHOG CACTUS FROM FEDERAL LIST OF ENDANGERED AND THREATENED PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes to remove Lloyd's hedgehog cactus from

the Federal list of endangered and threatened plants. Lloyd's hedgehog cactus was listed as endangered on October 26, 1979, due to threats of collection and highway projects. Recent evidence indicates that Lloyd's hedgehog cactus is not a distinct species but rather a hybrid. Lloyd's hedgehog cactus is presently known from four counties in west Texas and one county in New Mexico and from Chihuahua, Mexico.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/96	61 FR 30209
NPRM Comment Period End	08/13/96	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240 Phone: 703 358-2171

**RIN:** 1018-AD91

**1577. SAFE HARBOR POLICY AND GUIDANCE FOR CANDIDATE AGREEMENTS**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 13; 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes technical amendments to its general regulations implementing its permitting program. The proposed revisions would explain and clarify applicable general permit conditions to the permitting procedures associated with habitat conservation plans and safe harbor agreements issued under section 10 of the Endangered Species Act of 1973. The Service also announces a safe harbor policy under the Act, providing incentives for private and other non-Federal landowners to restore, enhance, or maintain habitat for endangered and threatened species. The Service, in cooperation with the appropriate State agencies, may enter into safe harbor agreements with non-Federal landowners to enhance the survival of listed species with the concurrence of the landowner, include proposed or

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candidate species in such agreements. A procedure and guidance for providing assurances to non-Federal landowners involved in candidate conservation also is proposed.

**Timetable:**

Action	Date	FR Cite
NPRM	06/12/97	62 FR 32189
NPRM Comment Period End	08/11/97	
Final Action	00/00/00	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD95

**1578. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF BLACK-FOOTED FERRETS IN NORTHWESTERN COLORADO AND NORTHEASTERN UT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service, in conjunction with the Bureau of Land Management, the Colorado Division of Wildlife, and the Utah Division of Wildlife Resources, proposes to introduce black-footed ferrets into northwestern Colorado/northeastern Utah. The northwestern Colorado/northeastern Utah experimental population area is proposed to be designated a nonessential experimental population in accordance with section 10(j) of the Endangered Species Act.

**Timetable:**

Action	Date	FR Cite
NPRM	04/29/97	62 FR 23202
NPRM Comment Period End	06/30/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AD99

**1579. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATION OF TEN FRESHWATER MUSSELS IN HOLSTON RIVER SYSTEM IN TN AND VA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service plans to reintroduce ten mussels (Appalachian monkeyface pearl mussel, cracking pearl mussel, Cumberland monkeyface pearl mussel, dromedary pearl mussel, fanshell, orange-foot pimpleback pearl mussel, ring pink mussel, rough pigtoe and tan riffleshell) into historic habitat in the next two to three years. The mussels to be used in the reintroduction will include artificially propagated juveniles and adults taken from the wild, under certain circumstances. Mussel propagation technology currently is being developed using nonendangered surrogate species. The 4(d) rule will exempt unavoidable and unintentional take, such as fishing, boating, trapping, or wading.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE01

**1580. REVISION TO SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 460k

**CFR Citation:** 50 CFR subchapter C

**Legal Deadline:** None

**Abstract:** The Service plans to rewrite Subchapter C to include new public recreation policy on National Wildlife Refuges to include opening refuges to all public recreation (hunting, fishing, wildlife observation, photography, boating, hiking, camping, and picnicking) at the time of purchase. This is an administrative action and will not involve compliance cost to the public.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert Shallenberger, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, MS 670 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1744

**RIN:** 1018-AE02

**1581. PROPOSED APPROVAL OF SELECTED STATE PROGRAMS ALLOWING THE EXPORT OF GINSENG HARVESTED IN 1997-1999**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This rule will announce findings on the export of American ginseng from the 1997-1999 harvest season in 25 states. The Service reviews information and data as a basis for determining whether to continue approval of export from specific states for this harvest season or to initiate changes. The State of Oregon intends to apply soon to export ginseng.

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Acceptance of information provided by State ginseng management programs allows the Service to expedite the issuance of permits as required by the CITES treaty.

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Federal

**Agency Contact:** Charles W. Dane, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-1708

**RIN:** 1018-AE03

**1582. ENDANGERED SPECIES LISTING: PREBLE'S MEADOW JUMPING MOUSE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533 the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes to list Preble's Meadow Jumping Mouse, a small rodent, as an endangered species throughout its range without critical habitat. Preble's is restricted to four counties in Colorado and two counties in Wyoming. An undetermined number of Preble's on 10 sites are endangered due to modification and loss of wetland and riparian habitat from a range of human land uses including agricultural, residential, commercial, industrial, and recreational development.

**Timetable:**

Action	Date	FR Cite
NPRM	03/25/97	62 FR 14093
NPRM Comment Period End	05/27/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United

States Fish and Wildlife Service, MS-452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE06

**1583. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED ENDANGERED STATUS FOR BLACKBURN'S SPHINX MOTH FROM THE HAWAIIAN ISLANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service is proposing to add the Blackburn's sphinx moth to the list of endangered and threatened wildlife. The single remaining population is found of the island of Maui in the Hawaiian Islands. It is the largest (in adult form) native insect with a wing span of 5 inches.

**Timetable:**

Action	Date	FR Cite
NPRM	04/02/97	62 FR 15640
NPRM Comment Period End	06/02/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE20

**1584. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED STATUS FOR TEN PLANT TAXA FROM MAUI NUI, HAWAII**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list,

withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for 10 plant taxa without critical habitat designation. All 10 taxa are endemic to the Maui Nui group of islands in the Hawaiian Islands. This group includes Maui, Molokai, Lanai, and Kahoolawe and are found in a wide range of vegetative communities, elevation zones and moisture regimes. The 10 plant taxa and their habitats have been variously affected or are currently threatened by one or more of the following: competition, predation or habitat degradation from alien species, natural disasters and random environmental events.

**Timetable:**

Action	Date	FR Cite
NPRM	05/15/97	62 FR 26757
NPRM Comment Period End	07/14/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARL SQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE22

**1585. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR TWO LARKSPURS FROM COASTAL NORTHERN CALIFORNIA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

**Abstract:** The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for two plants (Baker's larkspur and yellow larkspur). These species grow in a variety of habitats including coastal

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prairie, coastal scrub or chaparral in Sonoma and Marin counties in northern California. Habitat loss and degradation, sheep grazing, road maintenance activities, and overcollection imperil the continued existence of these plants. Random events increase the risk of extinction to the extremely small plant populations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/97	62 FR 33383
NPRM Comment Period End	08/18/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARL SQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE23

**1586. • NO SURPRISES POLICY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** This rule contains the Service's proposed regulatory changes to part 17 of title 50 CFR and the National Marine Fisheries Service (NMFS) proposed regulatory changes to part 222 of title 50 necessary to implement the No Surprises Policy. These proposed revisions, which codify the Administration's No Surprises Policy, will provide regulatory assurance to permittees that have obtained an issued habitat conservation planning permit under section 10 of the Endangered Species Act. The policy was developed jointly by the Departments of Commerce and Interior. The policy sets forth a clear commitment by the FWS, NMFS, and the Departments of Commerce and Interior that, to the extent consistent with the requirements of the ESA and other Federal laws, the Government will honor its agreements under an approved HCP for which the permittee is in good faith implementing the HCP's terms and conditions.

**Timetable:**

Action	Date	FR Cite
NPRM	05/29/97	62 FR 29091
NPRM Comment Period End	07/28/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARL SQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE24

**1587. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR IONE BUCKWHEAT AND THREATENED STATUS FOR IONE MANZANITA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposed endangered status for ione buckwheat (a perennial herb) and threatened status for ione manzanita (an evergreen shrub of the heath family). These two species occur primarily on gravelly clay soils with iron oxide crust within chaparral (derived from the ione formation) in Amador or Calaveras counties in the central Sierra Nevada foothills of California. They are imperiled by one or more of the following factors: mining, clearing of vegetation for agriculture and fire protection, disease, inadequate regulatory mechanisms, habitat fragmentation, residential and commercial development, changes in fire frequency and continued erosion due to prior off-road vehicle use. Random events increase the risk to the few, small populations of ione buckwheat. Ownership of most occurrences of these two species is private. One population of each occurs on Federal land managed by the Bureau of Land Management. Other potential Federal involvement includes the use of Federal highway funds, the

permitting of lignite or coal mines through the Office of Surface Mining Reclamation and Enforcement, and the relicensing of hydro-electric projects by the Federal Energy Regulatory Commission.

**Timetable:**

Action	Date	FR Cite
NPRM	06/25/97	62 FR 34190
NPRM Comment Period End	08/25/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE25

**1588. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED THREATENED STATUS FOR NEWCOMB'S SNAIL FROM THE HAWAIIAN ISLANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes threatened status pursuant to the Endangered Species Act of 1973, as amended, for Newcomb's snail. This freshwater snail is restricted to the Hawaiian Island of Kauai. The known historic distribution of this snail has greatly decreased and extant populations are presently limited to restricted habitats on five perennial streams on State land. The five known populations of this snail and its habitat are currently threatened by predation by a species of non-native predatory snail and two species of non-native marsh flies. These populations are also subject to an increased likelihood of extirpation from naturally occurring events, including natural disasters such as hurricanes and landslides. All populations of this species occur on State-owned lands.

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**Timetable:**

Action	Date	FR Cite
NPRM	07/21/97	62 FR 38953
NPRM Comment Period End	09/19/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE27

**1589. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST KLAMATH RIVER POPULATION SEGMENT OF BULL TROUT AS ENDANGERED AND COLUMBIA RIVER POPULATION SEGMENT AS THREATENED**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes to list the Klamath River population segment of bull trout (members of the char subgroup in the salmon family) as endangered from south-central Oregon and the Columbia River population segment of bull trout as threatened from the northwestern United States and British Columbia, Canada, with a special rule pursuant to the Endangered Species Act of 1973. The Klamath River population segment, comprised of seven bull trout populations from south-central Oregon, is threatened by habitat degradation, passage restrictions at dams, and competition from non-native lake and brook trout. The special rule allows for take of bull trout within the Columbia River population segment if in accordance with applicable State fish and wildlife conservation laws and regulations. Pursuant to a court order, this rule is based on the 1994 administrative record. All available information, including current data,

will be considered prior to promulgation of a final rule.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/97	62 FR 32268
NPRM Comment Period Reopened	08/05/97	62 FR 42092
NPRM Comment Period End	08/12/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE29

**1590. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THE PLANT KECK'S SIDALCEA FROM TULARE COUNTY, CALIFORNIA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes to list *Sidalcea keckii* (Keck's sidalcea) as endangered pursuant to the Endangered Species Act of 1973. This annual herb (belonging to the mallow family) is threatened by urban development, agricultural land conversion, and random events. The species (found on sparsely vegetated slopes of serpentine-derived clay in annual grasslands) is known only from one population in the south-central Tulare county on private land is not in an approved habitat conservation plan. The likelihood of any Federal involvement is small, however, the Bureau of Reclamation's renewal of the Central Valley Project firant water contracts may affect the species.

**Timetable:**

Action	Date	FR Cite
NPRM	07/28/97	62 FR 40325

Action	Date	FR Cite
NPRM Comment Period End	09/26/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE30

**1591. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RULE TO LIST THE ILLINOIS CAVE AMPHIPOD AS ENDANGERED**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for the Illinois cave amphipod, *Gammarus acherondytes*. Historically, the amphipod was known from six cave streams in Monroe and St. Clair counties, Illinois. Recent surveys have found the species at only three of the original six sites. The species is believed to be threatened primarily by groundwater pollution which is likely due to the application of pesticides in cave stream recharge areas. A possible secondary threat is contamination of subsurface water by human and animal wastes from sewage and septic systems and livestock feedlots. The Monroe-Randolph Bi-County Health Department supports listing this species as a means of justifying greater protection for groundwater in the Karst area. Also the Natural Heritage Division of the Illinois Department of Conservation supports Federal listing of this species. It is currently a State-listed endangered species.

**Timetable:**

Action	Date	FR Cite
NPRM	07/28/97	62 FR 40319

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Action	Date	FR Cite
NPRM Comment Period End	09/26/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE31

**1592. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR PLANT IN WENATCHEE MOUNTAINS OF WASHINGTON**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service proposes endangered species status pursuant to the Endangered Species Act of 1973 for the Wenatchee Mountains checker-mallow (*Sidalcea oregana* var *calva*). This plant is endemic to meadows that have surface water on saturated soil in the spring and early summer at middle elevations in the Wenatchee Mountains of Chelan county, Washington.

Although five populations of this plant are known, three of these have very few individuals. The estimated total number of plants is about 3,300. The primary threats to this plant include alterations of hydrology, rural residential development and associated activities, competition from native and alien plants, recreation, fire suppression and activities associated with fire suppression. To a lesser extent, the taxon is threatened by

livestock grazing, road construction and timber harvesting and associated impacts including changes in surface-runoff in the small watersheds in which the plant occurs. This proposal, if made final, would implement the Federal protection and recovery programs of the Act for this plant.

**Timetable:**

Action	Date	FR Cite
NPRM	08/01/97	62 FR 41328
NPRM Comment Period End	09/30/97	
Final Action	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE32

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

United States Fish and Wildlife Service (FWS)

**1593. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FLAT-TAILED HORNED LIZARD**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/15/97	62 FR 37852

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC10

**Completed:**

Reason	Date	FR Cite
Final Action	06/11/97	62 FR 31748
Final Action Effective	07/11/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC19

**1596. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: JAGUAR**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/22/97	62 FR 39147
Final Action Effective	08/21/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC61

**1594. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ALASKA BREEDING POPULATION OF THE STELLER'S EIDERS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**1595. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: GOLDEN PAINTBRUSH**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	06/11/97	62 FR 31740
Final Action Effective	07/11/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC52

**1597. CLEAN VESSEL ACT NATIONAL PUMPOUT SYMBOL**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 85

**Completed:**

Reason	Date	FR Cite
Final Action	08/27/97	62 FR 45344

**Small Entities Affected:** None

**Government Levels Affected:** None

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Completed Actions

**Agency Contact:** Bob Lang  
Phone: 703 358-2156  
**RIN:** 1018-AC67

**1598. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: EGGERT'S SUNFLOWER**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	05/22/97	62 FR 27973
Final Action Effective	06/23/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC74

**1599. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TROPICAL BUTTERFLIES**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/25/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Charlie Dane  
Phone: 703 358-1708

**RIN:** 1018-AC76

**1600. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: HOLMGREN'S MILKVETCH AND SHEM'S MILKVETCH**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/25/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC92

**1601. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR CALIFORNIA PLANTS FROM VERNAL POOLS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	06/18/97	62 FR 33029
Final Action Effective	07/18/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC96

**1602. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TWO SAN FRANCISCO PLANTS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	06/19/97	62 FR 33368
Final Action Effective	07/21/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AC98

**1603. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: THREE PLANTS FROM THE CHANNEL ISLANDS OF SOUTHERN CALIFORNIA**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	08/08/97	62 FR 42692
Final Action Effective	09/08/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AD37

**1604. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SIXTEEN PLANT TAXA FROM THE NORTHERN CHANNEL ISLANDS, CALIFORNIA**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/31/97	62 FR 40954

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AD39

**1605. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: DESIGNATION OF EXPERIMENTAL NONESSENTIAL WHOOPING CRANE POPULATIONS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/21/97	62 FR 38932
Final Action Effective	08/20/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AD45

**1606. ENDANGERED SPECIES LISTING: GUAJON OR ROCK FROG**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	06/11/97	62 FR 31757
Final Action Effective	07/11/97	

**Small Entities Affected:** None

**Government Levels Affected:** State

**Agency Contact:** E. LaVerne Smith  
Phone: 703 358-2171

**RIN:** 1018-AD52

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## Completed Actions

**1607. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: 42 SOUTH AMERICAN BIRDS****Completed:**

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 1018-AC77	07/28/97	

RIN: 1018-AD59

**1608. DISPOSITION OF SURPLUS RANGE ANIMALS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 30

**Completed:**

Reason	Date	FR Cite
Final Action	04/24/97	62 FR 19936
Final Action Effective	05/27/97	

Small Entities Affected: None

Government Levels Affected: Tribal

Agency Contact: Robert Shallenberger  
Phone: 703 358-1744

RIN: 1018-AD75

**1609. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS C & D—1997-1998 SUBSISTENCE TAKING OF FISH AND WILDLIFE REGULATIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 100

**Completed:**

Reason	Date	FR Cite
Final Action	05/29/97	62 FR 29016
Final Action Effective	07/01/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Richard Pospahala  
Phone: 907 786-3467

RIN: 1018-AD90

**1610. REGULATIONS FOR THE ADMINISTRATION OF SPECIAL USE PERMITS ON NATIONAL WILDLIFE REFUGES IN ALASKA**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 36

**Completed:**

Reason	Date	FR Cite
Final Action	08/27/97	62 FR 45336

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Shallenberger  
Phone: 703 358-1744

RIN: 1018-AD93

**1611. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATED PORTS FOR LISTED PLANTS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 24

**Completed:**

Reason	Date	FR Cite
Final Action	06/05/97	62 FR 30773
Final Action Effective	06/05/97	

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Federal

Agency Contact: Dr. Susan Lieberman  
Phone: 703 358-2095

RIN: 1018-AD97

**1612. 1997 MIGRATORY BIRD HUNTING AND CONSERVATION STAMP (FEDERAL DUCK STAMP) CONTEST**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 91

**Completed:**

Reason	Date	FR Cite
Final Action	05/07/97	62 FR 24844
Final Action Effective	07/01/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Robert Lesino  
Phone: 202 208-4354

RIN: 1018-AE07

**1613. MIGRATORY BIRD HUNTING: TEMPORARY APPROVAL OF TUNGSTEN-IRON SHOT AS NONTOXIC FOR 1997-98 SEASON**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

**Completed:**

Reason	Date	FR Cite
Final Action	08/13/97	62 FR 43444

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul R. Schmidt  
Phone: 703 358-1838

RIN: 1018-AE09

**1614. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CHANGE IN LISTING STATUS OF STELLER SEA LIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	06/05/97	62 FR 30772
Final Action Effective	06/04/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: E. LaVerne Smith  
Phone: 703 358-2171

RIN: 1018-AE10

**1615. MIGRATORY BIRD HARVEST INFORMATION PROGRAM—PARTICIPATING STATES FOR THE 1997-98 SEASON**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

**Completed:**

Reason	Date	FR Cite
Final Action (Completion published in error under RIN 1018-AD08)	08/28/97	62 FR 45706

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul R. Schmidt  
Phone: 703 358-1714

RIN: 1018-AE13

**1616. MIGRATORY BIRD HUNTING: PROPOSED 1997-98 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUESTS FOR INDIAN TRIBAL PROPOSALS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

**Completed:**

Reason	Date	FR Cite
Final Action	09/30/97	62 FR 51298

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Paul R. Schmidt  
Phone: 703 358-1714

RIN: 1018-AE14

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Completed Actions

**1617. 1997-98 REFUGE SPECIFIC REGULATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 32

**Completed:**

Reason	Date	FR Cite
Final Action	09/09/97	62 FR 47372

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert Shallenberger  
Phone: 703 358-1744

**RIN:** 1018-AE18

In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than 1 year after such proposal.

**Abstract:** The Service is adding the southern Oregon/northern California coast evolutionarily significant unit (ESU) of coho salmon to the List of Endangered and Threatened Wildlife list as a threatened species in accordance with the Endangered Species Act of 1973. This amendment to the list includes all coho salmon naturally reproduced in streams between Cape Blanco in Curry County, Oregon and Punta Gorda in Humboldt county, California. This amendment is based on a determination by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, which has jurisdiction over this species. All coho salmon populations in this ESU are very depressed, currently numbering less than 10,000 naturally produced adults. The threats to this ESU are numerous

and varied. Several human-caused factors, including habitat degradation, harvest and artificial propagation, exacerbate the adverse effects of natural environmental variability brought about by drought, floods and poor ocean conditions. The Service is responsible for actual addition of a species and changes in reclassification to the list of endangered and threatened wildlife in 50 CFR 17.11(h).

**Timetable:**

Action	Date	FR Cite
Final Action Effective	06/05/97	
Final Action	06/18/97	62 FR 33038

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240  
Phone: 703 358-2171

**RIN:** 1018-AE28

**BILLING CODE** 4310-55-F

**1618. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; THREATENED STATUS FOR SOUTHERN OREGON/NORTHERN CALIFORNIA COAST EVOLUTIONARILY SIGNIFICANT UNIT OF COHO SALMON**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory.

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

National Park Service (NPS)

**1619. NATIONAL PARK SERVICE SYMBOLS: UNITED STATES PARK POLICE INSIGNIA**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3

**CFR Citation:** 36 CFR 11

**Legal Deadline:** None

**Abstract:** The National Park Service proposed rule and request for comments relates to the United States Park Police insignia. It will recognize an official United States Park Police insignia, provide for its future protection and prevent the unauthorized use of the insignia.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874

Fax: 202 208-6756  
Email: dennis\_burnett@nps.gov

**RIN:** 1024-AB94

**1620. RIGHTS-OF-WAY**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 3; 16 USC 5; 16 USC 79

**CFR Citation:** 36 CFR 14

**Legal Deadline:** None

**Abstract:** The regulations for rights-of-way found at 36 CFR part 14, subparts A to H were promulgated as interim

regulations in 1980. The regulations no longer meet the needs of the Service or of rights-of-way applicants. Final regulations need to be developed through a revision of part 14.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dick Young, Park Ranger, Department of the Interior, National Park Service, Colonial National Park, P.O. Box 210, Yorktown, VA 23690  
Phone: 804 898-3400

**RIN:** 1024-AC01

**1621. APPLICABILITY AND RESOURCE PROTECTION REVISIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

DOI—NPS

Proposed Rule Stage

the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462

**CFR Citation:** 36 CFR 2

**Legal Deadline:** None

**Abstract:** A major revision of 36 CFR part 2 was completed in 1983. This current review is to address clarification of the applicability of these regulations in National Park Service areas, and to update existing resource protection and visitor use regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, Room 3315, MS 650, P.O. Box 37127, Washington, DC 20013-7127

Phone: 202 208-4874

Fax: 202 208-6756

**RIN:** 1024-AC38

**1622. NON-FEDERAL OIL AND GAS RIGHTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 230a; 16 USC 450kk; 16 USC 459d-3; 16 USC 459h-3; 16 USC 460ee; 16 USC 460cc-2(i); 16 USC 460m; 16 USC 698c; 16 USC 698f; 16 USC 3101; 18 USC 3571; 18 USC 3581; 43 USC 600d

**CFR Citation:** 36 CFR 9

**Legal Deadline:** None

**Abstract:** This rule will update existing regulations that were promulgated in 1978 to make them consistent with existing laws, policies, and practices and will improve their clarity and workability. The rule will implement Congressional mandates for park resource protection contained in the Big Cypress National Preserve Act of 1988. The rule will strengthen the

ability of the NPS to protect the natural, cultural, and historic resources of system units from non-Federal oil and gas and geothermal operations within park boundaries.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carol McCoy, Chief, Policy and Regulations Section, Mining and Minerals Branch, Department of the Interior, National Park Service, P.O. Box 25287, Denver CO 80225-0287  
Phone: 303 969-2096

**RIN:** 1024-AC53

**1623. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS FUTURE APPLICABILITY**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 25 USC 3001

**CFR Citation:** 43 CFR 10.13

**Legal Deadline:** None

**Abstract:** The proposed rule relates to one section of regulations implementing NAGPRA. This section outlines procedures for the future applicability of NAGPRA to museums and Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	
NPRM Comment Period End	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dr. Francis P. McManamon, Departmental Consulting Archaeologist, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 343-4101

**RIN:** 1024-AC57

**1624. DENALI NATIONAL PARK AND PRESERVE, SPECIAL REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 3101 et seq

**CFR Citation:** 36 CFR 13.63

**Legal Deadline:** None

**Abstract:** This proposed rule will change out-of-date references to Mount McKinley National Park to Denali National Park. It will also consolidate in the special regulations existing designations, closures, permit requirements, and other restrictions regarding vehicle use, vehicle traffic, oversize vehicles, snowmachines, and public health, safety, and resource protection postings and closures.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	
NPRM Comment Period End	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Russ Wilson, Alaska Desk Officer, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-6381

**RIN:** 1024-AC58

**1625. • DELAWARE WATER GAP NRA, BICYCLE TRAIL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k)

**CFR Citation:** 36 CFR 7.71

**Legal Deadline:** None

**Abstract:** This rule will designate certain routes within a nondeveloped area of Delaware Water Gap NRA as open to bicycle use, and will regulate their use in this area.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	
NPRM Comment Period End	04/00/98	

DOI—NPS

Proposed Rule Stage

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Wayne Valentine, Supervisory Park Ranger, Department of the Interior, National Park Service, Delaware Water Gap NRA, Bushkill, PA 18324  
 Phone: 908 841-9533  
**RIN:** 1024-AC62

**1626. • HYDROELECTRIC POWER PROJECTS IN THE NATIONAL PARK SYSTEM**

**Priority:** Other Significant  
**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 791a et seq; 16 USC 797c  
**CFR Citation:** 36 CFR 19  
**Legal Deadline:** None  
**Abstract:** The rule will implement section 2402 of the Energy Policy Act of 1992 (16 USC 797c). The rule will establish the procedure for the Director to follow in determining whether a new hydroelectric project located within the boundaries of any unit of the National Park System would have a direct adverse effect on Federal lands within that unit and the procedures for applicants to follow when filing with the Federal Energy Regulatory Commission.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** Federal  
**Agency Contact:** Dennis Burnett, Park Ranger-Program Manager, Department of the Interior, National Park Service, Ranger Activities Division, 1849 C Street NW., Mail Stop 7408, Wshington, DC 20240  
 Phone: 202 208-4874  
 Fax: 202 208-6756  
 Email: dennis\_burnett@nps.gov  
**RIN:** 1024-AC64

DEPARTMENT OF THE INTERIOR (DOI)  
 National Park Service (NPS)

Final Rule Stage

**1627. NATIONAL NATURAL LANDMARKS PROGRAM**  
**Priority:** Other Significant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 461 et seq  
**CFR Citation:** 36 CFR 62  
**Legal Deadline:** None

**Abstract:** This proposed rulemaking will amend the current regulations for the National Natural Landmarks Program. Proposed changes include strengthening and clarifying provisions for landowner notification, adding requirements for voluntary landowner consent for natural landmark designation, and providing for review of natural landmark nominations by the National Park System Advisory Board.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/29/90	55 FR 43384
NPRM	11/21/91	56 FR 58790
NPRM Comment Period End	02/19/92	
Final Action	07/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Gary Johnston, Chief, Wildlife and Vegetation Division, Department of the Interior, National

Park Service, P.O. Box 37127, Washington, DC 20013-7127  
 Phone: 202 343-8115  
**RIN:** 1024-AB96

**1628. GLACIER BAY NATIONAL PARK, ALASKA FISHING REGULATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 3101 et seq  
**CFR Citation:** 36 CFR 13.65  
**Legal Deadline:** None

**Abstract:** The proposed regulations would allow several exemptions for specific commercial fishing activities in Glacier Bay National Park's marine waters from the existing Nationwide National Park Service prohibition on such activities. Some commercial fishing activities would cease at the end of their exemption period.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/91	56 FR 37262
NPRM Comment Period End	11/03/91	56 FR 46589
Reproposal	04/16/97	62 FR 18547
Comment Period End	10/15/97	
Final Action	09/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** James M. Brady, Superintendent, Department of the Interior, National Park Service, Glacier

Bay National Park, P.O. Box 140, Gustavus, AK 99826-0140  
 Phone: 907 697-2230  
**RIN:** 1024-AB99

**1629. VOYAGEURS NATIONAL PARK: AIRCRAFT OPERATIONS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a  
**CFR Citation:** 36 CFR 7.33  
**Legal Deadline:** None

**Abstract:** This proposed rulemaking amends the current special regulations for Voyageurs National Park by adding a section designating areas open to aircraft use within the Park. This addition is necessary because National Park Service general regulations require such special regulatory designations for areas in parks open to the operation or use of aircraft. The intended effects are to increase safety, protect resources, and provide appropriate enjoyment to park users.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/02/95	60 FR 39257
NPRM	01/31/96	61 FR 3360

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Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	09/05/96	61 FR 20775
Final Action	09/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Bruce McKeeman, Chief Ranger, Department of the Interior, National Park Service, Voyageurs National Park, HCR 9, Box 600, International Falls, MN 56649-9701  
Phone: 218 283-9821

**RIN:** 1024-AC23

**1630. SHENANDOAH NATIONAL PARK: BACKCOUNTRY AND FISHING REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 7.15

**Legal Deadline:** None

**Abstract:** The National Park Service is proposing to remove the majority of the backcountry and fishing regulations specific to Shenandoah National Park. This rule will retain only those regulations not covered by parts 1 and 2 of 36 CFR and deemed necessary for the proper management of the park.

**Timetable:**

Action	Date	FR Cite
NPRM	02/12/96	61 FR 5354
NPRM Comment Period End	04/13/96	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874

**RIN:** 1024-AC33

**1631. GRAND TETON NATIONAL PARK AND JOHN D. ROCKEFELLER, JR. MEMORIAL PARKWAY: SNOWMOBILE AND SNOWPLANE ROUTES AND REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 7.22

**Legal Deadline:** None

**Abstract:** The National Park Service proposes to change the special regulations relating to the use of and designated routes for snowmobiles and snowplanes within Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway. The proposed rule will define more clearly the use of snowmobiles, snowplanes, and designated routes. This rule can eliminate the use of snowmobiles in the Potholes-Baseline Flats area at the discretion of the Superintendent and establish special regulations allowing snowmobile use on the Continental Divide Snowmobile Trail. The proposed rule will also establish a requirement for operators of snowmobiles within Grand Teton National Park to have a valid driver's license or learner's permit.

**Timetable:**

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54633
NPRM Comment Period End	12/26/95	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 208-4874

**RIN:** 1024-AC34

**1632. PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 470 et seq

**CFR Citation:** 36 CFR 61

**Legal Deadline:** None

**Abstract:** The National Park Service proposes to revise the requirements for State and local historic preservation programs as well as the way the NPS administers these programs. The proposed changes are intended to provide more flexibility in (1) State historic preservation office staffing; (2) State Historic Preservation Review Board membership and operations; and (3) carrying out State Historic Preservation Officer responsibilities. The revision streamlines the process for certification of local governments to participate officially in the national historic preservation program. This proposed revision also officially recognizes the growing role of tribal historic preservation programs. Some of the changes are necessary because of the 1992 amendments to the National Historic Preservation Act.

**Timetable:**

Action	Date	FR Cite
NPRM	10/02/96	61 FR 51536
NPRM Comment Period End	12/02/96	
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** John W. Renaud, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 343-1059  
Fax: 202 343-1836

**RIN:** 1024-AC44

**1633. OFF-ROAD OPERATION OF MOTOR VEHICLES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k)

**CFR Citation:** 36 CFR 7.67

DOI—NPS

Final Rule Stage

**Legal Deadline:** None

**Abstract:** This proposed rule will amend the existing off-road vehicle use regulations at Cape Cod National Seashore through a negotiated rulemaking committee.

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/97	62 FR 24624
NPRM Comment Period End	06/05/97	
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Linda Canzanelli, Assistant Superintendent, Department of the Interior, National Park Service, Cape Cod National Seashore, South Wellfleet, MA 0663  
Phone: 508 349-3785

**RIN:** 1024-AC47

**1634. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS; CIVIL PENALTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 3001

**CFR Citation:** 43 CFR 10

**Legal Deadline:** None

**Abstract:** This proposed rule details procedures for assessing civil penalties upon institutions receiving Federal funds that fail to comply with applicable provisions of the Act and implementing regulations.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/13/97	62 FR 1820
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dr. Francis P. McManamon, Departmental Consulting Archaeologist, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127  
Phone: 202 343-4101

**RIN:** 1024-AC48

**1635. BIG CYPRESS NATIONAL PRESERVE; RECREATIONAL FROGGING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a

**CFR Citation:** 36 CFR 7.86

**Legal Deadline:** None

**Abstract:** This rule will allow the recreational, non-commercial taking of the pig frog (*Rana grylio*) in the Preserve. The rule will designate seasons, times, locations, methods, and means of taking, and establish harvest limits and permit requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	11/22/96	61 FR 59393
NPRM Comment Period End	01/21/97	
Final Action	09/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** William Carroll, Chief Ranger, Big Cypress National Preserve, Department of the Interior, National Park Service, HCR 61, Box 110, Ochopee, FL 34141  
Phone: 941 695-2000

**RIN:** 1024-AC54

**1636. • NATIONAL CAPITAL REGION; KENNEDY CENTER AND DISTRIBUTION OF LITERATURE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k); Sec 7.96 also issued under DC Code 8-137 and DC Code 40-721

**CFR Citation:** 36 CFR 7.96

**Legal Deadline:** None

**Abstract:** This rule is necessary to update 7.96 because of two recent actions. One change deletes reference to the John F. Kennedy Center for the Performing Arts because PL 103-279 removed the Kennedy Center from NPS jurisdiction. The other change involves two recent court decisions concerning the distribution of printed matter.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Richard Robbins, Assistant Solicitor, Department of the Interior, National Park Service, Office of the Solicitor, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4338

**RIN:** 1024-AC61

**1637. • SAFETY BELTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462(k); EO 13043

**CFR Citation:** 36 CFR 4.15

**Legal Deadline:** None

**Abstract:** The National Park Service is proposing to amend its regulations concerning safety belt use within units of the NPS. Currently, the NPS regulations require safety belt use by the operator and each front seat passenger. EO 13043 directs NPS to promulgate regulations requiring all occupants of motor vehicles to use safety belts or child restraint devices at all times within units of the NPS when the vehicle is in motion.

**Timetable:**

Action	Date	FR Cite
NPRM	07/28/97	62 FR 40317
NPRM Comment Period End	09/26/97	
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett, Park Ranger, Department of the Interior, National Park Service, 1849 C Street NW., MS 7408-MIB, Washington, DC 20240  
Phone: 202 208-4874  
Fax: 202 208-6756  
Email: dennis\_burnett@nps.gov

**RIN:** 1024-AC63

**DEPARTMENT OF THE INTERIOR (DOI)**

**Completed Actions**

**National Park Service (NPS)**

**1638. BADLANDS NATIONAL PARK—COMMERCIAL VEHICLES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 36 CFR 7.23

**Completed:**

Reason	Date	FR Cite
Final Action	01/17/97	62 FR 2579
Final Action Effective	02/16/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Scott Lopez  
Phone: 605 433-5361

**RIN:** 1024-AC30

**1639. BOATING AND WATER ACTIVITIES: PROHIBITED OPERATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 3.6; 36 CFR 3.23

**Completed:**

Reason	Date	FR Cite
Final Action	06/23/97	62 FR 33749
Final Action Effective	07/23/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett  
Phone: 202 208-4874

Fax: 202 208-6756

Email: dennis\_burnett@nps.gov

**RIN:** 1024-AC46

**1640. VIRGIN ISLANDS NATIONAL PARK: VESSEL MOORING AND ANCHORING**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 7

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action scheduled	06/25/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett  
Phone: 202 208-4874

Fax: 202 208-6956

**RIN:** 1024-AC56

**1641. GENERAL PROVISIONS; DEFINITIONS; CHANGE IN ORGANIZATIONAL TITLES**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 36 CFR 1.4; 36 CFR 7; 36 CFR 9; 36 CFR 20

**Completed:**

Reason	Date	FR Cite
Final Action	06/03/97	62 FR 30232
Final Action Effective	06/03/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dennis Burnett  
Phone: 202 208-4874

Fax: 202 208-6756

**RIN:** 1024-AC60

BILLING CODE 4310-70-F

**DEPARTMENT OF THE INTERIOR (DOI)**

**Proposed Rule Stage**

**Bureau of Indian Affairs (BIA)**

**1642. ADMINISTRATION OF THE HIGHER EDUCATION PROGRAM**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13; PL 67-85

**CFR Citation:** 25 CFR 40

**Legal Deadline:** None

**Abstract:** This rule will revise established policies and provide uniform procedures to govern the higher education program administered under the authority of 25 USC 13. This rule applies only to educational grants; Bureau educational loans are governed by 25 CFR part 91. This part has been redesignated from 25 CFR part 32.

**Timetable:**

Action	Date	FR Cite
Public Consultation	01/23/91	

Action	Date	FR Cite
NPRM	02/19/97	62 FR 7395
NPRM	03/00/98	
NPRM Comment Period End	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal, Federal

**Additional Information:** This rule is being repropounded due to a court decision on the definition of "Indian."

**Agency Contact:** Garry R. Martin, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Room 3512 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3478  
Fax: 202 208-3312

**RIN:** 1076-AA10

**1643. INDIAN SCHOOL EQUALIZATION PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13; 25 USC 2008

**CFR Citation:** 25 CFR 39

**Legal Deadline:** None

**Abstract:** This rule will change the definitions of some disabling conditions so that they are consistent with Department of Education definitions of some disabling conditions and adjust the way schools are reimbursed for student transportation services.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/98	

DOI—BIA

Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	06/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None

**Agency Contact:** Rod Young, Chief, Branch of Administrative Services, Department of the Interior, Bureau of Indian Affairs, Room 3515 MIB, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-4555  
 TDD: 202 208-3271

**RIN:** 1076-AD09

**1644. TRIBAL SELF-GOVERNANCE**

**Regulatory Plan:** This entry is Seq. No. 58 in Part II of this issue of the **Federal Register**.

**RIN:** 1076-AD20

**1645. LEASING RESTRICTED LANDS OF MEMBERS OF THE FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 356

**CFR Citation:** 25 CFR 213

**Legal Deadline:** None

**Abstract:** BIA is revising this rule to ensure consistency with existing law and to improve operating procedures. Issues to be addressed include authority to lease inherited restricted land, processing lease payments through the Minerals Management Service, and the approval process for division orders.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Charles Robertson, Realty Officer, Muskogee Area Office, Department of the Interior, Bureau of Indian Affairs, 101 North Fifth Street, Muskogee, OK 74401  
 Phone: 918 687-2324

Fax: 918 687-2454

**RIN:** 1076-AD33

**1646. EXPLORATION, MINING, AND RECLAMATION OF LANDS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 355; 25 USC 396; 25 USC 473; 25 USC 501; 25 USC 396; 5 USC 301

**CFR Citation:** 25 CFR 216

**Legal Deadline:** None

**Abstract:** This rule will update part 216 to incorporate changes in regulations as well as the mining industry. It will bring the bureau into conformance with the standards of the Bureau of Land Management and the Office of Surface Mining and will protect the Indian mineral owners by giving them no less protection than what is given to Federal lands. Indian mineral owners will be protected through the regulation of exploration for minerals by adequate measures that avoid, minimize, or correct damage to the environment, land, water, and the public safety.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Pete Aguilar, Geologist, Department of the Interior, Bureau of Indian Affairs, 12136 West Bayaud Avenue, Lakewood, CO 80228  
 Phone: 303 969-5270  
 Fax: 303 969-5273  
 Email: ksnnyder@snakel.cr.usgs.gov

**RIN:** 1076-AD36

**1647. TRIBAL REORGANIZATION UNDER A FEDERAL STATUTE**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 473a; 25 USC 476; 25 USC 477; 25 USC 503

**CFR Citation:** 25 CFR 81

**Legal Deadline:** None

**Abstract:** This rule contains uniform procedures for conducting Secretarial elections for voting on proposed constitutions when tribes wish to reorganize, adopt constitutional amendments, ratify and amend charters, or revoke existing constitutions. This revision will incorporate changes to comply with Public Law 100-581.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Delores Springer, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, Room 4641 MIB, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-7435

**RIN:** 1076-AD46

**1648. PETITIONING PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 473a; 25 USC 476; 25 USC 477; 25 USC 503

**CFR Citation:** 25 CFR 82

**Legal Deadline:** None

**Abstract:** This rule contains procedures for submitting petitions that request the Secretary to call elections to amend tribal constitutions, issue charters, and other actions. The revision will allow the petitioners' spokesman to make technical changes to petitions in consultation with the Bureau and to change the petition format.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Delores Springer, Office of Tribal Services, Department of

DOI—BIA

Proposed Rule Stage

the Interior, Bureau of Indian Affairs, Room 4641 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-7435

RIN: 1076-AD47

**1649. ACADEMIC AND DORMITORY STANDARDS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 25 USC 2001; 25 USC 2002; 25 USC 2003; PL 95-561; 5 USC 301; 25 USC 2; 25 USC 9

**CFR Citation:** 25 CFR 36

**Legal Deadline:** None

**Abstract:** This rule will eliminate subparts A through G of 25 CFR 36. Of 189 Bureau schools, 179 have adopted State or regional academic standards. BIA will assist the remaining schools to achieve State or regional accreditation. This will render the rules in subparts A through G obsolete.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James C. Martin, Division Chief, Department of the Interior, Bureau of Indian Affairs, Room 3512 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-5810  
Fax: 202 208-0030

RIN: 1076-AD55

**1650. EDUCATION CONTRACTS UNDER THE JOHNSON-O'MALLEY ACT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 455 to 457

**CFR Citation:** 25 CFR 273

**Legal Deadline:** None

**Abstract:** The rule will include guidelines and responsibilities related

to agreements under the provisions of the Indian Self Determination Act Amendments of 1994. The new provisions will reduce the burden of reporting requirements by the tribes.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/98	
NPRM Comment	06/00/98	
Period End		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Garry R. Martin, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Room 3512, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3478  
Fax: 202 208-3312

RIN: 1076-AD58

**1651. LOANS TO INDIANS FROM THE REVOLVING LOAN FUND**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 1469

**CFR Citation:** 25 CFR 101

**Legal Deadline:** None

**Abstract:** The direct loan program is being eliminated. We will eliminate most of 25 CFR 101 and will rewrite the rest.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Woody Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, Room 4648 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4796  
Fax: 202 208-3664  
Email: woody\_sneed@ios.doi.gov

RIN: 1076-AD59

**1652. SCHOOL CONSTRUCTION CONTRACTS FOR PUBLIC SCHOOLS**

**Priority:** Info./Admin./Other

**Legal Authority:** PL 104-4

**CFR Citation:** 25 CFR 277

**Legal Deadline:** None

**Abstract:** This rule is being eliminated because the program it governs has never been funded.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/98	
NPRM Comment	06/00/98	
Period End		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Joann Sebastian Morris, Office of Indian Education Programs, Department of the Interior, Bureau of Indian Affairs, Room 3512 - MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-6123  
Fax: 202 208-3312

RIN: 1076-AD69

**1653. ADULT VOCATIONAL TRAINING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 309; PL 88-230

**CFR Citation:** 25 CFR 27

**Legal Deadline:** NPRM, Statutory, April 30, 1997.

**Abstract:** The rule for BIA's adult vocational training program is being rewritten in plain English as part of the President's regulatory reform initiative

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dean Poleahla, Office of Economic Development, Department of the Interior, Bureau of Indian Affairs, Room 4642 - MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-2671

DOI—BIA

Proposed Rule Stage

Fax: 202 208-3664

RIN: 1076-AD72

**1654. LOAN GUARANTEE PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 1451

**CFR Citation:** 25 CFR 103

**Legal Deadline:** None

**Abstract:** The rule for the guaranteed loan program is being rewritten in plain English as part of the President's regulatory reform initiative.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Woody Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, Room 2063 - MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4796  
Fax: 202 208-3664  
Email: woody\_sneed@ios.doi.gov

RIN: 1076-AD73

**1655. EMPLOYMENT ASSISTANCE FOR ADULT INDIANS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13

**CFR Citation:** 25 CFR 26

**Legal Deadline:** NPRM, Statutory, April 30, 1997.

**Abstract:** The rule for BIA's employment assistance program for adult Indians is being rewritten in plain English as part of the President's regulatory reform initiative.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Dean Poleahla, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 4642 MIB, Washington, DC 20240  
Phone: 202 208-2671  
Fax: 202 208-3664

RIN: 1076-AD75

**1656. CERTIFICATES OF DEGREE OF INDIAN BLOOD**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 9; 25 USC 13

**CFR Citation:** 25 CFR 70

**Legal Deadline:** None

**Abstract:** This rule establishes procedures for processing certificates of degree of Indian blood.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
NPRM Comment	02/00/98	
Period End		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, Room 4641 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3463  
Fax: 202 501-0679

RIN: 1076-AD78

**1657. USE OF COLUMBIA RIVER FISH ACCESS SITES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 100-581

**CFR Citation:** 25 CFR 247

**Legal Deadline:** None

**Abstract:** This rule contains procedures for permitting tribal use of fishing

access sites on the Columbia River. These sites are required to allow tribes boat access to the river so that they may exercise their treaty fishing rights. The rule defines who may use the sites, permitted and prohibited activities, and health and safety standards. It also provides rules for using facilities located on the sites.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Chuck James, Area Archeologist, Department of the Interior, Bureau of Indian Affairs, 911 NE 11th Avenue, Portland, OR 97232  
Phone: 503 231-6229  
Fax: 503 231-2275

RIN: 1076-AD83

**1658. MORTGAGES AND DEEDS OF TRUST ON INDIVIDUALLY OWNED TRUST LAND OR LAND SUBJECT TO A RESTRICTION ON ALIENATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 483a

**CFR Citation:** 25 CFR 152

**Legal Deadline:** None

**Abstract:** Indians may mortgage or give deeds of trust to their restricted land with approval of the Secretary of the Interior. The regulation will state the conditions under which approval will be given.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment	12/00/97	
Period End		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Woodrow B. Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240  
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Email: woody\_sneed@ios.doi.gov

RIN: 1076-AD85

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Bureau of Indian Affairs (BIA)**

**Final Rule Stage**

**1659. ADMINISTRATION OF THE INDIAN ADULT EDUCATION PROGRAMS**

**Priority:** Other Significant  
**Legal Authority:** 25 USC 13  
**CFR Citation:** 25 CFR 46  
**Legal Deadline:** None

**Abstract:** These proposed regulations are designed to provide standardized administrative procedures for administering and operating Indian adult education programs.

**Timetable:**

Action	Date	FR Cite
NPRM	12/30/87	52 FR 49172
NPRM Comment Period End	02/29/88	52 FR 49172
Public consultation	01/23/91	
NPRM	08/25/94	59 FR 44016
NPRM Comment Period End	01/31/95	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Garry R. Martin, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, Room 3512, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3478  
 TDD: 202 208-3312

**RIN:** 1076-AA15

**1660. LEASING AND PERMITTING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 395; 25 USC 402; 25 USC 403; 25 USC 466

**CFR Citation:** 25 CFR 162

**Legal Deadline:** None

**Abstract:** This rule will reorganize the existing leasing and permitting rule into subparts and incorporate the provisions on range permits and leasing required by Public Law 103-177.

**Timetable:**

Action	Date	FR Cite
NPRM	06/17/96	61 FR 30560
NPRM Comment Period End	10/15/96	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, Room 4513 - MIB, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3598  
 Fax: 202 219-1255

**RIN:** 1076-AA29

**1661. ROADS OF THE BUREAU OF INDIAN AFFAIRS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 47; 25 USC 318a; 23 USC 202; 23 USC 204

**CFR Citation:** 25 CFR 170

**Legal Deadline:** None

**Abstract:** The Bureau of Indian Affairs is proposing to revise 25 CFR part 170 to reflect the current Bureau of Indian Affairs and Federal Highway Administration policies for road systems on Indian reservations. This change is proposed to assure that funds are apportioned from the Highway Trust Fund for construction projects on Indian reservations roads in accordance with the relative needs of the reservation, and to encourage tribal self-determination.

**Timetable:**

Action	Date	FR Cite
NPRM	03/24/94	59 FR 14030
NPRM Comment Period End	05/23/94	
Final Action	09/00/98	
Final Action Effective	10/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 4058, MIB, Washington, DC 20240  
 Phone: 202 208-4359  
 Fax: 202 208-4696

**RIN:** 1076-AB05

**1662. NAVAJO PARTITIONED LANDS GRAZING REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 25 USC 640(d)

**CFR Citation:** 25 CFR 161

**Legal Deadline:** None

**Abstract:** These regulations are necessary for implementation of the livestock and grazing control provisions of 25 USC 640(d). In 1982 the Federal District Court for Arizona abolished 25 CFR 153, Grazing Regulation for the Joint Use Administrative Area and ordered the Secretary to promulgate new regulations for the control of grazing and livestock for the former Joint Use Administrative Area. Due to a lack of tribal concurrence, regulations were not promulgated for lands partitioned to the Navajo Tribe. Navajo tribal concurrence has been recently obtained; therefore, the BIA needs to move forward with publication of these regulations. Any cost associated with the implementation of these regulations will be assumed within the BIA annual budget. Cost associated with compliance of the provisions of these regulations will be borne by the Navajo Tribe or its members. There is no associated cost to the general public.

**Timetable:**

Action	Date	FR Cite
NPRM	11/01/95	60 FR 55506
NPRM Comment Period End	09/06/96	61 FR 29327
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, Room 4513, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3598  
 Fax: 202 219-1255

**RIN:** 1076-AC81

**1663. RANGE REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** PL 103-177

**CFR Citation:** 25 CFR 162; 25 CFR 166

**Legal Deadline:** Final, Statutory, December 3, 1995.

**Abstract:** This rule implements the Education Trespass and Land Management portion of Public Law 103-177.

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Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/03/96	61 FR 27824
NPRM Comment Period End	10/01/96	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 4559, Washington, DC 20240  
Phone: 202 208-3598  
Fax: 202 501-1716

**RIN:** 1076-AD04

**1664. PREFERENCE IN EMPLOYMENT**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 479

**CFR Citation:** 25 CFR 5

**Legal Deadline:** None

**Abstract:** The Bureau is proposing to eliminate provisions relating to preference in employment because they expired on January 5, 1990.

**Timetable:**

Action	Date	FR Cite
NPRM	07/12/96	61 FR 36671
NPRM Comment Period End	09/10/96	
Final Action	12/00/97	
Final Action Effective	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, Room 4641 MIB, 1849 C Street NW., Washington, DC 20245  
Phone: 202 208-4400

**RIN:** 1076-AD05

**1665. GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES AND NAVAJO COMMUNITY COLLEGE**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 1801 to 1852; 25 USC 640; 25 USC 1831

**CFR Citation:** 25 CFR 41

**Legal Deadline:** None

**Abstract:** This rule applies to the provision of financial assistance, technical assistance, and endowments to tribal colleges and Navajo Community College and will strengthen requirements relating to: (1) Criteria for satisfactory programs; (2) counting Indian students; (3) developing planning grants; (5) forward funding; (6) renovation and construction of facilities; and (7) preparing construction feasibility reports.

**Timetable:**

Action	Date	FR Cite
NPRM	04/01/97	62 FR 15446
NPRM Comment Period End	06/02/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Garry R. Martin, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Room 3512, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3478

**RIN:** 1076-AD08

**1666. INDIAN TRIBAL JUSTICE SUPPORT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 103-176; 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 200; 25 USC 3601 et seq

**CFR Citation:** 25 CFR 92

**Legal Deadline:** Final, Statutory, June 3, 1994.

**Abstract:** This rule will establish a base funding formula for the distribution of appropriations under the Indian Tribal Justice Act. BIA will use this formula to determine the funding levels to be awarded to eligible Indian tribes for use in establishing or enhancing traditional or contemporary justice systems.

**Timetable:**

Action	Date	FR Cite
Tribal Consultation	06/20/95	

Action	Date	FR Cite
NPRM	07/30/96	61 FR 39607
NPRM Comment Period End	09/30/96	
Final Action	02/00/98	
Final Action Effective	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Room 4641 MIB, Washington, DC 20240  
Phone: 202 208-4400

**RIN:** 1076-AD15

**1667. LEASING OSAGE RESERVATION LANDS FOR MINING OF MINERALS OTHER THAN OIL AND GAS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 59-321

**CFR Citation:** 25 CFR 214

**Legal Deadline:** None

**Abstract:** This revision eliminates royalties for minerals not found within the Osage Mineral Estate and gives the Osage tribal Council authority for setting applicable royalty rates. This revision also replaces outmoded methods of exchange with modern methods and designates officials responsible for management of non-oil and gas minerals within the Osage Mineral Estate. The revisions will enhance the Department's management of the production of these minerals and eliminate inaccuracies in the current regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	08/08/96	61 FR 41365
NPRM Comment Period End	10/07/96	
Final Action	10/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gordon Jackson, Superintendent, Osage Agency, Department of the Interior, Bureau of

DOI—BIA

Final Rule Stage

Indian Affairs, P.O. Box 1539,  
Pawhuska, OK 74056  
Phone: 918 287-1032  
Fax: 918 287-4320  
RIN: 1076-AD34

**1668. LEAD AND ZINC MINING OPERATIONS AND LEASES ON QUAPAW INDIAN LANDS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 66-359; PL 75-39  
**CFR Citation:** 25 CFR 215

**Legal Deadline:** None

**Abstract:** This rule will update the procedures for leasing and discovery, testing, processing, developing, and mining lead and zinc on lands under the jurisdiction of BIA's Miami Agency in Ottawa County, Oklahoma. The revisions will assist affected Indians with the efficient development of their lead and zinc deposits without waste, avoidable loss, or damage to their natural resources, the environment, or other resources. The rule will also retitle 25 CFR 215.

**Timetable:**

Action	Date	FR Cite
NPRM	08/27/96	61 FR 44019
NPRM Comment Period End	10/28/96	
Final Action	09/00/98	
Final Action Effective	10/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None

**Agency Contact:** Dennis Sisco, Superintendent, Miami Agency, Department of the Interior, Bureau of Indian Affairs, P.O. Box 391, Miami, OK 74355  
Phone: 918 542-3396  
Fax: 918 542-7202  
RIN: 1076-AD35

**1669. MANAGEMENT OF THE TRIBAL ASSETS OF THE UTE INDIAN TRIBE**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.  
**Legal Authority:** 25 USC 677; 25 USC 2; 25 USC 9  
**CFR Citation:** 25 CFR 217

**Legal Deadline:** None

**Abstract:** This rule provides procedures for joint management of undivided assets by the Tribal Business Committee, representing the full-blood group, and the Ute Distribution Corporation, representing the mixed-blood group. This action is required by law to divide net proceeds from the undivided assets between the two groups in proportion to the number of persons comprising the final membership roll of each group.

**Timetable:**

Action	Date	FR Cite
NPRM	06/03/96	61 FR 27831
NPRM Comment Period End	08/02/96	
Final Action	06/00/98	
Final Action Effective	07/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None

**Agency Contact:** Dave Allison, Superintendent, Uintah and Ouray Agency, Department of the Interior, Bureau of Indian Affairs, P.O. Box 130, Fort Duchesne, UT 84026  
Phone: 801 722-4300  
Fax: 801 722-2323

RIN: 1076-AD37

**1670. IRRIGATION PROJECTS AND SYSTEMS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 385  
**CFR Citation:** 25 CFR 171  
**Legal Deadline:** None

**Abstract:** This rule governs the operation and maintenance of BIA-owned irrigation projects. It is being revised as part of the President's reinvention initiative.

**Timetable:**

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35167

Action	Date	FR Cite
NPRM Comment Period End	09/03/96	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4513 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-5480  
Fax: 202 219-1255

RIN: 1076-AD44

**1671. INDIAN ELECTRIC POWER UTILITIES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 385  
**CFR Citation:** 25 CFR 175

**Legal Deadline:** None

**Abstract:** This rule contains procedures governing the operation of BIA-owned power utilities. It is being revised as part of the President's reinvention initiative.

**Timetable:**

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29040
NPRM Comment Period End	08/06/96	
Final Action	12/00/97	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined

**Agency Contact:** Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4513 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-5480  
Fax: 202 219-1255

RIN: 1076-AD45

**1672. APPEALS FROM ADMINISTRATIVE ACTIONS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9

**CFR Citation:** 25 CFR 2

**Legal Deadline:** None

**Abstract:** This rule changes the BIA delegations of authority and appeals process. The change will reduce burden on the tribes since there will be less confusion about how to file appeals and the processing of appeals within the Bureau. The revision will also clarify the rule and make it consistent with Bureau policy.

**Timetable:**

Action	Date	FR Cite
NPRM	06/21/96	61 FR 31875
NPRM Comment Period End	09/19/96	
Final Action	12/00/97	
Final Action Effective	01/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, Room 4641, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4400

Fax: 202 208-5113

**RIN:** 1076-AD50

**1673. HOUSING IMPROVEMENT PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 13

**CFR Citation:** 25 CFR 256

**Legal Deadline:** None

**Abstract:** This revision will simplify, streamline, and update the Bureau's housing program to make it more flexible and responsive to the needs of the tribes and the intended recipients of the benefits that the program provides.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/96	61 FR 36829

Action	Date	FR Cite
NPRM Comment Period End	09/13/96	
Final Action	10/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal, Federal

**Agency Contact:** June Henkel, Chief, Division of Housing Assistance, Department of the Interior, Bureau of Indian Affairs, Room 4603, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-3667

Fax: 202 208-2648

Email: june\_henkel@ios.doi.gov

**RIN:** 1076-AD52

**1674. ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR SOCIAL WELFARE AND RELIEF OF DISTRESS OF INDIANS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 454

**CFR Citation:** 25 CFR 21

**Legal Deadline:** None

**Abstract:** The Bureau is revising these regulations by rewriting them in plain English so that they will be more user friendly.

**Timetable:**

Action	Date	FR Cite
NPRM	07/01/96	61 FR 33876
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Larry R. Blair, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-2721

**RIN:** 1076-AD61

**1675. INDIAN BUSINESS DEVELOPMENT PROGRAM**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 25 USC 1524

**CFR Citation:** 25 CFR 286

**Legal Deadline:** None

**Abstract:** The Indian Business Development Program is being discontinued. Entities already having received grants must submit business financial statements. The rule is being rewritten in plain English to reflect this situation.

**Timetable:**

Action	Date	FR Cite
NPRM	01/30/97	62 FR 4497
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Woody Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, Room 4648 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4796

Fax: 202 208-3664

Email: woody\_sneed@ios.doi.gov

**RIN:** 1076-AD70

**1676. TRIBAL REVENUE ALLOCATION PLANS**

**Priority:** Info./Admin./Other

**Legal Authority:** 25 USC 13

**CFR Citation:** 25 CFR 1

**Legal Deadline:** None

**Abstract:** Notifies the public of how tribal revenues are allocated.

**Timetable:**

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29044
NPRM Comment Period End	08/06/96	

Final Action 12/00/97

Final Action Effective 01/00/98

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The NPRM was published in the Federal Register as RIN 1076-AD14.

**Agency Contact:** George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, Room 2070 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4066

**RIN:** 1076-AD74

DOI—BIA

Final Rule Stage

**1677. COURTS OF INDIAN OFFENSES**

**Priority:** Routine and Frequent  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 200  
**CFR Citation:** 25 CFR 11

**Legal Deadline:** None  
**Abstract:** This rule will add offenses and clarify the authority of Courts of Indian Offenses.  
**Timetable:**

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35158
NPRM Comment Period End	09/04/96	
Final Action	12/00/97	
Final Action Effective	01/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs, Room 4641 MIB, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 208-3463  
 Fax: 202 501-0679  
**RIN:** 1076-AD76

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Bureau of Indian Affairs (BIA)**

Long-Term Actions

**1678. INDIAN HIGHWAY SAFETY PROGRAM COMPETITIVE GRANT SELECTION CRITERIA**  
**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 23 USC 402; 25 USC 13  
**CFR Citation:** 25 CFR 181  
**Legal Deadline:** None

**Abstract:** This rule will notify Indian tribes how BIA determines which tribes will participate in a grant program that awards funds for reducing the number of traffic accidents.  
**Timetable:**

Action	Date	FR Cite
NPRM	10/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal  
**Agency Contact:** Charles L. Jaynes, Program Administrator, Department of the Interior, Bureau of Indian Affairs, 505 Marquette NW., Suite 1705, Albuquerque, NM 87102  
 Phone: 505 248-5053  
 Fax: 505 248-5064  
 Email: ihst@flash.net  
**RIN:** 1076-AD82

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Bureau of Indian Affairs (BIA)**

Completed Actions

**1679. COAL LEASES: TERMS AND CONDITIONS**  
**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.  
**CFR Citation:** 25 CFR 200  
**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time	08/01/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Pete Aguilar  
 Phone: 303 969-5270  
 Fax: 303 969-5273  
 Email: ksnyder@snakel.cr.usgs.gov  
**RIN:** 1076-AD32

**1680. LEASING WIND RIVER RESERVATION LANDS FOR OIL AND GAS MINING**  
**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**CFR Citation:** 25 CFR 227  
**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time	08/01/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Perry Baker  
 Phone: 307 332-7810  
 Fax: 307 332-4578  
**RIN:** 1076-AD38

**1681. SPECIAL EDUCATION**  
**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.  
**CFR Citation:** 25 CFR 45  
**Completed:**

Reason	Date	FR Cite
Final Action	03/12/97	62 FR 11324
Final Action Effective	04/11/97	

**Small Entities Affected:** None  
**Government Levels Affected:** Tribal  
**Agency Contact:** Kenneth C. Whitehorn  
 Phone: 202 208-3559  
 TDD: 202 273-0030  
**RIN:** 1076-AD49

**1682. INDIAN COUNTRY LAW ENFORCEMENT**  
**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

DOI—BIA

Completed Actions

the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 25 CFR 12.100

**Completed:**

Reason	Date	FR Cite
Final Action	04/02/97	62 FR 15610
Final Action Effective	05/02/97	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** Tribal, Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** Mark Mullins  
Phone: 202 208-5787  
Fax: 202 208-6170

**RIN:** 1076-AD56

**1683. APPLICABILITY OF RULES OF THE BUREAU OF INDIAN AFFAIRS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**CFR Citation:** 25 CFR 1

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time	08/01/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** James McDivitt  
Phone: 202 208-4174  
Fax: 202 208-3575

**RIN:** 1076-AD64

**1684. OPERATION OF U.S.M.S. NORTH STAR BETWEEN SEATTLE, WA, AND ALASKA**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 25 CFR 142

**Completed:**

Reason	Date	FR Cite
Final Action	04/16/97	62 FR 18515
Final Action Effective	05/06/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Warren Heisletz  
Phone: 907 586-7177

**RIN:** 1076-AD66

**1685. INDIAN FISHING—HOOPA VALLEY INDIAN RESERVATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 25 CFR 250

**Completed:**

Reason	Date	FR Cite
Final Action	11/22/96	61 FR 59331
Final Action Effective	11/22/96	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rick Fielitz  
Phone: 916 979-2581  
Fax: 916 978-4695

**RIN:** 1076-AD68

**BILLING CODE** 4310-02-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Minerals Management Service (MMS)

**1686. VALUATION OF OIL FROM INDIAN LEASES**

**Regulatory Plan:** This entry is Seq. No. 59 in Part II of this issue of the **Federal Register**.

**RIN:** 1010-AC24

**Legal Deadline:** None

**Abstract:** The Federal Oil and Gas Royalty Simplification and Fairness Act allows for self-bonding based upon financial solvency. Our proposed rule defines financial solvency and outlines the steps we will use to test for financial solvency.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Tribal, Federal

**Agency Contact:** David S. Guzy, Chief, Rules and Management Staff, Royalty Management Program, Department of the Interior, Minerals Management

Service, P.O. Box 25165, Room 3021, Denver, CO 80225-0165  
Phone: 303 231-3432  
Fax: 303 231-3385  
Email: david\_guzy@mms.gov

**RIN:** 1010-AC28

**1688. TAKES VS. ENTITLEMENTS REPORTING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 205

**Legal Deadline:** None

**Abstract:** This rule addresses reporting and payment requirements for

**1687. SUSPENSION OF ORDERS OR DECISIONS PENDING APPEAL TO ALLOW FOR SELF-BONDING BASED UPON FINANCIAL SOLVENCY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 1721 et seq; 30 USC 1735 et seq; 30 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 243

DOI—MMS

Proposed Rule Stage

production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	
NPRM Comment	06/00/98	
Period End		

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Department of the Interior, Minerals Management Service, P.O. Box 25165, Rooms 3021, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov

**RIN:** 1010-AC29

**1689. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows reporters to seek accounting, reporting, and auditing relief for their marginal properties in accordance with section 117(c) of the Federal Oil and Gas Royalty Management Act of 1982 as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment	01/00/98	
Period End		

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief, Rules and Procedures Staff, Royalty Management Program, Department of the Interior, Minerals Management

Service, P.O. Box 25165, Room 3021, Denver, CO 80225-0165  
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 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov

**RIN:** 1010-AC30

**1690. PREPAYMENT OF ROYALTIES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows payors to prepay royalty in lieu of monthly royalty payments for their marginal properties with approval from the affected States. It will establish the criteria used by payors, States, and MMS to calculate, report, and monitor royalty prepayments.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	
NPRM Comment	06/00/98	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3021, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov

**RIN:** 1010-AC31

**1691. POSTLEASE OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1334

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule is a complete rewrite in plain English and changes the current regulation by both adding and deleting language. Although some of these changes could be considered significant when compared to the current regulations, they support the policies and procedures now in place. The proposed rule is revised to be as broad and general in scope as feasible.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment	12/00/97	
Period End		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 2017-  
 Phone: 703 787-1600  
 Fax: 703 787-1093

**RIN:** 1010-AC32

**1692. CHRONIC ERRONEOUS REPORTING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 43 USC 1801 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq

**CFR Citation:** 30 CFR 216; 30 CFR 218

**Legal Deadline:** None

**Abstract:** This rule eliminates assessments for late reporting and failure to report and modify incorrect assessments. The new rule will define what is considered a chronic erroneous reporter and applicable assessments. Penalties for failure to report are also addressed.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
NPRM Comment	02/00/98	
Period End		

**Small Entities Affected:** Businesses

DOI—MMS

Proposed Rule Stage

**Government Levels Affected:** State, Federal  
**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Department of the Interior, Minerals Management Service, Room 3021, P.O. Box 25165, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov  
**RIN:** 1010-AC34

**1693. OIL AND GAS PRODUCTION RATES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**Legal Authority:** 43 USC 1331 et seq  
**CFR Citation:** 30 CFR 250  
**Legal Deadline:** None  
**Abstract:** This rule eliminates obsolete and burdensome requirements. In addition, the rule is rewritten in plain English.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
NPRM Comment Period End	02/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
**RIN:** 1010-AC36

**1694. ● PIPELINES**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**Legal Authority:** 43 USC 1331 et seq  
**CFR Citation:** 30 CFR 250  
**Legal Deadline:** None

**Abstract:** This rule would implement the December 10, 1996, memorandum of understanding (MOU) between the Department of the Interior and the Department of Transportation. The MOU provides for the two departments to jointly regulate Outer Continental Shelf (OCS) Pipelines. MMS regulations would pertain to each OCS oil or gas pipeline located upstream of the point at which operating responsibility for the pipeline transfers from a producing operator to a transporting operator.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	11/00/97	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined  
**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
**RIN:** 1010-AC39

**1695. ● ELECTRONIC REPORTING**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.  
**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq  
**CFR Citation:** 30 CFR 210; 30 CFR 216  
**Legal Deadline:** None

**Abstract:** This rule would modify the requirements governing forms that MMS requires for reporting sales, royalties, and production information. The revisions will specify the media required for submission of reports and broaden the use of electronic commerce reporting.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

Action	Date	FR Cite
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** Businesses  
**Government Levels Affected:** None  
**Agency Contact:** David Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3021, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov  
**RIN:** 1010-AC40

**1696. ● TRAINING LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF**

**Priority:** Substantive, Nonsignificant  
**Unfunded Mandates:** Undetermined  
**Legal Authority:** 43 USC 250  
**CFR Citation:** 30 CFR 250  
**Legal Deadline:** None

**Abstract:** This rule would require operators and lessees to ensure that their workers (including contractors) are properly trained and can demonstrate their proficiency to MMS. Operators and lessees will determine the type of training, teaching methods, training length, and frequency. MMS will develop appropriate performance measures and indicators. These measures may include: written testing; hands-on and simulator testing; audits, interviews, or cooperative reviews; and incidence of noncompliance for civil penalty and events data.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
NPRM Comment Period End	03/00/98	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined  
**Agency Contact:** Kumkum Ray, Team Leader, Rules Processing Team, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
 Email: kumkum\_ray@mms.gov  
**RIN:** 1010-AC41

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Minerals Management Service (MMS)**

**Final Rule Stage**

**1697. VALUATION OF GAS FROM INDIAN LEASES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** The rule will amend the regulations governing the valuation of gas produced from Indian leases. The primary purpose of these amendments is to ensure that Indian mineral lessors receive maximum revenues from mineral resources on their land consistent with the Department's trust responsibility and lease terms.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/04/94	59 FR 39712
NPRM	09/23/96	61 FR 49894
NPRM Comment Period End	04/04/97	62 FR 10247
Final Action	10/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Tribal

**Additional Information:** This rule is being developed using the negotiated rulemaking process which will include representatives of MMS, Indian tribes, States, and industry. Notice of public meetings will be published in the Federal Register.

**Agency Contact:** David Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3021, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov

**RIN:** 1010-AB57

**1698. CREDIT ADJUSTMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq;

25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 218

**Legal Deadline:** None

**Abstract:** Section 10 of the Outer Continental Shelf Lands Act (OCSLA), 43 USC 1339, requires that a lessee or payor under an offshore lease submit a request to Minerals Management Service (MMS) for recoupment or refund of an overpayment (credit adjustment) within 2 years of the date of the original payment. However, current law does not provide for a time limitation on credit adjustments under onshore Federal or Indian leases similar to that provided in the OCSLA. This rule would add a new provision entitled "Limitations on Credit Adjustments" which would restrict credit adjustments without prior authorization to payments due within 5 years before the date of the adjustments. The rule provides that MMS could authorize credit adjustments with respect to payments made more than 5 years but less than 10 years before the date of the adjustments. However, credit adjustments with respect to any payment made more than 10 years before the date of the adjustment would be prohibited.

The Debt Collection Act of 1982 (DCA), 31 USC 3716, allows Federal agencies to collect outstanding claims by administrative offset. The DCA instructs each agency to prescribe regulations before collecting a claim by administrative offset, of royalties, interest, or other amounts due under Federal and Indian oil, gas, and other mineral leases.

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
Final Action	12/00/97	
Final Action Effective	02/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** This rule now includes the material formerly contained in RIN 1010-AB74.

**Agency Contact:** David Guzy, Chief, Rules and Publications Staff,

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**RIN:** 1010-AB73

**1699. GAS MEASUREMENT AND COMMINGLING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1334; 30 USC 1711

**CFR Citation:** 30 CFR 250.181; 30 CFR 250.182; 30 CFR 250.184; 30 CFR 250.183; 30 CFR 250.180

**Legal Deadline:** None

**Abstract:** This rule would amend and update regulations applicable to oil and gas measurement, add a provision to an existing regulation that would clarify conditions under which surface commingling of gas would be approved, and add a new section to require measurement or estimation of gas volumes used on the leases or otherwise not saved for sale.

**Timetable:**

Action	Date	FR Cite
NPRM	02/26/97	62 FR 8665
NPRM Comment Period End	05/27/97	
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 20170

Phone: 703 787-1600  
 Fax: 703 787-1093

**RIN:** 1010-AB97

**1700. ALLOWANCES FOR TRANSPORTATION AND PROCESSING COSTS ASSOCIATED WITH GAS VALUATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 2101 et seq;

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30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 170 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule amends the regulations governing valuation for royalty purposes of gas produced from Federal and Indian leases. It primarily addresses allowances for transportation of gas. The amendments would clarify the methods by which gas royalties and deductions for gas transportation are calculated. The rule will also clarify changes required by Federal Energy Regulatory Commission Order 636 which has caused significant changes in the natural gas transportation industry.

**Timetable:**

Action	Date	FR Cite
NPRM	07/31/96	61 FR 39931
NPRM Comment Period End	09/30/96	
Final Action	10/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal

**Agency Contact:** David Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3021, Denver, CO 80225-0165  
Phone: 303 231-3432  
Fax: 303 231-3385  
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**RIN:** 1010-AC06

**1701. VALUATION OF OIL FROM FEDERAL MINERAL LEASES**

**Regulatory Plan:** This entry is Seq. No. 60 in Part II of this issue of the **Federal Register**.

**RIN:** 1010-AC09

**1702. GEOLOGICAL AND GEOPHYSICAL EXPLORATION OF THE OUTER CONTINENTAL SHELF**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1331 et seq; 43 USC 4332 et seq

**CFR Citation:** 30 CFR 251

**Legal Deadline:** None

**Abstract:** This rule is being revised to reflect the current requirements and practices and to conform with new or changed laws and regulations. It expands the requirements for filing notice to include all geological and geophysical research not conducted under permit. It also clarifies that these regulations apply only to oil, gas, and sulphur, as all other minerals in the Outer Continental Shelf are covered by 30 CFR 280. This rule will provide other information, such as current filing location addresses.

**Timetable:**

Action	Date	FR Cite
NPRM	02/11/97	62 FR 6149
NPRM Comment Period End	07/29/97	62 FR 28824
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4020, Herndon, VA 20170

Phone: 703 787-1600  
Fax: 703 787-1575

**RIN:** 1010-AC10

**1703. ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF LEASES IN THE GULF OF MEXICO**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-58 Outer Continental Shelf Deep Water Relief Act

**CFR Citation:** 30 CFR 202; 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 217; 30 CFR 218; 30 CFR 250.175; 30 CFR 256.32; 30 CFR 260

**Legal Deadline:** Final, Statutory, May 28, 1996.

**Abstract:** The Act authorizes the Secretary of the Interior to modify royalty or net profit share terms of certain existing leases and to offer new leases subject to the Act's provisions for royalty suspension volumes in water depths of 200 meters or more in parts of the Central and Western Gulf of Mexico. The Act directs the Secretary to promulgate implementing

regulations within 180 days of enactment.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/23/96	61 FR 6958
ANPRM Comment Period End	04/08/96	
Interim Final Rule	05/31/96	61 FR 27263
Final Action	10/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Eldon Street, Room 4020, Herndon, VA 20171

Phone: 703 787-1600  
Fax: 703 787-1093

**RIN:** 1010-AC13

**1704. DEEP WATER ROYALTY RELIEF—TRACTS OFFERED BETWEEN NOVEMBER 28, 1995, AND NOVEMBER 28, 2000**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 104-58 Outer Continental Shelf Deep Water Royalty Relief Act

**CFR Citation:** 30 CFR 260

**Legal Deadline:** Final, Statutory, May 28, 1996.

**Abstract:** The Outer Continental Shelf lands Act authorizes the Secretary of the Interior to modify royalty or net profit share terms of certain existing leases and to offer new leases subject to the Act's provisions for royalty suspension volumes in water depths of 200 meters or more in parts of the Central and Western Gulf of Mexico. The Act directs the Secretary to promulgate implementing regulations within 180 days of enactment.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/25/96	61 FR 12022
Final Action	10/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4020, Herndon, VA 20171

Phone: 703 787-1600

DOI—MMS

Final Rule Stage

Fax: 703 787-1093

RIN: 1010-AC14

**1705. SEISMIC REASSESSMENT OF CALIFORNIA OUTER CONTINENTAL SHELF PLATFORMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 14 USC 1334

**CFR Citation:** 30 CFR 250.145

**Legal Deadline:** None

**Abstract:** MMS has been investigating the need for platform seismic reassessment guidelines since the Loma Prieta earthquake. This rule will require an operator to ascertain the safety of a platform before making major modifications or after damage to a primary member.

**Timetable:**

Action	Date	FR Cite
NPRM	06/10/97	62 FR 31538
NPRM Comment	08/11/97	
Period End		
Final Action	04/00/98	
Final Action Effective	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Room 4020, Herndon, VA 20171

Phone: 703 787-1600

Fax: 703 787-1093

RIN: 1010-AC17

**1706. ADMINISTRATIVE APPEALS PROCESS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 25 USC 2; 25 USC 9; 30 USC 189; 30 USC 285; 30 USC 359; 30 USC 1023; 30 USC 1702 et seq; 31 USC 9701; 43 USC 1334; 43 USC 1335

**CFR Citation:** 30 CFR 290

**Legal Deadline:** None

**Abstract:** Under this rule, the Director generally would be required to decide appeals within 16 months or the appeal would be automatically denied. The appellant could then continue its

appeal before the Interior Board of Land Appeals. The rule also would impose a new appellant fee on appeals to the Director, unless the appellant was an Indian tribe or allottee. Indian tribes and allottees pay no filing fee.

**Timetable:**

Action	Date	FR Cite
NPRM	10/28/96	61 FR 55607
NPRM Comment	12/27/96	
Period End		
Final Action	12/00/97	
Final Action Effective	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Hugh Hilliard, Chief, Appeals Division, Department of the Interior, Minerals Management Service, Room 4230, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-2622

RIN: 1010-AC21

**1707. AMENDMENTS TO STANDARDS FOR REPORTING AND PAYING ROYALTIES ON GAS AND THE GAS ANALYSIS REPORT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 3716 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 202; 30 CFR 216

**Legal Deadline:** None

**Abstract:** To make the Royalty Management Program's regulations consistent with proposed offshore regulations to require gas reporting at the standard conditions of 14.73 psia and adjusted to 60 degrees Fahrenheit.

**Timetable:**

Action	Date	FR Cite
NPRM	04/03/97	62 FR 16121
NPRM Comment	05/05/97	
Period End		
Final Action	03/00/98	
Final Action Effective	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, Room 3021, P.O. Box 25165, Denver, CO 80225-0165

Phone: 303 231-3432

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Email: david\_guzy@mms.gov

RIN: 1010-AC23

**1708. OIL SPILL RESPONSIBILITY FOR OFFSHORE FACILITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 33 USC 2701

**CFR Citation:** 30 CFR 253

**Legal Deadline:** None

**Abstract:** This rule requires responsible parties of offshore oil and gas facilities to provide evidence of oil spill financial responsibility.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/25/93	58 FR 44797
ANPRM Comment	02/25/94	
Period End		
NPRM	03/25/97	62 FR 14052
NPRM Comment	08/22/97	62 FR 24375
Period End		
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 20170

Phone: 703 787-1600

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RIN: 1010-AC33

**1709. BLOWOUT PREVENTER TESTING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1334

**CFR Citation:** 30 CFR 250.57

**Legal Deadline:** None

**Abstract:** This rule allows lessees up to 14 days between blowout preventer (BOP) pressure tests instead of the weekly tests currently required. MMS proposes this revision based upon a recently completed study of BOP performance. This study concluded that no statistical difference exists between 8- and 14-day intervals. MMS estimates

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Final Rule Stage

that the revised testing time frame could save industry \$20 million to \$30 million per year without compromising safety.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/97	62 FR 37819

Action	Date	FR Cite
NPRM Comment Period End	09/15/97	
Final Action	04/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, Room 4020, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1600  
 Fax: 703 787-1093  
**RIN:** 1010-AC37

DEPARTMENT OF THE INTERIOR (DOI)  
 Minerals Management Service (MMS)

Long-Term Actions

1710. ROYALTY PAYMENT LIABILITY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 211

**Legal Deadline:** None

**Abstract:** Responsibilities of Minerals Management Service include the collection of royalties, bonuses, rentals, and related revenues from Federal and Indian mineral leases. These monies are, for the most part, collected from the current designated payor on the lease. However, if MMS is unable to collect from the current payor, it must pursue collections from a prior payor(s), the lessee, or an assignee of the lease. Existing regulations are unclear as to the responsibilities and liabilities of the parties involved. Therefore, MMS is proposing to amend its regulations to clarify payor, lessee, and assignee requirements and responsibilities.

**Timetable:**

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504
NPRM	06/09/95	60 FR 30492
Comment Period Extended to 1/8/96	08/30/95	60 FR 45112
Comment Period Extended to 1/26/96	10/03/95	60 FR 56033
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** David Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, P.O. Box 25165, MS 3021, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3385  
 Email: david\_guzy@mms.gov  
**RIN:** 1010-AB45

1711. REFUNDS AND RECOUPMENT OF OVERPAYMENTS ON OCS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 25 USC 181 et seq; 25 USC 351 et seq; 25 USC 1001 et seq; 25 USC 1701 et seq; 25 USC 1735; 25 USC 3716; 25 USC 3720a; 25 USC 9701; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1801 et seq

**CFR Citation:** 30 CFR 230

**Legal Deadline:** None

**Abstract:** This rule limits refund procedures to payments received by MMS before 8/13/96 and adds language authorizing payment of interest on royalty overpayments for offshore sales of mineral production.

**Timetable:** Next Action Undetermined

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David S. Guzy, Chief, Rules and Procedures Staff, Royalty Management Program, Department of the Interior, Minerals Management Service, P.O. Box 25162, Denver, CO 80225-0165  
 Phone: 303 231-3432  
 Fax: 303 231-3194  
**RIN:** 1010-AC27

DEPARTMENT OF THE INTERIOR (DOI)  
 Minerals Management Service (MMS)

Completed Actions

1712. REVISION OF REQUIREMENTS GOVERNING CORPORATE SURETY BONDS FOR OUTER CONTINENTAL SHELF LEASES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 250; 30 CFR 251; 30 CFR 256

**Completed:**

Reason	Date	FR Cite
Final Action	05/22/97	62 FR 27948
Final Action Effective	08/20/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Kumkum Ray

Phone: 703 787-1600  
**RIN:** 1010-AB92

1713. ROYALTIES, RENTALS, BONUSSES, AND OTHER MONIES

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in

DOI—MMS

Completed Actions

the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 218

**Completed:**

Reason	Date	FR Cite
Final Action	04/22/97	62 FR 19497
Final Action Effective	05/22/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Tribal

**Agency Contact:** David Guzy  
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**RIN:** 1010-AC01

**1714. VALUATION OF GAS PRODUCTION—FEDERAL LEASES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 206

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken	04/22/97	62 FR 19536

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David Guzy  
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**RIN:** 1010-AC02

**1715. FEES FOR LEASE ASSIGNMENTS AND PIPELINE RIGHTS OF WAY**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 250.160; 30 CFR 250.163; 30 CFR 256.64

**Completed:**

Reason	Date	FR Cite
Final Action	07/24/97	62 FR 39773
Final Action Effective	09/22/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
Phone: 703 787-1600  
Fax: 703 787-1043

**RIN:** 1010-AC04

**1716. RELEASE OF THIRD PARTY PROPRIETARY INFORMATION**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 243

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action to be taken at this time	10/01/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** David Guzy  
Phone: 303 231-3432  
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**RIN:** 1010-AC08

**1717. CIVIL PENALTY PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 250 subpart N

**Completed:**

Reason	Date	FR Cite
Final Action	08/08/97	62 FR 42667
Final Action Effective	10/07/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
Phone: 703 787-1600  
Fax: 703 787-1093

**RIN:** 1010-AC11

**1718. SAFETY AND POLLUTION PREVENTION EQUIPMENT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 250.1; 30 CFR 250.2; 30 CFR 250.124; 30 CFR 250.126

**Completed:**

Reason	Date	FR Cite
Final Action	08/08/97	62 FR 42669
Final Action Effective	09/08/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
Phone: 703 787-1600  
Fax: 703 787-1093

**RIN:** 1010-AC12

**1719. AMENDMENTS TO ALLOWANCE DETERMINATION REGULATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 206

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action to be taken at this time	10/01/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Tribal

**Agency Contact:** David S. Guzy  
Phone: 303 231-3432  
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**RIN:** 1010-AC22

**1720. DELEGATION TO STATES**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 227; 30 CFR 228; 30 CFR 229

**Completed:**

Reason	Date	FR Cite
Final Action	08/12/97	62 FR 43076
Final Action Effective	09/11/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** David S. Guzy

DOI—MMS

Completed Actions

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**RIN:** 1010-AC25

**1721. LATE PAYMENT AND OVERPAYMENT INTEREST**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 30 CFR 206; 30 CFR 218; 30 CFR 230

**Completed:**

Reason	Date	FR Cite
Withdrawn - Combined with RIN 1010-AC26	08/01/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Tribal

**Agency Contact:** David S. Guzy  
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**RIN:** 1010-AC26

**1722. • DESIGNATION OF PAYOR RECORDKEEPING**

**Priority:** Other Significant

**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 3716 et seq; 31 USC 3720A et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

**CFR Citation:** 30 CFR 210; 30 CFR 218

**Legal Deadline:** None

**Abstract:** Lessees sometimes designate others to make royalty payments in their behalf. This rule would allow MMS to collect information from lessees and payors in those situations.

**Timetable:**

Action	Date	FR Cite
Final Action	08/05/97	62 FR 42063
Final Action Effective	08/05/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** David Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, P.O. Box 25165, Room 3021, Denver, CO 80225-0165  
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**RIN:** 1010-AC38  
 BILLING CODE 4310-MR-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1723. APPLICANT/VIOLATOR SYSTEM PERMIT INFORMATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843

**Legal Deadline:** None

**Abstract:** The Office of Surface Mining Reclamation and Enforcement proposes to establish new regulations and amend existing provisions to clarify the role of the Applicant/Violator System (AVS) in the permit application process; amend the definitions of ownership and control and of transfer, assignment or sale of permit rights; establish procedures for successor in interest; and revise requirements for information to be submitted as part of the permit application process.

**Timetable:**

Action	Date	FR Cite
NPRM	06/28/93	58 FR 34652
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Stephen Sheffield, Chief, Applicant/Violator System Office, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2883  
 Email: sheffie@osmre.gov

**RIN:** 1029-AB62

**1724. ABANDONED COAL REFUSE SITES—TITLE I**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870

**Legal Deadline:** NPRM, Statutory, October 24, 1993.

**Abstract:** OSM will propose new regulations governing permitting and performance standards for on-site

processing of abandoned coal refuse piles and operations for removal of abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Doug Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2634  
 Fax: 202 208-0239  
 Email: dgrowitz@osmre.gov

**RIN:** 1029-AB70

**1725. CONTEMPORANEOUS RECLAMATION**

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 816; 30 CFR 780; 30 CFR 773

**Legal Deadline:** None

DOI—OSMRE

Proposed Rule Stage

**Abstract:** This rule will amend regulations to ensure that coal mine operators reclaim their operations in a contemporaneous manner using site-based contemporaneous standards.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** John Craynon, Chief, Technology Development Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2866  
 Fax: 202 219-3100  
 Email: jcraynon@osmre.gov

**RIN:** 1029-AB79

**1726. INDIAN LANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 25 CFR 200; 30 CFR 700

**Legal Deadline:** None

**Abstract:** This rule will amend regulations to allow OSM to contract to the Navajo and Hopi Tribes certain functions relating to permitting, mine plan review, bonding, and other functions authorized by the Indian land provisions of SMCRA. The rule is being proposed pursuant to a settlement agreement.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Tribal

**Agency Contact:** Suzy Hudak, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2713  
 Fax: 202 219-0239  
 Email: shudak@osmre.gov

**RIN:** 1029-AB83

**1727. ALLUVIAL VALLEY FLOORS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 785

**Legal Deadline:** None

**Abstract:** This rule would revise the requirements for determining whether mining is permitted on an alluvial valley floor (AVF). The revision should result in fewer instances where a taking occurs as a result of the prohibition against mining in an AVF. The provisions may substantially lessen compensation costs for the government.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Federal

**Agency Contact:** Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2701  
 Fax: 202 219-3100  
 Email: adevito@osmre.gov

**RIN:** 1029-AB85

**1728. ENHANCING AML RECLAMATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 707

**Legal Deadline:** None

**Abstract:** This rule will amend the definition of Government-financed construction in section 707. The definition concerns an exemption from the Surface Mining Control and Reclamation Act that is currently limited to construction funded with 50 percent or more by Government funds. This proposed change would have two impacts. It would create greater efficiency by allowing OSM to leverage limited Abandoned Mine Land Funds. It would also provide a means to address the abandoned unreclaimed refuse piles. The rule would facilitate reclamation through a new cooperative effort using resources and financing from the private sector.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** Douglas Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2634  
 Email: dgrowitz@osmre.gov

**RIN:** 1029-AB89

**1729. • DAM SAFETY RULES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 816; 30 CFR 817

**Legal Deadline:** None

**Abstract:** This rule requires the surface coal mining permittee to have an emergency action plan (EAP) at the time a dam is placed in service. This would bring OSM's regulations on EAPs into compliance with the Federal guidelines for dam safety and the Department Manual. It ensures that EAPs are in place for all Class "B" and Class "C" hazard structures that may not necessarily be regulated by the Mine Safety and Health Administration but for which OSM is responsible.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Federal

**Agency Contact:** Ruchi Kohli, Civil Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240  
 Phone: 202 208-2971  
 Fax: 202 219-0239  
 Email: rkholi@osmre.gov

**RIN:** 1029-AB92

**1730. • REMOVAL OF 30 CFR 870.17**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 870.17

**Legal Deadline:** None

**Abstract:** This rule would remove the regulation at 30 CFR 870.17. The regulation governs the scope of audits conducted in connection with OSM's abandoned mine land program. OSM will continue to conduct audits of operators of surface coal mines under the provisions of section 402(d)(2) of SMCRA and 30 CFR 870.16.

DOI—OSMRE

Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jim Krawchyk, Chief, Division of Compliance Management, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240  
 Phone: 412 921-2676  
 Fax: 412 921-2671  
 Email: jkrawchy@osmre.gov

**RIN:** 1029-AB93

**1731. • OWNERSHIP AND CONTROL—REDESIGN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1202 et seq

**CFR Citation:** 30 CFR 773; 30 CFR 778; 30 CFR 843

**Legal Deadline:** None

**Abstract:** This rule would succeed the April 21, 1997, interim rule promulgated to comply with the January 31, 1997, decision of the U.S. Court of Appeals. It will further clarify the definition and application of "owned and controlled" and "owns or controls" in permitting and enforcement processes. In developing this rule, we will examine current permitting and enforcement issues that may be ripe for review in order to ensure continued effective

implementation of section 520(c) of the Surface Mining Control and Reclamation Act of 1977.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Earl Bandy, Team Leader, Ownership and Control, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 606 233-2796  
 Email: ebandy@osmre.gov

**RIN:** 1029-AB94

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1732. DEFINITION AND CRITERIA FOR VALID EXISTING RIGHTS**

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 740; 30 CFR 745; 30 CFR 761; 30 CFR 772

**Legal Deadline:** None

**Abstract:** This rule will amend the portions of the permanent program which address the circumstances which constitute valid existing rights to mine coal in areas where Congress has otherwise prohibited mining under section 522(e) of the Surface Mining Control and Reclamation Act of 1977. This revision is in response to a court decision in round III of the litigation on OSM's permanent program regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	01/31/97	62 FR 4836
Comment Period Extended to 08/01/97	05/30/97	62 FR 29368
NPRM Comment Period End	06/02/97	62 FR 4836
Final Action	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the

Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240

Phone: 202 208-2829

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Email: drice@osmre.gov

**RIN:** 1029-AB42

**1733. COAL MOISTURE**

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 870

**Legal Deadline:** None

**Abstract:** This rule adds specific criteria an operator must use in determining an excess moisture allowance claimed under 30 CFR 870.12. These criteria will codify technical guidance contained in AML Payer Letters issued since June 1988. The rule will identify acceptable methods and procedures for estimating total and inherent moisture contained in low rank coal. The criteria are based upon OSM experience and industry practices.

**Timetable:**

Action	Date	FR Cite
NPRM	12/03/96	61 FR 64220
NPRM Comment Period End	02/03/97	61 FR 64220
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** James K. Krawchyk, Chief, Division of Compliance Management, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Pittsburgh, PA 15220  
 Phone: 412 921-2976

**RIN:** 1029-AB78

**1734. PROHIBITIONS UNDER SECTION 522(E) OF SMCRA**

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 761

**Legal Deadline:** None

**Abstract:** This rule will clarify the applicability of section 522 (e) of SMCRA to subsidence resulting from underground coal mining. Section 522 (e) prohibits surface coal mining operations in certain areas designated by Congress, subject to existing rights.

**Timetable:**

Action	Date	FR Cite
NPRM	01/31/97	62 FR 4864
Comment Period Extended to 08/01/97	05/30/97	62 FR 29368
NPRM Comment Period End	06/02/97	
Final Action	08/00/98	

DOI—OSMRE

Final Rule Stage

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Nancy Broderick, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240  
 Phone: 202 208-2700  
 Fax: 202 219-0239  
 Email: nbroderi@osmre.gov  
**RIN:** 1029-AB82

**1735. INFLATION ADJUSTMENT RULE**  
**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 30 USC 1201 et seq; PL 101-410; PL 104-134  
**CFR Citation:** 30 CFR 723; 30 CFR 724; 30 CFR 845; 30 CFR 846  
**Legal Deadline:** Final, Statutory, October 23, 1996.  
**Abstract:** This rule will adjust OSM's civil monetary penalties (CMPs) for inflation as required by the Debt Collection Improvement Act of 1996. The CMPs are authorized by the Surface Mining Control and Reclamation Act of 1977.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** State  
**Agency Contact:** Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
 Phone: 202 208-2701  
 Email: adevito@osmre.gov  
**RIN:** 1029-AB90

DEPARTMENT OF THE INTERIOR (DOI)  
 Office of Surface Mining Reclamation and Enforcement (OSMRE)

Completed Actions

**1736. BASIS FOR COAL WEIGHT DETERMINATION**  
**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 30 CFR 870  
**Completed:**

Reason	Date	FR Cite
Withdrawn	06/23/97	62 FR 33784

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** James K. Krawchyk  
 Phone: 412 921-2676  
**RIN:** 1029-AB68

**1738. STATE PROGRAM AMENDMENTS—ELIMINATION OF PROVISIONS—PART I**  
**Priority:** Info./Admin./Other  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.  
**CFR Citation:** 30 CFR 901 to 920  
**Completed:**

Reason	Date	FR Cite
Final Action	03/05/97	62 FR 9932
Final Action Effective	04/04/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** John A. Trelease  
 Phone: 202 208-2783  
 Fax: 202 219-3100  
 Email: jtrelease@osmre.gov  
**RIN:** 1029-AB86

**Government Levels Affected:** None  
**Agency Contact:** John Trelease  
 Phone: 202 208-2783  
 Fax: 202 219-3100  
 Email: jtrelease@osmre.gov  
**RIN:** 1029-AB87

**1737. NOTIFICATION AND PERMIT PROCESSING**  
**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 30 CFR 773  
**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action will be taken	08/15/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Scott Boyce  
 Phone: 202 208-2986  
 Fax: 202 219-0239  
 Email: sboyce@osmre.gov  
**RIN:** 1029-AB80

**1739. STATE PROGRAM AMENDMENTS—ELIMINATION OF PROVISIONS—PART II**  
**Priority:** Info./Admin./Other  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.  
**CFR Citation:** 30 CFR 925 to 950  
**Completed:**

Reason	Date	FR Cite
Final Action	03/05/97	62 FR 9932
Final Action Effective	04/04/97	

**Small Entities Affected:** None

**1740. • OWNERSHIP AND CONTROL OF SURFACE MINING OPERATIONS**  
**Priority:** Other Significant  
**Legal Authority:** 30 USC 1201 et seq  
**CFR Citation:** 30 CFR 773; 30 CFR 778; 30 CFR 843  
**Legal Deadline:** None  
**Abstract:** This rule will amend the regulations governing permit application information requirements; criteria for permit issuance; and criteria, procedures, and sanctions for improvidently issued permits. The action is being taken in response to a decision by the U.S. Court of Appeals for the District of Columbia Circuit invalidating the previous rules.  
**Timetable:**

Action	Date	FR Cite
Final Action Effective	04/03/97	62 FR 19450
Final Action	04/21/97	62 FR 19450

**Small Entities Affected:** None  
**Government Levels Affected:** State, Federal  
**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW., Washington, DC 20240

DOI—OSMRE

Completed Actions

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RIN: 1029-AB91  
 BILLING CODE 4310-05-F

DEPARTMENT OF THE INTERIOR (DOI)  
 Bureau of Reclamation (RB)

Prerule Stage

**1741. RECOVERING THE VALUE OF RIGHTS OF USE AND RELATED ADMINISTRATIVE COSTS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 43 USC 387; 31 USC 438a  
**CFR Citation:** 43 CFR 429; 43 CFR 430  
**Legal Deadline:** None  
**Abstract:** This rule will include new requirements to comply with OMB

Circular A-25, specify procedures for appealing decisions made by the Bureau, and make other changes. The rule will also rescind 43 CFR part 430, which contains the same procedures for only one site.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Larry Schluntz, Acting Manager, Reclamation Law Contracts and Repayments Office, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225

Phone: 303 236-1061  
 Fax: 303 236-0890

RIN: 1006-AA39

DEPARTMENT OF THE INTERIOR (DOI)  
 Bureau of Reclamation (RB)

Proposed Rule Stage

**1742. CENTRAL VALLEY PROJECT OF CALIFORNIA—PURPOSES, USES, AND ALLOCATION OF WATER SUPPLIES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 5 USC 551; 5 USC 553  
**CFR Citation:** 43 CFR 432; 50 CFR 1  
**Legal Deadline:** None  
**Abstract:** The rule will address water for fish and wildlife, water conservation standards, water transfers, land retirement, tiered pricing, renewal of long-term contracts, and implementation of the restoration fund created by the Central Valley Improvement Act. This rule is being developed jointly by the Bureau of Reclamation and the Fish and Wildlife Service.

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 Phone: 916 979-2405  
 Fax: 916 979-2535

RIN: 1006-AA34

Bureau of Reclamation, PO Box 25007, Denver, CO 80225  
 Phone: 303 236-1061  
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RIN: 1006-AA36

**Timetable:**

Action	Date	FR Cite
ANPRM	08/02/94	59 FR 39316
ANPRM Comment Period End	02/01/95	59 FR 67265
NPRM	04/00/98	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Betty Riley Simpson, Repayment Specialist, Department of the Interior, Bureau of Reclamation,

**1743. MANAGEMENT OF LAKE BERRYESSA**

**Priority:** Info./Admin./Other  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** PL 93-493

**CFR Citation:** 43 CFR 430

**Legal Deadline:** None

**Abstract:** This rule specifies that the procedures detailed in 43 CFR 4 are available to concessioners at Lake Berryessa, California, for appealing decisions made by the Bureau of Reclamation. This regulation is no longer needed since this information will be included in the amendment to 43 CFR 429.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** Ed Cramer, Policy Analyst, Department of the Interior,

**1744. OFFSTREAM STORAGE OF COLORADO RIVER WATER AND INTERSTATE MARKETING OF STORAGE CREDITS IN THE LOWER DIVISION STATES**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 43 USC 617; 43 USC 391; 5 USC 553; 43 USC 1501

**CFR Citation:** 43 CFR 414

**Legal Deadline:** None

**Abstract:** Colorado River water use in Arizona, California, and Nevada is so great that not all requests for Colorado River water can be filled. Arizona has established groundwater banking program, created a banking authority, and empowered the bank to store Colorado River water to protect Arizona against future shortages. Arizona law permits California and Nevada to store unused Colorado River water in offstream storage in Arizona and to recover that water to meet their future needs. However, Arizona law does not allow Arizona to enter into contracts with California or Nevada for water storage until the Department adopts a

DOI—RB

Proposed Rule Stage

regulation to govern water banking. In response to Arizona's request, we are developing this regulation.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

Action	Date	FR Cite
NPRM Comment Period End	12/00/97	
<b>Small Entities Affected:</b> None		
<b>Government Levels Affected:</b> None		
<b>Agency Contact:</b> Dale Ensminger, Contract and Repayment Specialist,		

Department of the Interior, Bureau of Reclamation, Boulder Canyon Operations Office, Post Office Box 61470, Boulder City, NV 89006-1470  
 Phone: 702 293-8659  
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 Email: densminger@lc.usbr.gov  
**RIN:** 1006-AA40

DEPARTMENT OF THE INTERIOR (DOI)  
 Bureau of Reclamation (RB)

Final Rule Stage

**1745. REVENUES MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 553; 43 USC 373; 43 USC 391; 43 USC 392a; 16 USC 835; 30 USC 355; 30 USC 1019; 43 USC 374; 43 USC 375; 43 USC 394; 43 USC 553; 43 USC 501; 43 USC 562; 43 USC 525; 43 USC 648

**CFR Citation:** 43 CFR 403

**Legal Deadline:** None

**Abstract:** This rule specifies crediting methods used for revenues generated by incidental use of Reclamation project lands and facilities in accordance with Federal law. It is being published so that water users have access to the legal requirements that the Bureau of Reclamation applies in crediting.

**Timetable:**

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46801
NPRM Comment Period End	01/13/95	59 FR 58808
Final Action	09/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Alonzo D. Knapp, Manager, Reclamation Law, Contracts, and Repayment Office, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225-0007  
 Phone: 303 236-1061  
**RIN:** 1006-AA30

**1746. ADJUSTMENTS TO THE 1988 OPERATING CRITERIA FOR THE NEWLANDS IRRIGATION PROJECT, NEVADA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 32 Stat 388 et seq; 43 USC 373; 70 Stat 775; 72 Stat 705; 104 Stat 3289

**CFR Citation:** 43 CFR 418

**Legal Deadline:** None

**Abstract:** The 1988 operating criteria for the Newlands Project were approved by the Deputy Secretary and the U.S. District Court for Nevada. They were, however, never promulgated as a rule. The criteria govern the Newlands Project with the goal of improving efficiency and maximizing use of water from the Carson River

while minimizing use of water from the Truckee River as a supplemental supply. The proposed adjustments recognize changes in project acreage, provide greater management flexibility, and further reduce reliance on Truckee River water.

**Timetable:**

Action	Date	FR Cite
NPRM	12/09/96	61 FR 68432
NPRM Comment Period End	04/08/97	62 FR 7201
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Public Compliance Cost:** Initial Cost: \$0; Yearly Recurring Cost: \$300,000; Base Year for Dollar Estimates: 1994

**Agency Contact:** Jeffrey P. Zippin, Team Leader, Truckee-Carson Coordination Office, Department of the Interior, Bureau of Reclamation, 1849 C Street NW., Room 4429 MIB, Washington, DC 20240  
 Phone: 202 208-4979  
 Fax: 202 208-4867

**RIN:** 1006-AA37

DEPARTMENT OF THE INTERIOR (DOI)  
 Bureau of Reclamation (RB)

Long-Term Actions

**1747. ACREAGE LIMITATION RULES FOR TRUSTS**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 43 USC 390aa to 390zz

**CFR Citation:** 43 CFR 426.7

**Legal Deadline:** None

**Abstract:** During the recently completed Reclamation Reform Act of 1982 (RRA) rulemaking, the Department

of the Interior received a number of comments regarding the compliance of certain large trusts with the acreage limitation provisions of the RRA. Comments expressed a variety of viewpoints, including the assertion that some trusts with landholdings (owned and leased land) in excess of 960 acres may circumvent the requirements of Federal reclamation law. The Department has received comments on this issue from various parties and is now determining how best to proceed.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/18/96	61 FR 66827
ANPRM Comment Period End	04/17/97	62 FR 7431
NPRM	10/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Steven Richardson, Director, Policy and External Affairs, Department of the Interior, Bureau of

DOI—RB

Long-Term Actions

Reclamation, 1849 C Street NW.,  
Washington, DC 20240  
Phone: 202 208-4291

RIN: 1006-AA38  
BILLING CODE 4310-09-F

DEPARTMENT OF THE INTERIOR (DOI)  
Bureau of Land Management (BLM)

Proposed Rule Stage

1748. LEASES, PERMITS, AND EASEMENTS

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 43 USC 1732; 43 USC 1740  
**CFR Citation:** 43 CFR 2920  
**Legal Deadline:** None

**Abstract:** This rule will amend the existing regulations to provide for improved administration of Leases, Permits and Easements under the Federal Land Policy and Management Act.

**Timetable:**

Action	Date	FR Cite
NPRM	11/21/90	55 FR 48810
NPRM Comment Period End	01/22/91	
Second NPRM	02/09/95	60 FR 7878
Second NPRM Comment Period End	04/10/95	
Final Rule for Minimum Impact Land Use Permits Only	06/24/96	61 FR 32351
Final Rule Effective	07/24/96	
Third NPRM	12/00/97	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7779

RIN: 1004-AB51

1749. OIL AND GAS LEASING; DRAINAGE

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 43 USC 1740  
**CFR Citation:** 43 CFR 3100  
**Legal Deadline:** None

**Abstract:** This rule will specify who has the responsibility for drainage protection, what it constitutes, and when it begins.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined

**Agency Contact:** Donnie Shaw, Compliance Team Leader, Department of the Interior, Bureau of Land Management, Bureau of Land Management, 1849 C Street NW.  
Phone: 202 452-3446

RIN: 1004-AC54

1750. DESERT LAND ENTRIES

**Priority:** Info./Admin./Other  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.  
**Legal Authority:** 43 USC 1740  
**CFR Citation:** 43 CFR 2520  
**Legal Deadline:** None

**Abstract:** This rule will transfer much of the regulation on entries of desert land to the BLM Manual if the underlying statute is not repealed as no longer practical.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined

**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7776

RIN: 1004-AC56

1751. DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 43 USC 299  
**CFR Citation:** 43 CFR 3814  
**Legal Deadline:** Final, Statutory, October 13, 1993.

**Abstract:** This rule will establish new procedures for mineral exploration and development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of 1916 and the mineral estate remains reserved to the Federal Government.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined  
**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management, Regulatory Management Team, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0355  
Email: rhaskins@wo.blm.gov  
RIN: 1004-AC59

1752. LAND WITHDRAWALS

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1714; 43 USC 1740  
**CFR Citation:** 43 CFR 2091; 43 CFR 2310; 43 CFR 2370  
**Legal Deadline:** None  
**Abstract:** This rule will revise the regulations on withdrawals and revocations of withdrawals to

DOI—BLM

Proposed Rule Stage

streamline operations and clarify the regulations. It will also amend the regulations to expedite the opening of formerly withdrawn lands to the operation of the public land laws.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7779

**RIN:** 1004-AC63

**1753. COST RECOVERY; MINERAL FILINGS AND OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 181 et seq; 30 USC 351 to 360; 30 USC 1001 et seq; 30 USC 22; 5 USC app; 31 USC 9701; 43 USC 1734

**CFR Citation:** 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800

**Legal Deadline:** None

**Abstract:** This rule will amend regulations for user fees for locatable minerals, mineral materials, and leasable minerals (solids and fluids) to adjust current fees or establish new fees in accordance with title V of the Independent Offices Appropriations Act of 1952 (user charges), OMB Circular A-25 "User Charges" and section 304 of the Federal Land Policy and Management Act of 1976.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Durga N. Rimal, Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0350  
Fax: 202 452-0399

**RIN:** 1004-AC64

**1754. GRAZING ADMINISTRATION; ALASKA; LIVESTOCK**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 315; 43 USC 315(a) to 315(r); 43 USC 1181(d); 43 USC 1701

**CFR Citation:** 43 CFR 4200

**Legal Deadline:** None

**Abstract:** This rule will remove obsolete regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM-LS501, Washington, DC 20240  
Phone: 202 452-5084  
Fax: 202 452-0349

**RIN:** 1004-AC70

**1755. RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2880

**Legal Deadline:** None

**Abstract:** This rule will move much of the existing regulations to manuals, notices to applicants, etc. This action will ease update of cost recovery schedules. Materials will be combined with other rights-of-way guidance.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Ron Montagna, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7782  
Fax: 202 452-7708

**RIN:** 1004-AC74

**1756. USE; RIGHTS-OF-WAY**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2800

**Legal Deadline:** None

**Abstract:** This rule will move material from existing regulations to manuals, notices to applicants, etc. This action will ease update of cost recovery schedules.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Ron Montagna, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7782  
Fax: 202 452-7708

**RIN:** 1004-AC75

**1757. RAILROAD GRANTS**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1201; 49 USC 65

**CFR Citation:** 43 CFR 2630

**Legal Deadline:** None

**Abstract:** This rule will remove these regulations in their entirety due to their limited usage.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

DOI—BLM

Proposed Rule Stage

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop 401 LS, Washington, DC 20240  
Phone: 202 452-5084

**RIN:** 1004-AC76

**1758. LAND CLASSIFICATION**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 315; EO 6910; EO 6964; 43 USC 1411 to 1418; 43 USC 869

**CFR Citation:** 43 CFR 2400

**Legal Deadline:** None

**Abstract:** This rule will revise 43 CFR group 2400 and redesignate it as part 1620. Most of these regulations are no longer needed because they contain either statutory reiteration or internal procedures best suited to the BLM Manual. Land classification can be accomplished through the BLM planning process.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM-L St. 10th Floor  
Phone: 202 452-7779  
Fax: 202 452-7708

**RIN:** 1004-AC78

**1759. CONVEYANCES, DISCLAIMERS, AND CORRECTION DOCUMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 15; 43 USC 1161; 43 USC 1201; 43 USC 1745; 43 USC 1746

**CFR Citation:** 43 CFR 1860

**Legal Deadline:** None

**Abstract:** This rule will update portions of the existing regulation and eliminate outdated provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Annetta Cheek, Group Manager, Regulatory Affairs, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop LS401  
Phone: 202 452-0399

**RIN:** 1004-AC82

**1760. APPLICATION PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 251; 43 USC 263; 43 USC 689; 43 USC 690; 43 USC 1201; 43 USC 1374; 43 USC 1740

**CFR Citation:** 43 CFR 1820

**Legal Deadline:** None

**Abstract:** This rule will revise the existing regulation to consolidate certain business practice rules and update to recognize modern technology.

**Timetable:**

Action	Date	FR Cite
NPRM	10/01/97	62 FR 51402
NPRM Comment	12/01/97	
Period End		

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Frank Bruno, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop LS401  
Phone: 202 452-0352  
Email: fbruno@wo.blm.gov

**RIN:** 1004-AC83

**1761. SEGREGATION AND OPENING OF LANDS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2091

**Legal Deadline:** None

**Abstract:** This rule will simplify and modernize the existing regulations on segregation and opening public lands that are involved in various transactions such as sales or exchanges.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff O. Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7779

**RIN:** 1004-AC84

**1762. OIL AND GAS LEASING AND OPERATIONS**

**Regulatory Plan:** This entry is Seq. No. 61 in Part II of this issue of the **Federal Register**.

**RIN:** 1004-AC94

**1763. APPEALS PROCEDURES; HEARINGS PROCEDURES**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1701; 43 USC 1740

**CFR Citation:** 43 CFR 1840; 43 CFR 1850

**Legal Deadline:** None

**Abstract:** BLM proposes to amend its regulations that govern administrative review procedures for protests of proposed decisions, contests, appeals of

DOI—BLM

Proposed Rule Stage

BLM decisions, and hearings on the record. The proposed regulations would provide more consistent procedures for administrative review of BLM decisions, and would clarify when and how BLM decisions go into effect and whether an appeal will stay the effectiveness of a BLM decision.

**Timetable:**

Action	Date	FR Cite
NPRM	10/17/96	61 FR 54120
NPRM Comment Period End	01/17/97	61 FR 58160
Second NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM LS1000, Washington, DC 20240  
Phone: 202 452-7779  
Fax: 202 452-7708

**RIN:** 1004-AC99

**1764. COLOR OF TITLE AND OMITTED LANDS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2540

**Legal Deadline:** None

**Abstract:** As part of its reinventing government effort, BLM proposes to rewrite the current color of title and omitted lands regulations in plain English. No substantive changes are proposed.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-5084  
Email: epetacch@wo.blm.gov

**RIN:** 1004-AD00

**1765. PALEONTOLOGICAL RESOURCES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 3622; 43 CFR 8365; 43 CFR 6600

**Legal Deadline:** None

**Abstract:** This rule will consolidate into one part of the CFR various BLM regulatory provisions relating to paleontological resource management and rewrite them in plain English.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carl Barna, Paleontological Program Coordinator, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0325

**RIN:** 1004-AD03

**1766. GEOTHERMAL RESOURCE UNIT AGREEMENT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740; 30 USC 1001 et seq

**CFR Citation:** 43 CFR 3280

**Legal Deadline:** None

**Abstract:** This rule will rewrite unit agreement regulations, reduce and streamline information and permitting requirements, provide BLM maximum flexibility in permitting decision making to accommodate the full range of unitization scenarios, and reorganize the regulations to make specific requirements easier to find and understand.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-5012  
Email: cfontecc@wo.blm.gov

**RIN:** 1004-AD10

**1767. COAL MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 189; 30 USC 359; 30 USC 1266; 43 USC 1733; 43 USC 1740

**CFR Citation:** 43 CFR 3400

**Legal Deadline:** None

**Abstract:** This rule will clarify and streamline policy on coal exploration and post-lease operations. It will reorganize and revise portions of the Federal coal management program regulations, including exploration licenses, lease suspensions, lease administration, diligence, and exploration and mining operations on leased Federal coal.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Bill Radden-LeSage, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-0360  
Fax: 202 452-0399  
Email: brlesage@wo.blm.gov

**RIN:** 1004-AD11

DOI—BLM

Proposed Rule Stage

**1768. OIL AND GAS LEASING; NATIONAL PETROLEUM RESERVE, ALASKA—TRANSFERS, EXTENSIONS, AND CONSOLIDATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 6503; 43 USC 1740

**CFR Citation:** 43 CFR 3130; 43 CFR 3135

**Legal Deadline:** None

**Abstract:** This rule will make clear whether lessees may enter into unit agreements involving lands in the National Petroleum Reserve, Alaska.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Erick Kaarlela, Senior Specialist, Operations and Inspection, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0341  
Email: ekaarlel@wo.blm.gov

**RIN:** 1004-AD13

**1769. AUTHORITIES/MISSION STATEMENT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 1800

**Legal Deadline:** None

**Abstract:** This rule will provide a mission statement for the BLM and consolidate in one part of 43 CFR a description of the statutory authorities underlying the program regulations of the BLM.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Frances Watson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5006  
Email: fwatson@wo.blm.gov

**RIN:** 1004-AD15

**1770. ASSIGNMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 1800

**Legal Deadline:** None

**Abstract:** This rule will consolidate in one part of 43 CFR all of the provisions relating to assignments of rights and privileges to use or occupy the public lands, including leases, easements, preferences, allotments, and licenses.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Carole Smith, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0367  
Fax: 202 452-5002  
Email: csmith@wo.blm.gov

**RIN:** 1004-AD17

**1771. QUALIFICATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 1800

**Legal Deadline:** None

**Abstract:** This rule will consolidate in one part of 43 CFR all of the provisions on determining whether a person is qualified for a lease, permit, license, preference, payment, or any other benefit or authorization relating to the public lands.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carole Smith, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0367  
Fax: 202 452-5002  
Email: csmith@wo.blm.gov

**RIN:** 1004-AD18

**1772. BLM INSIGNIA**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 1800

**Legal Deadline:** None

**Abstract:** This rule will establish procedures for using BLM insignia.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Frank Bruno, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0352  
Email: fbruno@wo.blm.gov

**RIN:** 1004-AD20

DOI—BLM

Proposed Rule Stage

**1773. • SURFACE MANAGEMENT (LOCATABLE MINERALS)**

**Regulatory Plan:** This entry is Seq. No. 62 in Part II of this issue of the **Federal Register**.

**RIN:** 1004-AD22

**1774. • FINANCIAL ASSISTANCE; LOCAL GOVERNMENTS**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740; 31 USC 1601 et seq

**CFR Citation:** 43 CFR 1880

**Legal Deadline:** None

**Abstract:** This rule will update the regulations on payments to State and local governments in lieu of taxes to reflect changes in law.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Bill Howell, Accountant, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7721

**RIN:** 1004-AD23

**1775. • HELIUM CONTRACTS**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 3750; 30 CFR 602

**Legal Deadline:** None

**Abstract:** This rule will require Federal agencies with major requirements for helium to purchase from authorized Federal helium suppliers, and in turn require those suppliers to purchase a like amount of crude helium from the helium reserve, and set up reporting requirements for the agencies and suppliers.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Undetermined

**Agency Contact:** Ian Senio, Regulatory Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., MS 401 LS, Washington, DC 20240

Phone: 202 452-5049

Email: isenio@wo.blm.gov

**RIN:** 1004-AD24

**1776. • USE AUTHORIZATIONS (RECREATION)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740; 16 USC 4601-6a

**CFR Citation:** 43 CFR 8370

**Legal Deadline:** None

**Abstract:** This rule will revise the regulations on the issuance of special recreation permits for purposes of clarification and updating, and will add regulations on the issuance of recreation use permits for the use of fee areas.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Lee Larson, Recreation Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-5168

**RIN:** 1004-AD25

**1777. • ADVISORY COMMITTEES**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC app 1; 43 USC 1739; 43 USC 1740

**CFR Citation:** 43 CFR 1784

**Legal Deadline:** None

**Abstract:** This rule will remove most or all of the regulation because it duplicates advisory committee regulations elsewhere in the Code of Federal Regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Frank Bruno, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., MS 401-LS, Washington, DC 20240

Phone: 202 452-0352

Email: fbruno@wo.blm.gov

**RIN:** 1004-AD26

**1778. • COAL MANAGEMENT: GENERAL (PUBLIC PARTICIPATION)**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 181 et seq

**CFR Citation:** 43 CFR 3400

**Legal Deadline:** None

**Abstract:** This rule will amend the Federal coal management regulations by listing all opportunities for public comment in the coal leasing process.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carole Smith, Regulatory Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0367

**RIN:** 1004-AD27

**DEPARTMENT OF THE INTERIOR (DOI)**  
**Bureau of Land Management (BLM)**

**Final Rule Stage**

**1779. PUBLIC AVAILABILITY OF MINERALS RESOURCES INFORMATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 552

**CFR Citation:** 43 CFR 3000

**Legal Deadline:** None

**Abstract:** This rule will remove conflicts between existing mineral regulations relating to public availability of mineral resources information and the Freedom of Information Act. The rule will also remove discrepancies among the various mineral regulations regarding public release of information.

**Timetable:**

Action	Date	FR Cite
NPRM	05/31/91	56 FR 24767
NPRM Comment	07/31/91	
Period End		
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Sid Vogelpohl, Asst. District Manager, Mineral Resources, Department of the Interior, Bureau of Land Management, Jackson District Office, 411 Briarwood Drive, Suite 404, Jackson MS 39206  
 Phone: 601 977-5402  
 Fax: 601 977-5440

**RIN:** 1004-AB55

**1780. MANAGEMENT OF DESIGNATED WILDERNESS AREA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1701 et seq; 16 USC 1131 et seq

**CFR Citation:** 43 CFR 8560; 43 CFR 6300

**Legal Deadline:** None

**Abstract:** This rule will amend the existing regulations to remove obsolete provisions, clarify and simplify the regulations, and add provisions on access to inholdings, rights-of-way, use of mechanized equipment by certain individuals, access by Native Americans.

**Timetable:**

Action	Date	FR Cite
NPRM	12/19/96	61 FR 66968
NPRM Comment	02/18/97	
Period End		
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 452-5189

**RIN:** 1004-AB69

**1781. COALBED METHANE DEVELOPMENT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 13368

**CFR Citation:** 43 CFR 3170

**Legal Deadline:** Final, Statutory, October 24, 1995.

**Abstract:** The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource by requiring pooling of development and payment of the proceeds into an escrow account until the ownership issue is resolved by a State entity of competent jurisdiction. The rule will also allow States to avoid the Federal regulations by promulgating their own regulations that substantially comply with Federal requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47920
NPRM Comment	11/14/95	
Period End		
Final Action	12/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Agency Contact:** David R. Stewart, Assistant Deputy State Director for Mineral Resources, Department of the Interior, Bureau of Land Management, BLM Eastern States, 7450 Boston Boulevard, Springfield, VA 22153  
 Phone: 703 440-1728

**RIN:** 1004-AC27

**1782. MANAGEMENT OF SOLID MINERALS OTHER THAN COAL**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 3500

**Legal Deadline:** None

**Abstract:** This rule will remove repetitive introductory material and combine the common provisions of the series of regulations of leasing of specific non-coal minerals.

**Timetable:**

Action	Date	FR Cite
NPRM	10/18/96	61 FR 54384
NPRM Comment	03/07/97	62 FR 5373
Period End		
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW., Washington, DC 20240  
 Phone: 202 452-5012  
 Email: cfontecc@wo.blm.gov

**RIN:** 1004-AC49

**1783. SPECIAL AREAS; STATE IRRIGATION DISTRICTS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2780

**Legal Deadline:** None

**Abstract:** This rule will remove the establishment and operation of State irrigation districts from the regulations and relocate necessary provisions in the BLM Manual.

**Timetable:**

Action	Date	FR Cite
NPRM	09/13/96	61 FR 48454
Final Action	12/00/97	

**Small Entities Affected:** None

DOI—BLM

Final Rule Stage

**Government Levels Affected:** None

**Agency Contact:** Chris Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (420), 1849 C Street NW.  
Phone: 202 452-5012  
Email: cfontecc@wo.blm.gov

**RIN:** 1004-AC53

**1784. STATE EXCHANGES; NATIONAL PARK SYSTEM EXCHANGES; WILDLIFE REFUGE EXCHANGES; MISCELLANEOUS EXCHANGES**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2210; 43 CFR 2240; 43 CFR 2250; 43 CFR 2270

**Legal Deadline:** None

**Abstract:** This rule will remove these subparts, which are merely cross-references to the basic exchange regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/96	61 FR 64658
NPRM Comment Period End	01/06/97	
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Mail Stop LS401, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5012  
Email: cfontecc@wo.blm.gov

**RIN:** 1004-AC58

**1785. MINERAL MATERIALS DISPOSAL**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 601 et seq

**CFR Citation:** 43 CFR 3600; 43 CFR 3610; 43 CFR 3620

**Legal Deadline:** None

**Abstract:** This rule will amend current regulations to simplify and make bonding requirements easier to follow. It also adds a provision under which certificates of deposit could be used as a bond. In addition, some editorial changes will be made to make the rules easier to understand.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/96	61 FR 40373
NPRM Comment Period End	09/03/96	
Final Action	01/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Durga N. Rimal, Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM-LS501, Washington, DC 20240  
Phone: 202 452-0350  
Fax: 202 452-0349

**RIN:** 1004-AC68

**1786. STATE GRANTS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 851 and 852; 43 USC 852 NOTE; 43 USC 870

**CFR Citation:** 43 CFR 2620

**Legal Deadline:** None

**Abstract:** The rule will streamline the existing regulations where possible and eliminate portions that pertain to procedural matters.

**Timetable:**

Action	Date	FR Cite
NPRM	11/15/96	61 FR 58500
NPRM Comment Period End	01/14/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Room 401 LS, Washington, DC 20240

Phone: 202 452-5084  
Email: epetacch@wo.blm.gov

**RIN:** 1004-AC71

**1787. DEFINITIONS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1201; 43 USC 1740

**CFR Citation:** 43 CFR 1300

**Legal Deadline:** None

**Abstract:** This rule will relocate definitions from various sections of BLM's portion of 43 CFR into a central section for general definitions. The new location will be in 43 CFR 1800. Several definitions that had been formerly repeated in various sections will appear as one consolidated definition.

**Timetable:**

Action	Date	FR Cite
NPRM	11/19/96	61 FR 58843
NPRM Comment Period End	01/21/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Ted Hudson, Regulatory Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM-LS501, Washington, DC 20240

Phone: 202 452-5042  
Email: thudson@wo.blm.gov

**RIN:** 1004-AC73

**1788. INDIAN ALLOTMENTS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1201; 25 USC 334; 25 USC 336

**CFR Citation:** 43 CFR 2530

**Legal Deadline:** None

**Abstract:** This rule will convert existing regulations to plain English

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and remove those portions that relate to procedural matters.

**Timetable:**

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53887
NPRM Comment	11/15/96	
Period End		
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM LS-10th Floor

Phone: 202 452-7779  
Fax: 202 452-7708

**RIN:** 1004-AC77

**1789. CAREY ACT GRANTS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 641 et seq

**CFR Citation:** 43 CFR 2610

**Legal Deadline:** None

**Abstract:** This rule will remove these regulations as they are inconsistent with present day management policies. Application of these provisions of the Carey Act would not be feasible due to limited water and suitable lands.

**Timetable:**

Action	Date	FR Cite
NPRM	09/10/96	61 FR 47725
NPRM Comment	10/10/96	
Period End		
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop BLM-L St.10th Floor, Washington, DC 20240

Phone: 202 452-7779  
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**RIN:** 1004-AC80

**1790. WILD AND SCENIC RIVERS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 6400

**Legal Deadline:** None

**Abstract:** This rule will establish standards and procedures for BLM consenting to Federal licensing of or assistance to water resource projects affecting designated wild and scenic rivers and congressionally authorized study rivers.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/05/96	61 FR 28546
ANPRM Comment	07/05/96	
Period End		
NPRM	09/10/96	61 FR 47726
NPRM Comment	11/04/96	61 FR 56651
Period Extended		
NPRM Comment	12/04/96	
Period End		
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gary Marsh, Rivers and Special Areas Program Lead, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 202040

Phone: 202 452-7709  
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**RIN:** 1004-AC87

**1791. PATENT PREPARATION AND ISSUANCE**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** RS 2450, as amended; 43 USC 1161

**CFR Citation:** 43 CFR 1862

**Legal Deadline:** None

**Abstract:** This rule will remove 43 CFR 1862 and place the procedures in BLM manuals and handbooks.

**Timetable:**

Action	Date	FR Cite
NPRM	08/16/96	61 FR 42579
NPRM Comment	09/16/96	
Period End		
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Frank Bruno, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop 401LS, Washington, DC 20240

Phone: 202 452-0352  
Email: fbruno@wo.blm.gov

**RIN:** 1004-AC88

**1792. RECLAMATION/TOWNSITES**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2764; 43 CFR 2765

**Legal Deadline:** None

**Abstract:** This rule will remove obsolete regulations governing townsites associated with reclamation projects and grants of land in reclamation townsites for school purposes.

**Timetable:**

Action	Date	FR Cite
NPRM	10/03/96	61 FR 51666
NPRM Comment	12/02/96	
Period End		
Final Action	10/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Jeff O. Holdren, Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-7779  
Fax: 202 452-7708

**RIN:** 1004-AC91

**1793. SUSTAINED YIELD FOREST UNITS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1181e; 43 USC 1740

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**CFR Citation:** 43 CFR 5040

**Legal Deadline:** None

**Abstract:** This rule will amend part 5040 by removing obsolete sections and rewriting the remaining sections in plain English.

**Timetable:**

Action	Date	FR Cite
NPRM	11/15/96	61 FR 58501
NPRM Comment Period End	01/14/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lyndon Werner, Forester, Department of the Interior, Bureau of Land Management, Oregon State Office OR-931, P.O. Box 2965, Portland, OR 97208  
Phone: 503 952-6071

**RIN:** 1004-AC93

**1794. NATIONAL FOREST EXCHANGES**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2202

**Legal Deadline:** None

**Abstract:** This rule will delete 43 CFR subpart 2202 because it duplicates material contained in BLM's general exchange regulations and the Forest Service's land exchange regulations at 36 CFR 254. BLM also will extend the provisions of its general exchange regulations to National Forest System lands.

**Timetable:**

Action	Date	FR Cite
NPRM	09/11/96	61 FR 47855
NPRM Comment Period End	10/11/96	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
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Email: cfontecc@wo.blm.gov

**RIN:** 1004-AC97

**1795. GIFTS; ACQUISITION OF LANDS OR INTEREST IN LANDS BY PURCHASE OR CONDEMNATION**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2110; 43 CFR 2130; 43 CFR 2090

**Legal Deadline:** None

**Abstract:** This rule will move 43 CFR 2111.4 to 43 CFR part 2091 and will remove the remainder of 43 CFR parts 2110 and 2130 in their entirety. These regulations are either statements of policy, internal procedures, or restatements of statutory provisions. BLM believes that they can be deleted without having any substantive impact on the public.

**Timetable:**

Action	Date	FR Cite
NPRM	09/11/96	61 FR 47853
NPRM Comment Period End	10/11/96	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Mail Stop LS401, Washington, DC 20240  
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**RIN:** 1004-AC98

**1796. MINING CLAIMS UNDER THE GENERAL MINING LAWS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 3744; 43 CFR 3745; 43 CFR 3811; 43 CFR 3824; 43 CFR 3825

**Legal Deadline:** None

**Abstract:** This rule will remove the regulations on claimant's rights,

helium, the watershed of Prescott, Arizona, the Papago Indian Reservation, and fissionable source material on coal lands. Each of these regulations is unnecessary or obsolete, either because they describe programs that no longer exist, or because they contain requirements already achieved by other regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	10/03/96	61 FR 51667
NPRM Comment Period End	11/04/96	
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-5012  
Email: cfontecc@wo.blm.gov

**RIN:** 1004-AD05

**1797. GRAZING ADMINISTRATION: ALASKA; REINDEER**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 4300

**Legal Deadline:** None

**Abstract:** This rule will convert the current regulations into plain English. No change will be made in the legal or policy content of the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	11/01/96	61 FR 56497
NPRM Comment Period End	12/02/96	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
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Fax: 202 452-5002

DOI—BLM

Final Rule Stage

Email: epetacch@wo.blm.gov

RIN: 1004-AD06

**1798. GEOTHERMAL RESOURCES LEASING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 3200

**Legal Deadline:** None

**Abstract:** This rule will reduce and streamline permitting and informational requirements, provide BLM maximum decisionmaking flexibility on permit applications and processing, accommodate the full range of potential geothermal operations and development scenarios, and provide industry with greater flexibility in submitting applications. It will also provide more specific permit application information to allow more consistent interpretation of requirements by BLM and industry.

**Timetable:**

Action	Date	FR Cite
NPRM	10/08/96	61 FR 52736
NPRM Comment Period End	01/06/97	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-5012  
Email: cfontecc@wo.blm.gov

RIN: 1004-AD08

**1799. LOGICAL MINING UNITS: GENERAL; LMU APPLICATION PROCEDURES; LMU APPROVAL CRITERIA; LMU DILIGENCE; ADMINISTRATION OF LMU OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 30 USC 189; 30 USC 359; 30 USC 1266; 43 USC 1733; 43 USC 1740

**CFR Citation:** 43 CFR 3480

**Legal Deadline:** None

**Abstract:** This rule will amend the regulations that pertain to formation and administration of logical mining units (LMUs). The rule will implement procedures designed to prevent the use of LMUs to extend the diligent

development period of a Federal coal lease unless the lessee demonstrates progress toward production of the Federal coal reserves. The rule will clarify the circumstances in which BLM considers a Federal lease to be "producing" as it relates to section 2(a)2(A) of the Mineral Leasing Act, and also implement a Federal District Court ruling related to submission of resource recovery and protection plans.

**Timetable:**

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47920
NPRM Comment Period End	11/14/95	
Final Action	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** This rule was previously proposed under RIN 1004-AC15, then combined with 1004-AC37. Now 1004-AC37 has been removed and this rule will be published as a final rule.

**Agency Contact:** Bill Radden-LeSage, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0350

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Email: brlesage@wo.blm.gov

RIN: 1004-AD12

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

Bureau of Land Management (BLM)

**1800. SALES—FEDERAL LAND POLICY AND MANAGEMENT ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1701; 43 USC 1713

**CFR Citation:** 43 CFR 2710

**Legal Deadline:** None

**Abstract:** This rule will amend 43 CFR part 2710 to provide for improved administration of sales of public land under the Federal Land Policy and Management Act.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jim Paugh, Realty Specialist, Department of the Interior, Bureau of Land Management, P.O. Box 1828, Cheyenne, WY 82003  
Phone: 307 775-6306

RIN: 1004-AB77

**1801. ALASKA NATIVE SELECTIONS**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1601

**CFR Citation:** 43 CFR 2650

**Legal Deadline:** None

**Abstract:** This rule will revise the regulations to clarify portions and remove those portions pertaining to procedural matters.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Erica Petacchi, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 401 LS, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5084

RIN: 1004-AC72

DOI—BLM

Long-Term Actions

**1802. PLANNING, PROGRAMMING, AND BUDGETING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 1600

**Legal Deadline:** None

**Abstract:** This rule will update and streamline the resource planning regulations of BLM. It will amend them to reflect BLM's reorganized field management structure, and will expressly allow management framework plans to remain in effect if they meet the requirements of law.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Ted Milesnick, Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 452-7727  
Email: tmilesni@wo.blm.gov

**RIN:** 1004-AC86

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Bureau of Land Management (BLM)

**1803. TRAMROADS AND LOGGING ROADS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 2810

**Completed:**

Reason	Date	FR Cite
Withdrawn - No further action planned at this time.	07/23/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** John Styduhar  
Phone: 503 952-6422

**RIN:** 1004-AC24

**Agency Contact:** Tom Roberts  
Phone: 202 452-7769

**RIN:** 1004-AC36

**1805. BODIE BOWL, CALIFORNIA: SURFACE MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 3826

**Completed:**

Reason	Date	FR Cite
Withdrawn - No Action Planned at This Time - Issue Is Moot	07/23/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roger Haskins  
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Email: rhaskins@wo.blm.gov

**RIN:** 1004-AC60

**1807. NON-MINERAL ENTRY ON MINERAL LAND**

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 2093

**Completed:**

Reason	Date	FR Cite
Final Action	10/01/97	62 FR 51375
Final Action Effective	10/31/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff O. Holdren  
Phone: 202 452-7779  
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**RIN:** 1004-AC65

**1804. EMERGENCY FIRE AND DISASTER REHABILITATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 9240

**Completed:**

Reason	Date	FR Cite
Withdrawn - Postponed pending field studies.	07/23/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local

**1806. PROTECTION, MANAGEMENT, AND CONTROL OF WILD FREE-ROAMING HORSES AND BURROS; PRIVATE MAINTENANCE; ADOPTION FEES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 4750.4-2

**Completed:**

Reason	Date	FR Cite
Final Action	02/05/97	62 FR 5338
Final Action Effective	03/07/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Lili Thomas  
Phone: 702 785-6583

**RIN:** 1004-AC61

**1808. PUBLIC LAND RECORDS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 1813

**Completed:**

Reason	Date	FR Cite
Final Action	09/10/97	62 FR 47568
Final Action Effective	10/10/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Wendy Spencer

DOI—BLM

Completed Actions

Phone: 303 236-6642  
 Fax: 303 236-3327

RIN: 1004-AC81

**1809. EQUITABLE ADJUDICATION**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 43 CFR 1870

**Completed:**

Reason	Date	FR Cite
Withdrawn - Combined With RIN 1004-AC99	07/23/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren  
 Phone: 202 452-7779  
 Fax: 202 452-7708

RIN: 1004-AC89

**1810. FREE USE OF TIMBER**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 43 CFR 5511

**Completed:**

Reason	Date	FR Cite
Final Action	10/01/97	62 FR 51376
Final Action Effective	10/31/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren  
 Phone: 202 452-7779  
 Fax: 202 452-7708

RIN: 1004-AC92

**1811. SPECIAL RESOURCE VALUES; SHORE SPACE**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 2094

**Completed:**

Reason	Date	FR Cite
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Withdrawn - No further action planned at this time 07/23/97

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren  
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 Fax: 202 452-7708

RIN: 1004-AD01

**1812. WILDLIFE MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 6100

**Completed:**

Reason	Date	FR Cite
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Withdrawn - Postponed pending field studies 07/23/97

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Cal McCluskey  
 Phone: 208 373-4042

RIN: 1004-AD02

**1813. DELEGATION OF AUTHORITY, COOPERATIVE AGREEMENTS AND CONTRACTS FOR OIL AND GAS INSPECTION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 3190

**Completed:**

Reason	Date	FR Cite
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Final Action 09/22/97 62 FR 47568  
 Final Action Effective 09/22/97

**Small Entities Affected:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Ian Senio  
 Phone: 202 452-5049

RIN: 1004-AD09

**1814. NATIONAL PETROLEUM RESERVE IN ALASKA**

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 43 CFR 2360

**Completed:**

Reason	Date	FR Cite
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Withdrawn - No further action planned at this time 07/23/97

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Holdren  
 Phone: 202 452-7779  
 Fax: 202 452-7708  
 Email: jholdren@wo.blm.gov

RIN: 1004-AD14

**1815. BONDING**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 1800

**Completed:**

Reason	Date	FR Cite
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Withdrawn - No action planned at this time 07/23/97

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Christopher Fontecchio  
 Phone: 202 452-5012  
 Email: cfontecc@wo.blm.gov

RIN: 1004-AD16

**1816. APPLICATION PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 43 CFR 1820

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Completed Actions

Completed:

Reason	Date	FR Cite
Withdrawn - Combined with RIN 1004-AC83	07/23/97	

**Small Entities Affected:** None

Email: fbruno@wo.blm.gov

**Government Levels Affected:** None

**RIN:** 1004-AD19

**Agency Contact:** Frank Bruno  
Phone: 202 452-0352

**BILLING CODE** 4310-84-F

DEPARTMENT OF THE INTERIOR (DOI)  
Office of the Secretary (OS)

Final Rule Stage

**1817. TRANSPORTATION AND UTILITY SYSTEMS IN AND ACROSS, AND ACCESS INTO, CONSERVATION SYSTEM UNITS IN ALASKA**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 668dd et seq; 16 USC 3101 et seq; 43 USC 1201

**CFR Citation:** 43 CFR 36

**Legal Deadline:** NPRM, Judicial, April 30, 1995.

**Abstract:** This rule will revise regulations implementing the provisions of title IX of the Alaska National Interest Lands Conservation Act (ANILCA). The regulations concern transportation and utility systems (TUS) in Alaska when any portion of the route of the TUS will be within any conservation system unit, national recreation area, or national conservation area. The regulations detail the procedures that must be followed to obtain Federal approval needed for a TUS. In addition, the regulations address special access, temporary access, and access to inholdings.

**Timetable:**

Action	Date	FR Cite
NPRM	09/17/96	61 FR 48873
NPRM Comment Period End	11/18/96	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

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**RIN:** 1093-AA07

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