



Federal Register

**Monday,
April 24, 2000**

Part X

**Department of the
Interior**

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 April 2000 and October 2000. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

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: You should direct all comments and inquiries with regard to these rules to the appropriate agency contact. You should direct general comments relating to the agenda to the Office of Regulatory Affairs, Department of the Interior, at the address above or on 202-208-5257 or 202-208-3071.

SUPPLEMENTARY INFORMATION: With this publication, the Department satisfies the requirement of Executive Order 12866 that the Department publish an agenda of rules that we have issued or expect to issue and of currently effective rules that we have scheduled for review.

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

Dated: March 16, 2000.

Richard A. Stephan,
Federal Register Liaison Officer.

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

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1343	Records and Testimony; Freedom of Information Act	1090-AA61
1344	Nondiscrimination on the Basis of Sex in Federally Assisted Education Programs or Activities	1090-AA64
1345	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals	1090-AA68
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Assistant Secretary for Policy, Management and Budget—Final Rule Stage

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

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Assistant Secretary for Policy, Management and Budget—Completed Actions

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Office of the Special Trustee—Long-Term Actions

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United States Fish and Wildlife Service—Proposed Rule Stage

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1355	Public Use Regulations for Kodiak National Wildlife Refuge Alaska	1018-AE60
1356	Implementation of the 1994 Amendments to the Marine Mammal Protection Act	1018-AE72
1357	Proposed Reclassification and Delisting of the Gray Wolf in Certain Parts of Its Range	1018-AF20
1358	Taking of Marine Mammals by Level B Harassment; Issuance of General Authorization for Scientific Research and Permits for Photography, Educational, and Commercial Purposes	1018-AF26
1359	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles and Amphibians to the United States	1018-AF27
1360	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Coastal California Gnatcatcher	1018-AF32
1361	Endangered and Threatened Wildlife and Plants; Establishment of a Special Rule for the Canada Lynx	1018-AF40
1362	Endangered and Threatened Wildlife and Plants; Special Rule for the Chiricahua Leopard Frog	1018-AF41
1363	Importation, Exportation, and Transportation of Wildlife	1018-AF46
1364	Endangered and Threatened Wildlife and Plants; Tibetan Antelope	1018-AF49
1365	Administration of the National Coastal Wetlands Conservation Grant Program	1018-AF51
1366	Policy for Evaluation of Conservation Efforts in Endangered Species Decision-Making	1018-AF55
1367	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Plant Hackelia Venusta (Showy Stickseed)	1018-AF75
1368	Endangered and Threatened Wildlife and Plants; Emergency Listing of the Tiger Salamander	1018-AF81
1369	Endangered and Threatened Wildlife and Plants; Endangered Status for Cook's Lomatium and Large Flowered Woolly Meadowfoam	1018-AF84
1370	Endangered and Threatened Wildlife and Plants; List Ohlone Tiger Beetle as Endangered	1018-AF89
1371	Endangered and Threatened Wildlife and Plants; Proposal to List the Mississippi Gopher Frog Distinct Population Segment of Dusky Gopher Frog as Endangered.	1018-AF90
1372	Endangered and Threatened Wildlife and Plants; Proposal to Designate Critical Habitat for the Spectacled Eider. ..	1018-AF92
1373	Migratory Bird Permits; Determination That the State of Delaware Meets Federal Falconry Standards and Amended List of States Meeting Federal Falconry Standards.	1018-AF93
1374	Endangered and Threatened Wildlife and Plants; Proposed Designation of Critical Habitat for Steller's Eider	1018-AF95
1375	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population Status for Four Fishes: Duskytail Darter, Smoky Madtom, Yellowfin Madtom, Spotfin Chub	1018-AF96
1376	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Alameda Whipsnake	1018-AF98
1377	Endangered and Threatened Wildlife and Plants; Designated Ports for Listed Plants	1018-AF99
1378	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Straight-horned Markhor Population of the Torghar Region of Balochistan, Pakistan, From Endangered to Threatened	1018-AG00
1379	2000 - 2001 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AG01
1380	Endangered and Threatened Wildlife and Plants; Proposed Listing of Two Southwest Milkvetch Plants	1018-AG02
1381	Endangered and Threatened Wildlife and Plants; Proposed Listing of Buena Vista Lake Shrew as Endangered	1018-AG04
1382	Endangered and Threatened Wildlife and Plants; Proposed Listing of Vermilion Darter as Endangered	1018-AG05

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1385	Seizure and Forfeiture Procedures	1018-AC89
1386	Reclassification of Yacare Caiman From Endangered to Threatened With Special Rule	1018-AD67
1387	Proposed Special Rule With the Reclassification of the Vicuna From Endangered to Threatened	1018-AE04
1388	Endangered and Threatened Wildlife and Plants; Proposed Determination of Threatened Status for Koala	1018-AE43
1389	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Oahu Elepaio From the Hawaiian Islands	1018-AE51
1390	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened La Graciosa Thistle, Lompoc Yerba Santa, Gaviota Tarplant & Nipoma Mesa Lupine	1018-AE81
1391	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Mariana Fruit Bat	1018-AE83
1392	Endangered and Threatened Species; Proposal To List Northern Idaho Ground Squirrel as Endangered or Threatened	1018-AE84
1393	Endangered and Threatened Wildlife and Plants; Proposal To List Colorado Butterfly Plant as Endangered or Threatened	1018-AE87
1394	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered in the United States the Short-Tailed Albatross	1018-AE91
1395	Proposed Delisting of the Bald Eagle Throughout the Lower 48 States	1018-AF21
1396	Endangered and Threatened Wildlife and Plants; Prebles Meadow Jumping Mouse	1018-AF30
1397	Endangered and Threatened Wildlife and Plants; Desert Yellowhead	1018-AF31
1398	Endangered and Threatened Wildlife and Plants; Nine Bexar County, Texas, Invertebrates	1018-AF33
1399	Endangered and Threatened Wildlife and Plants; Santa Ana Sucker	1018-AF34
1400	Endangered and Threatened Wildlife and Plants; Columbia White-Tailed Deer	1018-AF43
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1402	Endangered and Threatened Wildlife and Plants; Coastal Cutthroat Trout	1018-AF45
1403	Endangered and Threatened Wildlife and Plants; Scaleshell Mussel	1018-AF57
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1405	Endangered and Threatened Wildlife; Golden Sedge	1018-AF68
1406	Critical Habitat for the Tidewater Goby	1018-AF73
1407	Regulations for Subsistence Hunting and Fishing on Federal Lands in Alaska for the 2000-2001 Seasons.	1018-AF74
1408	Endangered and Threatened Wildlife and Plants; Proposal to List the Distinct Population Segment (DPS) of Anadromous Atlantic Salmon in the Gulf of Maine.	1018-AF80
1409	Endangered and Threatened Wildlife and Plants; Endangered Status for Southern CA Distinct Vertebrate Population Segment (DPS) of Mountain Yellow-Legged Frog	1018-AF83
1410	Importation or Shipment of Injurious Wildlife; Zebra Mussel	1018-AF88
1411	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp	1018-AF97
1412	Subsistence Hunting and Fishing on Federal Lands in Alaska; Rural Determinations	1018-AG03

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1416	Critical Habitat Designation for the Lost River and Shortnose Suckers	1018-AC90
1417	Revision of Migratory Bird Hunting Regulations, 50 CFR Part 20	1018-AD01
1418	Marine Mammal Protection Act; Unintentional Take of Marine Mammals by Harassment Only in Activities Other Than Commercial Fishing	1018-AD18
1419	Marine Mammal Protection Act; Measures To Safely Deter Marine Mammals, Including Threatened and Endangered Marine Mammals	1018-AD19
1420	Endangered and Threatened Wildlife and Plants; Special Rule for the Northern Spotted Owl	1018-AD20
1421	Taxonomic Change From Subspecies to Vertebrate Population Segment for the Virgin River Chub	1018-AD22
1422	Federal Aid in Sport Fish Restoration Program for Participation for District of Columbia and Insular Territories and Commonwealths	1018-AD83
1423	Rescission of Administrative Procedures for Grants in Aid (Marine Mammal Protection Act of 1972)	1018-AD92

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1425	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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1427	Export of American Alligator for the 1998-2000 Harvest Seasons	1018-AE15
1428	Revisions to the Federal Aid Administrative Requirements	1018-AE17
1429	Exportation of Marine Mammal Products for Cultural Exchange	1018-AE33
1430	Injurious Wildlife; Addition of Brush-Tailed Possum	1018-AE34
1431	Endangered and Threatened Wildlife and Plants; Proposed Revision of Special Regulations for Gray Wolf	1018-AE45
1432	Eagle Permits; Permits for Falconry Purposes; Permits To Take Golden Eagle Nests	1018-AE62
1433	Migratory Bird Permits; Specific Permit Provisions; Import and Export Permits; Banding or Marking Permits; and Scientific Collecting Permits	1018-AE63
1434	Migratory Bird Permits; Introduction, General Requirements and Exceptions	1018-AE64
1435	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Cowhead Lake Tui Chub	1018-AE85
1436	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population Status for 16 Freshwater Mussels and 1 Freshwater Snail	1018-AE92
1437	Refuge Compatibility Regulations Pursuant to the National Wildlife Refuge System Implementation Act of 1997	1018-AE98
1438	Consideration of Listing the Green Iguana (Iguana iguana) as Injurious, Pursuant to the Lacey Act	1018-AF08
1439	Listing of U.S. Species in Appendix III to CITES	1018-AF09
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1441	Endangered and Threatened Wildlife and Plants; Proposal To List Sclerocactus Brevispinus (Pariette Cactus) as Endangered or Threatened	1018-AF15
1442	Endangered and Threatened Wildlife and Plants; Proposal To List Fourteen Hawaiian Pomace Flies as Endangered or Threatened	1018-AF16
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1444	Proposed Delisting of the Grizzly Bear in the Yellowstone Ecosystem	1018-AF22
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1446	Migratory Bird Permits; Specific Permit Provisions; Special Purpose Permits	1018-AF28
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1448	National Boating Infrastructure Grant Program	1018-AF38
1449	Endangered and Threatened Wildlife and Plants; Proposed Special Rule for the Arkansas River Shiner	1018-AF39
1450	Endangered and Threatened Wildlife and Plants; Aleutian Canada Goose	1018-AF42
1451	Endangered and Threatened Wildlife and Plants; Asian Bonytongue	1018-AF48
1452	Proposed Guidance for Conducting Consultations for the Indiana Bat	1018-AF50
1453	1999-2000 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AF52
1454	Endangered and Threatened Wildlife and Plants; Alabama Sturgeon	1018-AF56
1455	Endangered and Threatened Wildlife and Plants; Tidewater Goby	1018-AF67
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1458	Spikedace and Loach Minnow; Determination of Critical Habitat Under the Endangered Species Act	1018-AF76
1459	Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Spalding's Catchfly	1018-AF79
1460	Endangered and Threatened Wildlife and Plants; Endangered Status for San Diego Ambrosia	1018-AF86
1461	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2001 Subsistence Fishing and Shellfish Taking in Alaska	1018-AF91
1462	Endangered and Threatened Wildlife and Plants; Establishment of Critical Habitat Designation for the Santa Ana Sucker	1018-AF94

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1469	Endangered and Threatened Wildlife and Plants: Critical Habitat Designation for the Western Snowy Plover	1018-AD10
1470	Critical Habitat Proposal for Virgin River Fishes	1018-AD23
1471	Export of Appendix I Specimens That Were Bred for Commercial Purposes	1018-AD64
1472	Consolidation of Lists of Wildlife of Federal Concern	1018-AD66
1473	Migratory Bird Hunting: Regulations Regarding Prohibition Against Artificially Altering/Manipulating Natural Vegetation in Moist Areas To Attract Waterfowl	1018-AD74
1474	Endangered and Threatened Species: Removal of Lloyd's Hedgehog Cactus From Federal List of Endangered and Threatened Plants	1018-AD91
1475	Proposed Approval of Selected State Programs Allowing the Export of Ginseng Harvested in 1997-1999	1018-AE03
1476	Importation, Exportation, Transportation of Wildlife	1018-AE08
1477	Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for Blackburn's Sphinx Moth from the Hawaiian Islands	1018-AE20
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1479	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Lone Buckwheat and Threatened Status for Lone Manzanita	1018-AE25
1480	Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Newcomb's Snail From the Hawaiian Islands	1018-AE27
1481	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Plant Keck's Checker-Mallow From Tulare County, California	1018-AE30
1482	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Plant in Wenatchee Mountains of Washington	1018-AE32
1483	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two Cave Animals From Hawaiian Islands	1018-AE39
1484	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two San Joaquin Valley Mammals	1018-AE40
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1486	Update of Addresses for Endangered Species Permit Applications	1018-AE49
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1488	Endangered and Threatened Wildlife and Plants; Endangered Status for Willamette Daisy, Fender's Blue Butterfly and Threatened Status for Kincaid's Lupine	1018-AE53
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1490	Endangered and Threatened Wildlife and Plants; Endangered Status for the Plant Prairie Penny Cress From Coastal Northern California	1018-AE55
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1493	Reclassification of the Namibian Population of Cheetah From Endangered to Threatened	1018-AE73
1494	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Gentner's Fritilaria (Mission Bells)	1018-AE75
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1497	Endangered and Threatened Species; Proposal To List as Endangered or Threatened Blumer's Dock	1018-AE89
1498	Endangered and Threatened Wildlife and Plants; Listing of Several Evolutionary Significant Units of West Coast Steelhead	1018-AE97
1499	Endangered and Threatened Wildlife and Plants; Delist Dismal Swamp Southeastern Shrew	1018-AF00
1500	Endangered and Threatened Wildlife and Plants; List Coastal-Puget Sound Jarbidge River and St. Mary's-Belly River Population Segments of Bull Trout as Threatened	1018-AF01
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1503	Announcement of Draft Policy for Evaluation of Conservation Efforts in Making Listing Decisions	1018-AF11

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1506	Amendment by Mexico to Appendix III Listing of Bigleaf Mahogany	1018-AF47
1507	Marine Mammals; Incidental Take of Polar Bear and Pacific Walrus During Specified Activities	1018-AF54
1508	Endangered and Threatened Wildlife and Plants; Sierra Nevada Population of California Bighorn Sheep	1018-AF59
1509	National Wildlife Refuges: Administrative Provisions	1018-AF60
1510	Convention on International Trade in Endangered Species of Wild Fauna and Flora; Sturgeon Permits	1018-AF66
1511	Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Two Chinook Salmon Evolutionarily Significant Unit (ESU's) in California.	1018-AF82
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1523	Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway: Snowmobile and Snowplane Routes and Regulations	1024-AC34
1524	Big Cypress National Preserve; Recreational Frogging	1024-AC54
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National Park Service—Completed Actions

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Bureau of Indian Affairs—Proposed Rule Stage

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1551	Certificates of Degree of Indian Blood	1076-AD97
1552	Arrangement With States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians	1076-AD98
1553	Trust Management Reform: Leasing, Permitting, Grazing, Probate and Funds Held in Trust	1076-AE00

Bureau of Indian Affairs—Final Rule Stage

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Bureau of Indian Affairs—Completed Actions

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Bureau of Indian Affairs—Completed Actions (Continued)

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Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
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1600	Postlease Operations	1010-AC32
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Minerals Management Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
1602	Deep Water Emergency Well Control Operations	1010-AC54
1603	Update of Documents Incorporated by Reference	1010-AC55

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1604	Abandoned Coal Refuse Sites—Title I	1029-AB70
1605	Contemporaneous Reclamation	1029-AB79
1606	Dam Safety Rules	1029-AB92
1607	Electronic Filing of the OSM-1 Form	1029-AB95
1608	Electronic Funds Transfer	1029-AB96
1609	Temporary Cessation of Mining Operations	1029-AB97

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1610	Indian Lands	1029-AB83
1611	Ownership and Control—Redesign	1029-AB94

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identification Number
1612	Definition and Criteria for Valid Existing Rights	1029-AB42
1613	Prohibitions Under Section 522(e) of SMCRA	1029-AB82

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identification Number
1614	Central Valley Project of California—Purposes, Uses, and Allocation of Water Supplies	1006-AA34
1615	Acreage Limitation Rules for Trusts	1006-AA38
1616	Recovering the Value of Rights of Use and Related Administrative Costs	1006-AA39

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1617	Leases, Permits, and Easements	1004-AB51
1618	Sales—Federal Land Policy and Management Act	1004-AB77
1619	Desert Land Entries	1004-AC56
1620	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1621	Land Withdrawals	1004-AC63
1622	Cost Recovery; Mineral Filings and Operations	1004-AC64
1623	Railroad Grants	1004-AC76
1624	Land Classification	1004-AC78
1625	Carey Act Grants	1004-AC80

DOI

Bureau of Land Management—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1626	Segregation and Opening of Lands	1004-AC84
1627	Appeals Procedures; Hearings Procedures	1004-AC99
1628	Color of Title and Omitted Lands	1004-AD00
1629	Paleontological Resources	1004-AD03
1630	Geothermal Resource Unit Agreement	1004-AD10
1631	Coal Management	1004-AD11
1632	Oil and Gas Leasing; National Petroleum Reserve, Alaska—Unit Agreements	1004-AD13
1633	Financial Assistance; Local Governments	1004-AD23
1634	Use Authorizations (Recreation)	1004-AD25
1635	Mineral Materials Disposal	1004-AD29
1636	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1637	Alaska Native Veterans Allotments	1004-AD34
1638	Conservation; Helium Leasing	1004-AD35
1639	Timber Export and Substitution	1004-AD37
1640	Hazardous Materials Compliance	1004-AD38
1641	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AD39

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1642	Management of Designated Wilderness Area	1004-AB69
1643	Oil and Gas Leasing; Drainage	1004-AC54
1644	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1645	Indian Allotments	1004-AC77
1646	Oil and Gas Leasing and Operations	1004-AC94
1647	Surface Management (Locatable Minerals)	1004-AD22
1648	Location Recording, and Maintenance of Mining Claims and Sites	1004-AD31

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1649	Coalbed Methane Development	1004-AC27

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1650	Wild and Scenic Rivers	1093-AA08

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1342. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES

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

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	11/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis Required: 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

1343. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 552 Freedom of Information Act

CFR Citation: 43 CFR 2

Legal Deadline: None

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 to make other changes as necessary.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Alexandra Mallus, DOI FOIA Officer (OIRM), Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-5342

RIN: 1090-AA61

1344. NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS OR ACTIVITIES

Priority: Substantive, Nonsignificant

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

CFR Citation: 43 CFR 41

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	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Local, Tribal

Agency Contact: Melvin C. Fowler, Civil Rights Staff Assistant, Department

of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-3455

RIN: 1090-AA64

1345. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.401(c)(2); 43 CFR 4.403; 43 CFR 4.404; 43 CFR 4.405; 43 CFR 4.406; 43 CFR 4.407; 43 CFR 4.408; 43 CFR 4.414; 43 CFR 4.415; 43 CFR 4.422(c)(2); 43 CFR 4.450-5

Legal Deadline: None

Abstract: This document proposes to amend procedural rules governing hearings and appeals in public-lands cases. The amendments are necessary to conform the rules to procedural practices contained in decisions of the Interior Board of Land Appeals. The amended rules would provide parties more complete information and more up-to-date procedures than the existing rules.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	
Final Action	11/00/00	
Final Action Effective	06/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 4015 Wilson Boulevard, Arlington, VA 22203
Phone: 703 235-3750

RIN: 1090-AA68

1346. RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 372

CFR Citation: 43 CFR 4.271; 43 CFR 4.320

Legal Deadline: None

DOI—ASPMB

Proposed Rule Stage

Abstract: This action will amend the Office of Hearings and Appeals rules at 43 CFR 4.271 to clarify who has authority to make distributions in cash or trust personal property, and under what circumstances this authority can be exercised. This action will amend the regulations to clarify that BIA Superintendents will have the responsibility for making distribution determinations when an Indian dies intestate leaving only trust personal

property or cash. The regulation will also amend the current regulation to increase the amount of cash or trust property that the Superintendent has jurisdiction to distribute to less than \$5,000 not including interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Charles E. Breece, Deputy Director, Office of Hearings and Appeals, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240
Phone: 703 235-3810

RIN: 1090-AA70

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1347. ADMINISTRATIVE AND AUDIT REQUIREMENTS AND COST PRINCIPLES FOR ASSISTANCE PROGRAMS, SEAT BELT USAGE**Priority:** Info./Admin./Other

Legal Authority: EO 12674; EO 12689; EO 12731; EO 13043; OMB Circular A-102; PL 104-256, sec 501; 31 USC 6101 note; 31 USC 7501; 41 USC 252a; 41 USC 701 et seq; 5 USC 301; EO 12549; PL 105-62, sec 503; PL 105-83, sec 307; PL 105-62, sec 303; OMB Circular A-110; OMB Circular A-133

CFR Citation: 43 CFR 12**Legal Deadline:** None

Abstract: This final rule will implement sections 1(c) and 2 in Executive Order 13043 of April 16, 1997, "Increasing Seat Belt Use in the United States." This rule will amend section 12.2 of subpart A of 43 CFR part 12 to add these provision and will apply to grants and cooperative agreements awarded by the Department.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/27/99	64 FR 72287
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local

Agency Contact: Debra E. Sonderman, Director, Office of Acquisition and Property Management, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-6431

RIN: 1090-AA67

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

1348. REVISED STATUTE 2477 RIGHTS-OF-WAY**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

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

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 Period End	08/01/95	60 FR 4135
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local, State

Agency Contact: Ron Montagna, Realty Specialist, Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 452-7782

Email: ron_montagna@blm.gov

RIN: 1090-AA44**1349. ADMINISTRATIVE AND AUDIT REQUIREMENTS AND COST PRINCIPLES FOR ASSISTANCE PROGRAMS; BUY AMERICAN ACT****Priority:** Info./Admin./Other**Unfunded Mandates:** This action may affect State, local or tribal governments.

Legal Authority: 31 USC 7501; 41 USC 252a; 41 USC 701 et seq; 5 USC 301; EO 12549; EO 12674; EO 12689; EO 12731; OMB Circular A-102; OMB Circular A-110; PL 104-256, sec 501; PL 105-62, sec 303; PL 105-62, sec 503; PL 105-83, sec 307; 31 USC 6101 note

CFR Citation: 43 CFR 12**Legal Deadline:** None

Abstract: This final rule is in response to the "Department of the Interior and Related Agencies Appropriations Act,

DOI—ASPMB

Long-Term Actions

1998,” and the “Energy and Water Development Appropriations Act, 1998.” It implements provisions regarding lobbying restrictions; denial of funds for preventing ROTC access to campuses; and the purchase of American-made equipment and products.

Timetable:

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Debra E. Sonderman, Director, Office of Acquisition and Property Management, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-6431

RIN: 1090-AA66

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

1350. • NATURAL RESOURCES TYPE ASSESSMENT PROCEDURES

Priority: Info./Admin./Other

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 party who is responsible for hazardous substance releases that injure natural resources. CERCLA requires that natural resource damage assessment regulations be promulgated that incorporate “type A” standardized procedures for simplified assessments requiring minimal field observation that are available to determine damages for minor spills in certain environments. Currently there are two type A procedures: one for minor spills in coastal or marine areas

that incorporates the Natural Resource Damages Assessment Model for Coastal and Marine Environments (NRDAM/CME); and one for minor spills in the Great Lakes that incorporates the Natural Resource Damages Assessment Model for Great Lakes Environments (NRDAM/GLE). The Department of the Interior has revised the NRDAM/CME and NRDAM/GLE to correct Y2K bugs and issued this rule to reflect those corrections. This rule did not modify any substantive decisions the Department made in prior rulemakings, and the technical corrections described in this rule were necessary to ensure that the NRDAM/CME and the NRDAM/GLE conform to the descriptions and decisions stated in prior rulemakings. Therefore, the Department concluded that there was good cause to make these corrections

and changes without notice and comment.

Timetable:

Action	Date	FR Cite
Final Action	02/08/00	65 FR 6012
Final Action Effective	02/08/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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-AA72

BILLING CODE 4310-RK-F

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

Office of the Special Trustee (OST)

1351. SPECIAL DEPOSITS

Priority: Info./Admin./Other

Legal Authority: 42 USC 4043

CFR Citation: 25 CFR 114; 25 CFR 115; 25 CFR 123; 25 CFR 124; 25 CFR 125

Legal Deadline: None

Abstract: This rule transfers from the Bureau of Indian Affairs to the Office of the Special Trustee for American Indians (OST) five CFR parts relating to management of Indian trust funds. The Department is making this change to implement title II of the American Indian Trust Fund Management Reform Act of 1994. This change will clarify the questions that have arisen since the passage of the Act about the responsibilities of BIA and OST regarding trust resources and assets.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sarah Yepa, Chief, Division of Quality Assurance, Department of the Interior, Office of the Special Trustee, Suite 1000, 505 Marquette Avenue, NW, Suite 1000, Albuquerque, NM 87102
Phone: 505 248-5751
Fax: 505 248-5782

RIN: 1035-AA01

1352. APPEALING ADMINISTRATIVE ACTIONS OF THE OFFICE OF THE SPECIAL TRUSTEE

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

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	04/00/01	

Regulatory Flexibility Analysis Required: No

DOI—OST

Long-Term Actions

Government Levels Affected: Federal
Agency Contact: Sarah Yepa, Chief,
 Division of Quality Assurance,
 Department of the Interior, Office of the

Special Trustee, Suite 1000, 505
 Marquette Avenue, NW, Suite 1000,
 Albuquerque, NM 87102
 Phone: 505 248-5751

Fax: 505 248-5782

RIN: 1035-AA03

BILLING CODE 4310-RK-F

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

United States Fish and Wildlife Service (FWS)

**1353. INJURIOUS WILDLIFE;
 ADDITION OF THE ASIAN SWAMP
 EEL**

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

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: We will review economic and
 biologic information on the Asian
 swamp eel (tentatively identified as
Monopterus albus) for possible addition
 to the list of injurious wildlife under
 the Lacey Act.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/00	

**Regulatory Flexibility Analysis
 Required:** Undetermined

Government Levels Affected:
 Undetermined

Agency Contact: Hannibal Bolton,
 Chief, Fish and Wildlife Management
 Assistance, Department of the Interior,
 United States Fish and Wildlife Service
 Phone: 703 358-1718

RIN: 1018-AF53

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

United States Fish and Wildlife Service (FWS)

**1354. 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 nine Conferences of the Parties to
 the Convention on International Trade
 in Endangered Species of Wild Fauna
 and Flora.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Teiko Saito, Chief,
 Office of Management Authority,
 Department of the Interior, United
 States Fish and Wildlife Service
 Phone: 703 358-2104
 Email: teiko_saito@fws.gov

RIN: 1018-AD87

**1355. PUBLIC USE REGULATIONS
 FOR KODIAK NATIONAL WILDLIFE
 REFUGE ALASKA**

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 460(k) et seq;
 16 USC 668dd et seq; 16 USC 3101
 et seq

CFR Citation: 50 CFR 36

Legal Deadline: None

Abstract: The Service will propose
 regulations to implement portions of
 the Public Use Management Plan
 (PUMP) for the Kodiak National
 Wildlife Refuge. Proposed regulations
 will include access restrictions and
 specific requirements and limitations
 related to commercial and
 administrative structures, camping,
 snow machines, pack animals, tent
 platforms, food containers, and fish
 cleaning. The PUMP was prepared with
 an environmental assessment and was
 reviewed in an appropriate public
 involvement process. The final
 document was released in November
 1993. By implementing the PUMP,
 compatible public uses will be allowed
 while protecting the refuge resources.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Bob Stevens, Refuges
 and Wildlife, Department of the
 Interior, United States Fish and
 Wildlife Service, 1011 E Tudor Road,
 Anchorage, AK 99503
 Phone: 907 786-3499

RIN: 1018-AE60

**1356. IMPLEMENTATION OF THE 1994
 AMENDMENTS TO THE MARINE
 MAMMAL PROTECTION ACT**

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 to 1374

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: Section 104 of the Marine
 Mammal Protection Act authorizes the
 Director of the Service, acting on behalf
 of the Secretary of the Interior, to issue
 permits for activities otherwise
 prohibited by the Act. Per the 1994
 amendments to the Act, regulations
 will be developed for issuance of
 general authorizations and permits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

Agency Contact: Teiko Saito, Chief,
 Office of Management Authority,

DOI—FWS

Proposed Rule Stage

Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2104
Email: teiko_saito@fws.gov

RIN: 1018—AE72

1357. PROPOSED RECLASSIFICATION AND DELISTING OF THE GRAY WOLF IN CERTAIN PARTS OF ITS RANGE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is currently undertaking a status review and preparing a proposed rule to reclassify certain populations of the gray wolf from endangered to threatened status under the Endangered Species Act, based on the recent recovery achievements, and to delist the wolf in other parts of its range where recovery has been accomplished.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018—AF20

1358. TAKING OF MARINE MAMMALS BY LEVEL B HARASSMENT; ISSUANCE OF GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH AND PERMITS FOR PHOTOGRAPHY, EDUCATIONAL, AND COMMERCIAL PURPOSES

Priority: Substantive, Nonsignificant

Legal Authority: PL 103-238; 16 USC 1361 to 1407

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: The Service proposes to issue regulations that would allow us to authorize harassment but not injury or death of polar bear, Northern sea otter, and walrus for scientific research photography, and for educational or

commercial purposes. This rule would further implement the 1994 Amendments to the Marine Mammal Protection Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Teiko Saito, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2104
Email: teiko_saito@fws.gov

RIN: 1018—AF26

1359. HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES AND AMPHIBIANS TO THE UNITED STATES

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

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42; 16 USC 3371 to 3378

CFR Citation: 50 CFR 14

Legal Deadline: None

Abstract: The proposed rule contains amendments designed to add numerous transport standards to part 14 for reptiles and amphibians. Standards have already been promulgated for mammals and birds.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Rosemarie Gnam, Chief, Branch of Operations, Department of the Interior, United States Fish and Wildlife Service, MS 700, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: rosemarie_gnam@fws.gov

RIN: 1018—AF27

1360. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE COASTAL CALIFORNIA GNATCATCHER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 95

Legal Deadline: Final, Judicial, September 30, 2000.

Abstract: We will determine whether to designate critical habitat for the coastal California gnatcatcher under the provisions of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	02/07/00	65 FR 5945
NPRM Comment Period End	04/07/00	
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

RIN: 1018—AF32

1361. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A SPECIAL RULE FOR THE CANADA LYNX

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.40

Legal Deadline: None

Abstract: The Fish and Wildlife Service will propose a special rule under section 4(d) of the Endangered Species Act to provide an alternative voluntary mechanism for the authorization of incidental take of lynx resulting from otherwise lawful trapping or hunting of wildlife other than lynx. The rule will establish criteria that must be satisfied by State or Tribal trapping and hunting programs to minimize the likelihood of the incidental take of lynx by trappers and hunters pursuing bobcat or other

DOI—FWS

Proposed Rule Stage

species. The criteria address trapper and hunter education; trap design, size, and placement; and other factors. The rule will provide an alternative to the section 10 process.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

RIN: 1018-AF40

1362. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE FOR THE CHIRICAHUA LEOPARD FROG

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.11

Legal Deadline: None

Abstract: We will determine whether to list the Chiricahua leopard frog (AZ & NM) under the Endangered Species Act, with a special rule.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF41

1363. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 704, 712, 1382, 1538(d)-(f), and 1540(f); 16 USC 3371-3378, 4223-4244, and 4901-4916; 18 USC 42; 31 USC 483(a)

CFR Citation: 50 CFR 14

Legal Deadline: None

Abstract: We will review our wildlife exportation and importation regulations pertaining to domesticated species, certain captive-bred and captive-born species.

Timetable:

Action	Date	FR Cite
ANPRM	07/15/98	63 FR 38143
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1949
Email: kevin_adams@fws.gov

RIN: 1018-AF46

1364. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We will propose endangered status for the Tibetan antelope, or chira (*Pantholops hodgsoni*). The antelope is a wild ungulate native to Tibet, Kashmir, and north-central China. It is threatened by illegal trade in its wool, known as shah toosh, which is exceptionally fine. The wool and shawls made from it are in great demand on the black market, resulting in the slaughter of thousands of these animals annually. The species has experienced dramatic declines in recent years despite efforts by range countries to control poaching, as well as a prohibition on international commercial trade through listing in Appendix I of CITES.

Timetable:

Action	Date	FR Cite
Notice	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of

Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240

Phone: 703 358-2095

Email: susan_lieberman@fws.gov

RIN: 1018-AF49

1365. ADMINISTRATION OF THE NATIONAL COASTAL WETLANDS CONSERVATION GRANT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3951 et seq

CFR Citation: 50 CFR 87

Legal Deadline: None

Abstract: We will establish the requirements of the National Coastal Wetlands Conservation Grant Program, authorized by section 305 of the Coastal Wetlands Planning, Protection and Restoration Act. The program is designed to assist coastal States by providing grants to State agencies to protect and restore their coastal wetland ecosystems. The proposed rule includes the goals of the program, eligibility requirements, ranking criteria, and grant administration procedures.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Dr. Benjamin Tuggle, Chief, Division of Habitat Conservation, Department of the Interior, United States Fish and Wildlife Service, Room 400, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2161

RIN: 1018-AF51

1366. POLICY FOR EVALUATION OF CONSERVATION EFFORTS IN ENDANGERED SPECIES DECISION-MAKING

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 Fish and Wildlife Service and the National Marine Fisheries Service announce a draft

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Proposed Rule Stage

policy for the evaluation of conservation efforts in making listing decisions under the Endangered Species Act of 1973, as amended (Act). The policy identifies criteria to be used in determining whether conservation agreements, conservation plans, management plans, or other formalized conservation efforts remove the need to list a species as threatened or endangered under the Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

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

RIN: 1018–AF55

1367. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THE PLANT HACKELIA VENUSTA (SHOWY STICKSEED)

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: The U.S. Fish and Wildlife Service (Service) proposes endangered species status pursuant to the Endangered Species Act (Act) of 1973, as amended, for *hackelia venusta* (Piper) St. John (showy stickseed). The population has declined to the current size of less than 150 individual plants at a single location in Tumwater Canyon, WA. Threats include competition and shading from native trees and shrubs, encroachment onto the site by nonnative, noxious plant species, wildfire and fire suppression, activities associated with fire suppression, and low seedling establishment.

Timetable:

Action	Date	FR Cite
NPRM	02/14/00	65 FR 7339
NPRM Comment	04/14/00	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018–AF75

1368. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY LISTING OF THE TIGER SALAMANDER

Priority: Substantive, Nonsignificant

Legal Authority: 16 U.S.C. 1531 et. seq.

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is exercising its authority to emergency list the Santa Barbara County Distinct Vertebrate Population Segment (DPS) of California tiger salamander as endangered under the Endangered Species Act of 1973 (Act). This emergency rule provides Federal protection under the Act for 240 days.

Timetable:

Action	Date	FR Cite
NPRM	01/19/00	65 FR 3110
Emergency rule	01/19/00	65 FR 3095
Effective date	01/19/00	
NPRM Comment	03/24/00	65 FR 15887
Period Reopened		
NPRM Comment	05/04/00	
Period End		

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

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

RIN: 1018–AF81

1369. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR COOK'S LOMATIUM AND LARGE FLOWERED WOOLY MEADOWFOAM

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 15 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list two plants, Cook's lomatium and large-flowered woolly meadowfoam, as endangered species under the Endangered Species Act of 1973 (Act). Both of these plants inhabit seasonally wet habitats known as vernal pools in the Agate Desert, an area north of Medford (Jackson County), Oregon. This proposal, if made final, would extend the Act's protection to these plants.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018–AF84

1370. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST OHLONE TIGER BEETLE AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list the Ohlone tiger beetle as endangered under the Endangered Species Act of 1973. This species is known from Santa Cruz County, California, and is threatened by habitat fragmentation and destruction due to urban development and habitat degradation due to invasion of nonnative vegetation.

Timetable:

Action	Date	FR Cite
NPRM	02/11/00	65 FR 6952

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Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment	04/11/00	
Period End		
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 1018-AF89

1371. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE MISSISSIPPI GOPHER FROG DISTINCT POPULATION SEGMENT OF DUSKY GOPHER FROG AS ENDANGERED.

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

Abstract: The Service proposes to list the Mississippi gopher frog distinct population segment of the dusky gopher frog as endangered under the Endangered Species Act of 1973 (Act). Historically, the Mississippi gopher frog occurred in at least nine counties or parishes across the Mobile River delta in Alabama. Today, it is known from only one site in Harrison County, Mississippi. This proposed rule, if made final, would extend the Act's protection to the Mississippi gopher frog distinct population segment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 1018-AF90

1372. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO DESIGNATE CRITICAL HABITAT FOR THE SPECTACLED EIDER.

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, December 1, 2000.

Abstract: The service proposes to designate critical habitat for the spectacled eider, a threatened species listed under the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6114
NPRM Comment	05/08/00	
Period End		
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

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

RIN: 1018-AF92

1373. ● MIGRATORY BIRD PERMITS; DETERMINATION THAT THE STATE OF DELAWARE MEETS FEDERAL FALCONRY STANDARDS AND AMENDED LIST OF STATES MEETING FEDERAL FALCONRY STANDARDS.

Priority: Substantive, Nonsignificant**Legal Authority:** Pub. L. 95-616; 16 USC 712 (2)**CFR Citation:** 50 CFR 21**Legal Deadline:** None

Abstract: We propose to add the State of Delaware to the list of States whose falconry laws meet or exceed Federal falconry standards. This action will enable residents of the State of Delaware to apply for a Federal/State falconry permit and to practice falconry in the State. We also propose to amend the list of states that participate in the cooperative Federal/State permit system by adding Delaware and Vermont. The State of Vermont has recently begun to participate in the cooperative program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** None

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

RIN: 1018-AF93

1374. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED DESIGNATION OF CRITICAL HABITAT FOR STELLER'S EIDER

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, August 1, 2000.

Abstract: The Service proposes to designate critical habitat for the Alaska breeding population of the Steller's eider, a threatened species under the Endangered Species Act of 1973 (Act). Proposed designation of critical habitat for the Steller's eider includes areas on the North Slope of the Yukon-Kuskokwim Delta, and seven marine areas in southwest and south coastal Alaska. If this proposal is made final, section 7(a)(2) of the Act requires that Federal agencies ensure that actions they permit, or carry out are not likely to result in the "destruction or adverse modification" of critical habitat.

Timetable:

Action	Date	FR Cite
NPRM	03/13/00	65 FR 13262
NPRM Comment	05/12/00	
Period End		

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

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Proposed Rule Stage

Phone: 703 358-2171

RIN: 1018-AF95

1375. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATION STATUS FOR FOUR FISHES: DUSKYTAIL DARTER, SMOKY MADTOM, YELLOWFIN MADTOM, SPOTFIN CHUB

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to designate nonessential experimental population (NEP) status under Section 10(j) of the Endangered Species Act of 1973 (Act), and reintroduce two federally listed endangered fishes—the duskytail darter and smoky madtom—and two federally listed threatened fishes—the yellowfin madtom and spotfin chub—into the Tellico River between the backwaters of the Tellico Reservoir (approximately Tellico River mile [TRM] 19 and TRM 33, near the Tellico Ranger Station, in Monroe County, Tennessee. The proposed reintroductions are recovery actions and are part of a series of reintroductions and other recovery efforts that we, other Federal and State agencies, and our partners are considering and conducting throughout the species' historic ranges.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Robert Gilmore, Associate Director-Federal Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets NW, Washington, DC 20240

Phone: 202 343-4646

Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2171

RIN: 1018-AF96

1376. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE ALAMEDA WHIPSNAKE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to designate critical habitat for the Alameda whipsnake under the Endangered Species Act of 1973 (Act). Critical habitat for the Alameda whipsnake is proposed in the inner coast range in western and central Alameda, Contra Costa, western San Joaquin and northern Santa Clara Counties.

Timetable:

Action	Date	FR Cite
NPRM	03/08/00	65 FR 12155
NPRM Comment Period End	05/08/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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

RIN: 1018-AF96

1377. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATED PORTS FOR LISTED PLANTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 24

Legal Deadline: None

Abstract: The U.S. Fish and Wildlife Service proposes to amend the regulations that establish designated ports for the importation, exportation, and reexportation of plants, or their parts and products, listed as endangered or threatened under the Endangered Species Act of 1973, as

amended (the Act), or listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The U.S. Department of Agriculture has determined that they have adequate facilities and personnel at these ports to implement the proposed changes. These changes would facilitate trade and the enforcement of the Act and CITES.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Teiko Saito, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2104
Email: teiko_saito@fws.gov

RIN: 1018-AF99

1378. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT-HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALOCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to change the classification of the straight-horned markhor population of the Torghar Hills region of Balochistan Province, Pakistan, from endangered to threatened under the Endangered Species Act of 1973. The markhor is a species of wild goat that occurs in small, isolated populations in rugged, arid mountain habitats in Afghanistan, India, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan.

Timetable:

Action	Date	FR Cite
Notice	09/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dr. Susan Lieberman, Chief, Office of Scientific Authority,

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Proposed Rule Stage

Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095

RIN: 1018-AG00

1379. • 2000 - 2001 REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 16 USC 460K; 16 USC 664; 16 USC 668 dd-ee; 16 USC 715i

CFR Citation: 50 CFR 32

Legal Deadline: None

Abstract: We will propose to open additional national wildlife refuges for hunting and/or sport fishing, and to provide refuge-specific regulations for such activities. We will also propose to amend certain regulations on other refuges that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 2000 - 2001 season.

Timetable:

Action	Date	FR Cite
NPRM	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James W. Kurth, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240
Phone: 703 358-1744

RIN: 1018-AG01

1380. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED LISTING OF TWO SOUTHWEST MILKVETCH PLANTS

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

Legal Authority: 16 U.S.C. 1531 et seq.

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: This action will determine the appropriate status of the Holmgren milk-vetch and the Shivwits milk-vetch plants that occur in Utah and Arizona. If listed as endangered or threatened, the protective provisions of the Endangered Species Act would apply.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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

RIN: 1018-AG02

1381. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED LISTING OF BUENA VISTA LAKE SHREW AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list the Buena Vista Lake Shrew (*Sorex ornatus relictus*) as endangered under the authority of the Endangered Species Act of 1973 without critical habitat. The Buena Vista Lake Shrew is found in marshes and sloughs within a site formerly known as the Kern Lake Preserve, Kern County, California. This subspecies may also occur in the Tulare Basin and at Kern National Wildlife Refuge, but its status is unknown. The only known population occurs on privately owned land that currently has no Federal protection.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AG04

1382. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED LISTING OF VERMILION DARTER AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Fish and Wildlife Service proposes to list the vermilion darter (*Etheostoma chermocki*) as endangered under the authority of the Endangered Species Act of 1973, as amended. The vermilion darter is found in only 11.6 kilometers (7.2 miles) of the main-stem of Turkey Creek, and the lowermost reaches of Dry Creek and Beaver Creek, within the Turkey Creek drainage, a tributary of the Locust Fork of the Black Warrior River, northeast Jefferson County, Alabama. This proposed rule, if made final, will extend the protection of the Act to the vermilion darter.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AG05

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Final Rule Stage

1383. 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 Final Action	05/09/95 09/00/00	60 FR 24686

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AB72

1384. 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 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 Final Action	02/07/96 06/00/00	61 FR 4710

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AC54

1385. 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 Final Rule	11/27/95 10/00/00	60 FR 58468

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1949
Email: kevin_adams@fws.gov

RIN: 1018-AC89

1386. 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: We will 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 Final Action	09/23/98 04/00/00	63 FR 50850

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240

Phone: 703 358-2095

Email: susan_lieberman@fws.gov

RIN: 1018-AD67

1387. 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

DOI—FWS

Final Rule Stage

Abstract: This special rule will be associated with the proposed reclassification of 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 (i.e., wool and wool products).

Timetable:

Action	Date	FR Cite
NPRM	09/08/99	64 FR 48743
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: susan_lieberman@fws.gov

RIN: 1018-AE04

1388. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED DETERMINATION OF THREATENED STATUS FOR KOALA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposed threatened status for the Australian koala. The eucalyptus forest and woodland ecosystem on which this arboreal marsupial depends has been reduced by more than half and is continuing to deteriorate. The species also is threatened by habitat fragmentation and consequent potential loss of genetic viability, disease, and other factors. Any final rule resulting from this proposal could classify the koala or certain populations thereof as endangered or could exempt certain populations from any classification.

Timetable:

Action	Date	FR Cite
NPRM	09/22/98	63 FR 50547

Action	Date	FR Cite
NPRM Comment	12/21/98	
Period End		
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: susan_lieberman@fws.gov

RIN: 1018-AE43

1389. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR OAHU ELEPAIO FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973, as amended, for the Oahu elepaio. This bird is endemic to the Island of Oahu, Hawaii, where it was formerly found in all forested areas on the island. It is currently found in greatly reduced numbers and range in six isolated populations occurring in mid-elevation forests in the southern Koolau mountain range and parts of the Waianae mountain range. The Oahu elepaio is now thought to occupy less than 8 percent of its original, prehistoric range. It may have been affected in the past or continue to be threatened by one or more of the following: habitat degradation, including habitat fragmentation; population fragmentation; predation by introduced alien mammals; competition from introduced alien birds, and introduced avian disease. The Oahu elepaio is also subject to an increased likelihood of extinction from naturally occurring events including natural disasters.

Timetable:

Action	Date	FR Cite
NPRM	10/06/98	63 FR 53623
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE51

1390. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED LA GRACIOSA THISTLE, LOMPOC YERBA SANTA, GAVIOTA TARPLANT & NIPOMA MESA LUPINE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service has determined endangered status for *Cirsium loncholepis* (La Graciosa thistle), *Eriodictyon capitatum* (Lompoc yerba santa), *Hemizonia increscens* ssp. *villosa* (Gaviota tarplant), and *Lupinus nipomensis* (Nipomo Mesa lupine), pursuant to the Endangered Species Act (Act) of 1973, as amended. These plants are in danger of extinction because their habitats have been significantly reduced over time by residential, commercial, agricultural, and oil and gas development. Their remaining habitats have been adversely affected by development, military activities, alteration of natural fire cycles, and the invasion of nonnative plant species. The limited distribution and small population sizes of these four species also make them more vulnerable to extinction from naturally occurring catastrophic events. Existing regulations do not provide adequate protection to prevent further losses from ongoing activities. This rule will extend the Act's protection to these plants.

Timetable:

Action	Date	FR Cite
NPRM	03/30/98	63 FR 15164
NPRM Comment	05/29/98	
Period End		
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE81

1391. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED MARIANA FRUIT BAT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list as endangered or threatened the Mariana fruit bat (*Pteropus mariannus mariannus*). This species is known from the Commonwealth of the Northern Mariana Islands, Saipan, Tinian, and Agiguan Islands. Threats include deforestation, overhunting, poaching, and snake predation.

Timetable:

Action	Date	FR Cite
NPRM	03/26/98	63 FR 14641
NPRM Comment Period Reopened	05/29/98	63 FR 29367
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE83

1392. ENDANGERED AND THREATENED SPECIES; PROPOSAL TO LIST NORTHERN IDAHO GROUND SQUIRREL AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list as endangered or threatened the

Northern Idaho ground squirrel (*Spermophilus brunneus brunneus*). This species is known from Adams County, Idaho. Threats include agricultural land conversion, meadow invasion of conifers, grazing by domestic livestock, off-road and on-road vehicle use, campground expansion and recreational shooting.

Timetable:

Action	Date	FR Cite
NPRM	03/23/98	63 FR 13825
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE84

1393. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST COLORADO BUTTERFLY PLANT AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list as endangered or threatened the Colorado butterfly plant (*Gaura neoexicana* ssp. *coloradensis*). This species is known from Laramie County, Wyoming, and northern Weld County, Colorado. Threats include herbicide application for noxious weeds and natural succession/competition from shrubs, forbs and introduced weeds.

Timetable:

Action	Date	FR Cite
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: This rule reinstates regulations at 50 CFR Part 18, Subpart J effective through March 31, 2000.

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species,

Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171

RIN: 1018-AE87

1394. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED IN THE UNITED STATES THE SHORT-TAILED ALBATROSS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list as endangered in the United States the short-tailed albatross. Due to an oversight when the foreign and native species lists of the 1969 Endangered Species Conservation Act were merged, the U.S. population of this species was not listed. This proposed listing, if made final, would extend endangered status throughout the species' range. The species nests on certain Japanese islands but ranges into U.S. coastal waters.

Timetable:

Action	Date	FR Cite
NPRM	11/02/98	63 FR 58692
NPRM Comment Period End	03/02/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE91

1395. PROPOSED DELISTING OF THE BALD EAGLE THROUGHOUT THE LOWER 48 STATES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The bald eagle was reclassified to threatened status

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throughout the lower 48 States in 1995. Continued recovery gains and increasing population trends now make it possible to propose the removal of the eagle from the endangered species list. A comprehensive status review of eagle population data and existing protections is currently underway.

Timetable:

Action	Date	FR Cite
NPRM	07/06/99	64 FR 36454
NPRM Comment Period End	10/06/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 1018-AF21

1396. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PREBLES MEADOW JUMPING MOUSE

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.40

Legal Deadline: None

Abstract: We will propose a special rule under the Endangered Species Act allowing limited incidental take of the Prebles Meadow jumping mouse in Colorado.

Timetable:

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66777
NPRM Comment Period Reopened	01/29/99	64 FR 4607
NPRM Comment Period Reopened	03/06/99	64 FR 12924
NPRM Comment Period Reopened	03/16/99	
NPRM Comment Period End	04/30/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF30

1397. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESERT YELLOWHEAD

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.11

Legal Deadline: None

Abstract: We will determine whether to list the desert yellowhead, a plant in Wyoming, under the provisions of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	12/22/98	63 FR 70745
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF31

1398. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; NINE BEXAR COUNTY, TEXAS, INVERTEBRATES

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.11

Legal Deadline: None

Abstract: We will determine whether to list nine invertebrate species in Bexar County, Texas, as endangered under the provisions of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	12/30/98	63 FR 71855
NPRM Comment Period Reopened	04/07/99	64 FR 16890
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF33

1399. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SANTA ANA SUCKER

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.11

Legal Deadline: None

Abstract: The Service proposes to list the Santa Ana sucker as threatened under the provisions of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	01/26/99	64 FR 3915
NPRM Comment Period End	03/29/99	
NPRM Comment Period Reopened	12/16/99	64 FR 70209
NPRM Comment Period End	01/03/00	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF34

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1400. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; COLUMBIA WHITE-TAILED DEER**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We will determine whether to remove the Douglas County, Oregon, population of the Columbia white-tailed deer from the list of endangered and threatened species.**Timetable:**

Action	Date	FR Cite
NPRM	05/11/99	64 FR 25263
NPRM Comment Period Reopened	11/03/99	64 FR 59729
NPRM Comment Period Reopened	12/29/99	64 FR 72992
Final Action	05/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171**RIN:** 1018-AF43**1401. IMPORTATION OF CAPTIVE-BRED EXOTIC BIRDS INTO THE UNITED STATES FROM BREEDING FACILITIES IN OTHER COUNTRIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15.41; 50 CFR 15.42**Legal Deadline:** None**Abstract:** We will establish the information requirements and approval criteria for the import of captive-bred wild exotic birds from overseas breeding facilities. This rule applies primarily to species listed in the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which are otherwise prohibited from import by the Wild Bird Conservation Act of 1992. The rule

also describes the process for handling petitions to approve qualifying facilities, establishes the duration of approval, provides for the suspension and revocation of approval, and provides for notice of approved facilities in the Federal Register.

Timetable:

Action	Date	FR Cite
NPRM	03/17/94	59 FR 12784
Final Action	06/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Robert Gabel, Chief, Branch of Consultation and Monitoring, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Email: roddy_gabel@fws.gov**RIN:** 1018-AF44**1402. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; COASTAL CUTTHROAT TROUT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** Together with the National Marine Fisheries Service, we will determine whether to list the southeastern Washington/Columbia River population of the coastal cutthroat trout under the provisions of the Endangered Species Act. We will also determine whether to remove from the list the Umpqua River population.**Timetable:**

Action	Date	FR Cite
NPRM	04/05/99	64 FR 16397
Final Action	10/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2171

RIN: 1018-AF45**1403. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SCALESHELL MUSSEL****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 U.S.C.1531 et seq.**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory, August 13, 2000.**Abstract:** The Service proposes to list the scaleshell mussel as endangered under the Endangered Species Act. If listed, protective measures of the Endangered Species Act, implemented in 50 CFR 17, would take effect.**Timetable:**

Action	Date	FR Cite
NPRM	08/13/99	64 FR 44171
NPRM Comment Period End	09/27/99	
NPRM Comment Period Reopened	11/29/99	64 FR 66600
Final Action	08/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171**RIN:** 1018-AF57**1404. POLICY ON GENERAL CONSERVATION PERMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 1361 et seq; 16 USC 703 et seq**CFR Citation:** None**Legal Deadline:** None**Abstract:** This policy would contain provisions to issue permits to qualified organizations to conduct general conservation activities over a specified period of time instead of issuing multiple permits for each activity.**Timetable:**

Action	Date	FR Cite
Notice	10/28/99	64 FR 58086
Notice Comment Period End	12/27/99	
Final Action	04/00/00	

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Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations**Government Levels Affected:** None**Agency Contact:** Teiko Saito, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2104
Email: teiko_saito@fws.gov

RIN: 1018-AF63

1405. ENDANGERED AND THREATENED WILDLIFE; GOLDEN SEDGE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** This action proposes endangered status for *Carex lutea* (golden sedge) under the Endangered Species Act. This rare plant is currently known from only eight populations in Pender and Onslow Counties, NC. If listed as endangered or threatened, the protective regulations of 50 CFR 17 would take effect.**Timetable:**

Action	Date	FR Cite
NPRM	08/16/99	64 FR 44470
Final Action	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171

RIN: 1018-AF68

1406. CRITICAL HABITAT FOR THE TIDEWATER GOBY**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** This action would identify areas necessary for the survival and recovery of this fish species. If designated, the habitat would be protected from adverse modification by Federal, or Federal-funded, actions.**Timetable:**

Action	Date	FR Cite
NPRM	08/03/99	64 FR 42250
NPRM Comment Period Reopened	10/15/99	64 FR 55892
NPRM Comment Period End	11/30/99	
Final Action	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171

RIN: 1018-AF73

1407. REGULATIONS FOR SUBSISTENCE HUNTING AND FISHING ON FEDERAL LANDS IN ALASKA FOR THE 2000-2001 SEASONS.**Priority:** Routine and Frequent**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100**Legal Deadline:** None**Abstract:** This regulation, issued jointly with the Department of Agriculture, revises the customary and traditional use determinations and establishes hunting, fishing and trapping seasons, harvests limits, methods and means related to taking of wildlife for subsistence uses for the 2000-2001 regulatory year.**Timetable:**

Action	Date	FR Cite
NPRM	09/10/99	64 FR 49278
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Richard S. 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-AF74

1408. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE DISTINCT POPULATION SEGMENT (DPS) OF ANADROMOUS ATLANTIC SALMON IN THE GULF OF MAINE.**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17; 50 CFR 224**Legal Deadline:** None**Abstract:** The National Marine Fisheries Service and the Fish and Wildlife Service are proposing to list the DPS of Atlantic Salmon in the Gulf of Maine as endangered under the Endangered Species Act of 1973.**Timetable:**

Action	Date	FR Cite
NPRM	11/17/99	64 FR 62627
NPRM Comment Period Extended	01/07/00	65 FR 1082
NPRM Comment Period Extended	03/15/00	65 FR 13935
Final Action	11/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171

RIN: 1018-AF80

1409. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR SOUTHERN CA DISTINCT VERTEBRATE POPULATION SEGMENT (DPS) OF MOUNTAIN YELLOW-LEGGED FROG**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The U.S. Fish and Wildlife Service proposes to list the southern California distinct vertebrate population segment (DPS) of mountain yellow-legged frog as endangered under the Endangered Species Act of 1973 (Act). This proposal, if made final, would

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extend the Act's protection to this species.

Timetable:

Action	Date	FR Cite
NPRM	12/22/99	64 FR 71714
NPRM Comment Period End	02/22/00	
NPRM Comment Period Reopened	03/20/00	65 FR 14936
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AF83

1410. • IMPORTATION OR SHIPMENT OF INJURIOUS WILDLIFE; ZEBRA MUSSEL

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: The Service corrects 50 CFR 16.13 by adding the zebra mussel, a small bivalve mollusk native to Europe, to the list of injurious fish, mollusks, and crustaceans. On November 7, 1991, we added the zebra mussel to the list of injurious wildlife, but it was inadvertently omitted in a subsequent amendment to 50 CFR 16. This rulemaking corrects the omission and continues the prohibition on the importation into, acquisition, or transportation of live zebra mussels, veligers, or viable eggs thereof into or between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

Timetable:

Action	Date	FR Cite
Final Rule; correction	08/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Hannibal Bolton, Chief, Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1718

RIN: 1018-AF88

1411. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, October 1, 2000.

Abstract: The Service proposes designation of critical habitat for the San Diego fairy shrimp under the Endangered Species Act of 1973 (Act). We propose designation of critical habitat within an approximately 36,501-acre area for the San Diego fairy shrimp in San Diego and Orange Counties.

Critical habitat identifies specific areas that are essential to the conservation of a listed species, and may require special management considerations or protection. The primary elements for the San Diego fairy shrimp are those habitat components that are essential for the primary biological needs of foraging, sheltering, reproduction, and dispersal. If this proposed rule is made final, section 7 of the Act would prohibit destruction or adverse modification of critical habitat by any activity funded, authorized, or carried out by any Federal agency.

Timetable:

Action	Date	FR Cite
NPRM	03/08/00	65 FR 12181
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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

RIN: 1018-AF97

1412. • SUBSISTENCE HUNTING AND FISHING ON FEDERAL LANDS IN ALASKA; RURAL DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3101 to 3126

CFR Citation: 50 CFR 100

Legal Deadline: None

Abstract: The Service is soliciting comments on a request by the Kenaitze Indian Tribe for the Federal Subsistence Board to declare the entire Kenai Peninsula rural for the purposes of the priority afforded by Title VIII of the Alaska Interest Lands Conservation Act.

Timetable:

Action	Date	FR Cite
NPRM	02/22/00	65 FR 8673
Final Rule	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Agency Contact: Tom Boyd, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service
Phone: 907 271-2540

RIN: 1018-AG03

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)
Long-Term Actions**1413. ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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)

Louisiana black bear

NPRM 12/03/93 (58 FR 63560)

NPRM Comment Period Reopened
03/07/94 (59 FR 10607)

Notice of Draft 08/17/98 (63 FR 43954)

Final Action To Be Determined

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

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

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State

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

RIN: 1018-AB97**1414. 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:** None

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	01/28/94	
Period End		
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State

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

RIN: 1018-AC14**1415. 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 Correction	09/27/95	60 FR 49976
NPRM Comment	11/15/95	60 FR 57386
Period Reopened		
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1949
Email: kevin_adams@fws.gov

RIN: 1018-AC57**1416. CRITICAL HABITAT DESIGNATION FOR THE LOST RIVER AND SHORNOSE SUCKERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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	60 FR 61744
Period End		
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

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Long-Term Actions

Phone: 703 358-2171

RIN: 1018-AC90

1417. 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	To Be	Determined

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, United States Fish and Wildlife Service
Phone: 703 358-1949
Email: kevin_adams@fws.gov

RIN: 1018-AD01

1418. 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 1 year during specified activities other than commercial fishing. This regulatory action would implement this statutory provision.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hannibal Bolton, Chief, Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1718

RIN: 1018-AD18

1419. 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 Protection Act, as amended, 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	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hannibal Bolton, Chief, Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1718

RIN: 1018-AD19

1420. 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	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AD20

DOI—FWS

Long-Term Actions

1421. 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 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	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Local

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

RIN: 1018-AD22**1422. FEDERAL AID IN SPORT FISH RESTORATION PROGRAM FOR 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 15-percent cap on use of these funds for education.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Bob Lange, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS -140, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2156
Email: bob_lange@fws.gov

RIN: 1018-AD83**1423. 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.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Bob Lange, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS -140, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2156
Email: bob_lange@fws.gov

RIN: 1018-AD92**1424. 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. 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	
NPRM Comment Period Reopened	10/28/97	62 FR 55774
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Tribal

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

RIN: 1018-AE00

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1425. 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 2 to 3 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	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE01

1426. 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 25; 50 CFR 26; 50 CFR 27; 50 CFR 28; 50 CFR 29; 50 CFR 30; 50 CFR 31; 50 CFR 32; 50 CFR 34; 50 CFR 35; 50 CFR 36; 50 CFR 37

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	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James W. Kurth, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240
Phone: 703 358-1744

RIN: 1018-AE02

1427. 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	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Rosemarie Gnam, Chief, Branch of Operations,

Department of the Interior, United States Fish and Wildlife Service, MS 700, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: rosemarie_gnam@fws.gov

RIN: 1018-AE15

1428. 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	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Tribal

Agency Contact: Bob Lange, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS -140, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2156
Email: bob_lange@fws.gov

RIN: 1018-AE17

1429. 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

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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	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1949
Email: kevin_adams@fws.gov

RIN: 1018-AE33

1430. 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	11/02/99	64 FR 59149
NPRM Comment Period End	01/03/00	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hannibal Bolton, Chief, Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1718

RIN: 1018-AE34

1431. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED REVISION OF SPECIAL REGULATIONS FOR GRAY WOLF

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: On November 22, 1994, the Service published special rules to establish nonessential experimental populations of gray wolves in Yellowstone National Park and central Idaho. The nonessential experimental population areas include all of Wyoming, most of Idaho, and much of central and southern Montana. This proposed revision is to amend a section of the special regulations so that it clearly applies within the Yellowstone nonessential experimental population area and the central Idaho nonessential experimental population area as described in 7(ii). Ongoing litigation requires the clarification of the Service's need and authority to remove these animals from the area through live capture or lethal means in the interest of attaining gray wolf recovery goals. This proposed change will not affect any of the assumptions and earlier analysis made in the environmental impact statement or other portions of the special rules.

Timetable:

Action	Date	FR Cite
NPRM	12/11/97	62 FR 65237
NPRM Comment Period End	01/12/98	
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE45

1432. EAGLE PERMITS; PERMITS FOR FALCONRY PURPOSES; PERMITS TO TAKE GOLDEN EAGLE NESTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 668a

CFR Citation: 50 CFR 22.24; 50 CFR 22.25

Legal Deadline: None

Abstract: The Service proposes to amend the eagle permit regulations providing for the taking, possession, and transportation of bald and golden eagles. The Service is revising the requirements for falconry purposes. The Service is adding additional requirements to allow a limited amount of take (relocation or destruction) of inactive bald eagle nests in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, State, Local, Tribal

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

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

RIN: 1018-AE62

1433. MIGRATORY BIRD PERMITS; SPECIFIC PERMIT PROVISIONS; IMPORT AND EXPORT PERMITS; BANDING OR MARKING PERMITS; AND SCIENTIFIC COLLECTING PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service proposes to amend the Migratory Bird Permit Regulations providing permits for the taking, possession, transportation, sale, purchase, importation, exportation, and banding or marking of migratory birds. The Service is revising the requirements for scientific collecting, banding or marking permits and import and export permits.

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Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, Tribal**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.**Agency Contact:** Jon Andrew, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714**RIN:** 1018-AE63**1434. MIGRATORY BIRD PERMITS; INTRODUCTION, GENERAL REQUIREMENTS AND EXCEPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 712(2)**CFR Citation:** 50 CFR 21**Legal Deadline:** None**Abstract:** The Service proposes to amend the migratory-bird permit regulations providing permits for the taking, possession, transportation, sale, purchase, and barter of migratory birds. The Service is revising these permit calculations to update them, simplify language, and ensure consistency in text between all parts and sections.**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, Tribal**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.**Agency Contact:** Jon Andrew, Chief, Office of Migratory Bird Management,Department of the Interior, United States Fish and Wildlife Service, 634 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714**RIN:** 1018-AE64**1435. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED COWHEAD LAKE TUI CHUB****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service proposes to list as endangered or threatened Cowhead Lake tui chub (*Gila bicolor vaccaceps*). This species is known from Modoc County, California. Threats include diversion of water reduction of riparian vegetation, and predation from snakes and birds and pesticides.**Timetable:**

Action	Date	FR Cite
NPRM	03/30/98	63 FR 15152
NPRM Comment Period End	05/29/98	
NPRM Comment Period Reopened	06/17/98	63 FR 33033
NPRM Comment Period Reopened	02/02/00	65 FR 4940
Final Action	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171**RIN:** 1018-AE85**1436. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATION STATUS FOR 16 FRESHWATER MUSSELS AND 1 FRESHWATER SNAIL****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service proposes to establish nonessential experimental population (NEP) status for 16 freshwater mussels and 1 freshwater snail in the free-flowing reach of the Tennessee River below Wilson Dam, Colbert and Lauderdale Counties, Alabama. None of these species are currently known to exist in this river reach or its tributaries. Thus, to ensure that any reintroduced species that may move into the tributaries are covered by these NEP designations, we also propose that the geographic boundaries of the NEPs include the lower 5 miles (8 km) of all tributaries that enter the Wilson Dam tailwater.**Timetable:**

Action	Date	FR Cite
NPRM	05/27/99	64 FR 28779
NPRM Comment Period End	07/26/99	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171**RIN:** 1018-AE92**1437. REFUGE COMPATIBILITY REGULATIONS PURSUANT TO THE NATIONAL WILDLIFE REFUGE SYSTEM IMPLEMENTATION ACT OF 1997****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 25; 50 CFR 26; 50 CFR 27; 50 CFR 29; 50 CFR 32; 50 CFR 36**Legal Deadline:** None**Abstract:** The Service proposes to revise compatibility regulations improving management of the National Wildlife Refuge System in accordance with requirements in the National Wildlife System Improvement Act of 1997 that amends the National Wildlife System Administration Act of 1966. Its purpose is to provide guidance for determining compatibility of proposed

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and existing uses on units of the system and procedures for documentation and periodic review of such uses. It also ensures that proposed and existing refuge uses are administered according to laws, regulations, and policies concerning compatibility.

Timetable:

Action	Date	FR Cite
NPRM	09/09/99	64 FR 49055
NPRM Comment Period End	11/08/99	
NPRM Comment Period Reopened	11/16/99	64 FR 62163
NPRM Comment Period End	12/08/99	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James W. Kurth, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240
Phone: 703 358-1744

RIN: 1018-AE98

1438. CONSIDERATION OF LISTING THE GREEN IGUANA (IGUANA IGUANA) AS INJURIOUS, PURSUANT TO THE LACEY ACT

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: The Humane Society of the United States requested that the Service list the green iguana as injurious under the Lacey Act. Iguanas are released into the wild by their owners for various reasons. These iguanas may be carriers of Salmonella bacteria and could negatively impact native populations. A notice requesting information will be published so that data can be gathered as to the injurious nature of the iguanas. This information will be analyzed to determine whether listing is warranted.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Hannibal Bolton, Chief, Fish and Wildlife Management

Assistance, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-1718

RIN: 1018-AF08

1439. LISTING OF U.S. SPECIES IN APPENDIX III TO CITES

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

Legal Authority: 16 USC 1531 et seq; 16 USC 4201; PL 99-625

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: Listing of native U.S. species in appendix III to CITES for more effective monitoring of trade, to ensure that traded specimens are legally acquired in their State(s) of origin, and to obtain the cooperation of other countries that are parties to CITES, in controlling the trade in such specimens.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: susan_lieberman@fws.gov

RIN: 1018-AF09

1440. RECLASSIFICATION OF MORELET'S CROCODILE (CROCODYLUS MORELETI) FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq; 16 USC 4201; PL 99-625

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: This rule reclassifies Morelet's crocodile from endangered to threatened with a special rule to allow for the importation of specimens from captive-breeding operations that have been registered with the CITES

Secretariat. Only one such facility in Mexico has been registered. Reclassification will be based on a review of the population status and management, including protected status of the species in range countries.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: susan_lieberman@fws.gov

RIN: 1018-AF10

1441. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST SCLEROCACTUS BREVISPINUS (PARIETTE CACTUS) AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: This species was recently described as a new species in 1994. It was previously included in *Sclerocactus glaucus* (Vinta Basin Hookless Cactus), a threatened species under the Endangered Species Act. This proposal is to address this change in taxonomy.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AF15

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1442. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST FOURTEEN HAWAIIAN POMACE FLIES AS ENDANGERED OR THREATENED**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, December 31, 1998.

Abstract: These fourteen species of insects are native to Hawaii and have experienced dramatic declines in abundance. Some of the primary threats facing these species are ongoing and threatened destruction and adverse modification of habitat by feral animals and alien plants.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 1018-AF16**1443. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST SIX HAWAIIAN DAMSELFLIES AS ENDANGERED OR THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, December 31, 1998.

Abstract: These Hawaiian damselflies are all confined to the Hawaiian Islands. Historically, damselflies were among the most common and conspicuous native Hawaiian insects. Threats include the severe alteration of freshwater habitats because of past and present land and water management practices, including agriculture, urban development of groundwater, perched aquifer and surface water resources, and the introduction of alien animals.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 1018-AF17**1444. PROPOSED DELISTING OF THE GRIZZLY BEAR IN THE YELLOWSTONE ECOSYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The grizzly bear is classified as a threatened species in the lower 48 States. Six distinct recovery zones have been established in the States of Wyoming, Montana, Idaho and Washington. The Yellowstone Ecosystem (Yellowstone Recovery Zone) supports a growing population of grizzly bears, and recovery planning efforts there are expected to result in a secure management scheme by early 1999 that will allow the Service to proceed with a proposal to delist the Yellowstone grizzly population. Other grizzly populations will retain threatened status under the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

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

RIN: 1018-AF22**1445. EXPORT OF RIVER OTTERS TAKEN IN MISSOURI IN 1998-1999 AND SUBSEQUENT SEASONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

Abstract: The purpose of this rule is to announce proposed findings by CITES Scientific and Management Authorities of the United States on the export of river otters taken in the State of Missouri, and to propose to add Missouri to the list of States and Indian Nations for which the export of river otter skins is approved. This approval is on a multi-year basis. The Service proposes to apply these findings to river otters taken in Missouri during the 1998-1999 season, and subsequent seasons, subject to the conditions applying to other approved States.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Dr. Susan Lieberman, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750, Arlington Square, 1849 C Street NW, Washington, DC 20240
Phone: 703 358-2095
Email: susan_lieberman@fws.gov

RIN: 1018-AF23**1446. MIGRATORY BIRD PERMITS; SPECIFIC PERMIT PROVISIONS; SPECIAL PURPOSE PERMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 712(2); PL 95-616**CFR Citation:** 50 CFR 27; 50 CFR 31; 50 CFR 32; 50 CFR 33; 50 CFR 34**Legal Deadline:** None

Abstract: The Service proposes to amend the migratory bird permit regulations providing permits for the taking, possession, transportation, sale, purchase, and barter of migratory birds. The Service is revising and updating the requirements for special purpose permits. Due to the large number of permits issued under "Special

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purpose," the Service proposes to create four new sections for specific types of the most frequently issued special purpose permit: Rehabilitation, Possession, Salvage, and Migratory Game Birds.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

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 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-1714

Email: paul_schmidt@fws.gov

RIN: 1018-AF28

1447. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; MOUNTAIN PLOVER

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.11

Legal Deadline: None

Abstract: The Service proposes to list the mountain plover (*charadrius montanus*) as a threatened species under the provisions of the Endangered Species Act of 1973.

Timetable:

Action	Date	FR Cite
NPRM	02/16/99	64 FR 7587
NPRM Comment Period End	04/19/99	
Second NPRM	04/19/99	64 FR 19108
Second NPRM Comment Period End	06/21/99	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2171

RIN: 1018-AF35

1448. NATIONAL BOATING INFRASTRUCTURE GRANT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-178, sec 7404

CFR Citation: 50 CFR 86

Legal Deadline: None

Abstract: We are establishing the rules for the Boating Infrastructure Grant Program and the survey of boaters and access providers to determine facilities and needs for transient boaters. This proposed regulation also contains the proposed information collection the U.S. Fish and Wildlife Service must submit to the Office of Management and Budget for approval.

Timetable:

Action	Date	FR Cite
NPRM	01/20/00	65 FR 3331
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Bob Lange, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS -140, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2156
Email: bob_lange@fws.gov

RIN: 1018-AF38

1449. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED SPECIAL RULE FOR THE ARKANSAS RIVER SHINER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.44

Legal Deadline: None

Abstract: We will propose a special rule for the threatened Arkansas River Basin population of the Arkansas River shiner under the provisions of the Endangered Species Act.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species,

Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2171

RIN: 1018-AF39

1450. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ALEUTIAN CANADA GOOSE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.11

Legal Deadline: None

Abstract: The U.S. Fish and Wildlife Service (we) proposes to remove the Aleutian Canada goose (*Branta canadensis leucopareia*), currently listed as threatened, from the list of endangered and threatened wildlife. Current data indicate that the population of Aleutian Canada goose in North America has recovered. Removal from the list of Endangered and Threatened Wildlife under Endangered Species Act of 1973, as amended, would not affect protection provided by the Migratory Bird Treaty Act.

Timetable:

Action	Date	FR Cite
NPRM	08/03/99	64 FR 42058
NPRM Comment Period End	10/01/99	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AF42

1451. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ASIAN BONYTONGUE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We will determine whether to reclassify the Asian bonytongue, a freshwater fish popular in the aquarium

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trade, from endangered to threatened with a special rule to allow the importation of specimens from operations that are registered with the CITES Secretariat. Several facilities have been registered in Indonesia, Malaysia, and Singapore. Our decision on whether to reclassify the species, only some of the populations, or to take no action at all, will be based upon a review of the population status and management, including the protected status of the species in the the range countries.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AF48

1452. PROPOSED GUIDANCE FOR CONDUCTING CONSULTATIONS FOR THE INDIANA BAT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: None

Legal Deadline: None

Abstract: We will propose guidance to assist our field offices in addressing whether: 1) the Indiana bat is present, 2) a proposed project is likely to affect the species directly, and 3) the project is likely to affect the species' habitat.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF50

1453. 1999-2000 REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 16 USC 460k; 16 USC 664; 16 USC 668 dd-ee; 16 USC 715i

CFR Citation: 50 CFR 32

Legal Deadline: None

Abstract: We will propose to open additional national wildlife refuges for hunting and/or sport fishing, and to provide refuge-specific regulations for such activities. We will also propose to amend certain regulations on other refuges that pertain to migratory game bird hunting, upland game hunting, big game hunting, and sport fishing for the 1999-2000 season.

Timetable:

Action	Date	FR Cite
NPRM	08/11/99	64 FR 43834
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James W. Kurth, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240
Phone: 703 358-1744

RIN: 1018-AF52

1454. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ALABAMA STURGEON

Priority: Substantive, Nonsignificant

Legal Authority: 16 U.S.C. 1531 et seq.

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory, March 26, 2000.

Abstract: The Service proposes to list the Alabama sturgeon as endangered under the Endangered Species Act. If listed as endangered, the protection of the Endangered Species Act implemented in 50 CFR 17 would take effect.

Timetable:

Action	Date	FR Cite
NPRM	03/26/99	64 FR 14676
NPRM Comment Period Reopened	07/12/99	64 FR 37492
NPRM Comment Period Reopened	01/11/00	65 FR 1583

Action	Date	FR Cite
NPRM Comment Period Reopened	02/07/00	65 FR 5848
NPRM Comment Period Reopened	02/16/00	65 FR 7817
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171

RIN: 1018-AF56

1455. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIDEWATER GOBY

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: This action would determine the appropriate status of northern populations of this fish species under the Endangered Species Act. Currently, all tidewater Goby populations in California are on the list of endangered and threatened species.

Timetable:

Action	Date	FR Cite
NPRM	06/24/99	64 FR 33816
NPRM Comment Period Reopened	02/15/00	65 FR 7483
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171

RIN: 1018-AF67

1456. U.S. PROPOSALS FOR CITES APPENDIX III; CERTAIN TURTLE SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: This action would add certain native turtle species to

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Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. If adopted, exports of the species would require CITES documentation from the Service to ensure that foreign countries accept the shipments. This action is necessary to monitor the impact of trade on the species in an effort to maintain healthy populations.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4217
NPRM Comment Period End	03/13/00	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AF69

1457. BULL TROUT; SPECIAL RULE REVISION

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: This rule would provide special regulations to authorize incidental take of bull trout in the coterminous U.S. This action would provide for enhanced Federal, State and local management options for this threatened species.

Timetable:

Action	Date	FR Cite
NPRM	11/01/99	64 FR 58934
NPRM Comment Period End	12/16/99	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171

RIN: 1018-AF71

1458. SPIKEDACE AND LOACH MINNOW; DETERMINATION OF CRITICAL HABITAT UNDER THE ENDANGERED SPECIES ACT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.95

Legal Deadline: None

Abstract: This action would determine those areas of habitat necessary to the survival and recovery of these species. Critical habitat designation protects the areas from adverse modification by Federal, or Federal-funded, actions.

Timetable:

Action	Date	FR Cite
NPRM	12/10/99	64 FR 69323
NPRM Comment Period Reopened	01/12/00	65 FR 1845
NPRM Comment Period End	02/14/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service
Phone: 703 358-2171

RIN: 1018-AF76

1459. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED THREATENED STATUS FOR SPALDING'S CATCHFLY

Priority: Substantive, Nonsignificant

Legal Authority: 16 U.S.C. 1531 et seq.

CFR Citation: 50 CFR 1

Legal Deadline: None

Abstract: The Service proposes to list the Spalding's catchfly pursuant to the Endangered Species Act of 1973 (Act). This plant is currently known from a total of 52 populations. This proposal, if made final, would implement the Federal protection and recovery provisions afforded by the Act for the plant.

Timetable:

Action	Date	FR Cite
NPRM	12/03/99	64 FR 67814
NPRM Comment Period End	02/01/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

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

RIN: 1018-AF79

1460. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR SAN DIEGO AMBROSIA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, December 10, 1999.

Abstract: The Service proposes to list San Diego ambrosia as endangered under the Endangered Species Act of 1973 (Act). This plant is restricted to San Diego and Riverside Counties, California and Baha California, Mexico from Colonel to Lake Chapala. This proposed rule, if made final, would extend protection under the Act to the San Diego ambrosia.

Timetable:

Action	Date	FR Cite
NPRM	12/29/99	64 FR 72993
NPRM Comment Period End	02/28/00	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AF86

1461. ● SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2001 SUBSISTENCE FISHING AND SHELLFISH TAKING IN ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3, 472, 551,668dd, 3101-3126; 18 USC 3551 -

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3586; 43 USC 1733; 50 CFR Part 100; 36 CFR Part 242

CFR Citation: 50 CFR 100

Legal Deadline: None

Abstract: This proposed rule will revise regulations for seasons, harvest limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2001 regulatory year. The rulemaking is necessary because Subpart D is subject to an annual review cycle.

Timetable:

Action	Date	FR Cite
NPRM	02/02/00	65 FR 5196
NPRM Comment Period End	03/27/00	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William Knauer, Office of Subsistence Management,

Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503 Phone: 907 786-3888

RIN: 1018-AF91

1462. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF CRITICAL HABITAT DESIGNATION FOR THE SANTA ANA SUCKER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, March 31, 2000.

Abstract: The Service proposes to list the Santa Ana sucker as threatened under the Endangered Species Act of 1973 (Act). Remnant populations of the Santa Ana sucker occur in the headwaters of the San Gabriel River system, a lowland stretch of the Santa Ana River, and the lower reach of Big

Tujunga Creek (a tributary of the Los Angeles River), in Los Angeles, Orange, Riverside, and San Bernardino counties. An introduced population also occurs in the Santa Clara River drainage system in Ventura and Los Angeles counties. The Santa Clara population is not being listed, due to its introduced status.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AF94

DEPARTMENT OF THE INTERIOR (DOI)

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United States Fish and Wildlife Service (FWS)

1463. CAPTIVE-BRED WILDLIFE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Teiko Saito Phone: 703 358-2104 Email: teiko_saito@fws.gov

RIN: 1018-AB10

Agency Contact: Nancy Gloman Phone: 703 358-2171

RIN: 1018-AB66

1465. EXPORT OF AMERICAN GINSENG HARVESTED IN 1994-1996

Priority: Routine and Frequent

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: State

Agency Contact: Marshall Jones Phone: 202 208-6393 Email: marshall_jones@fws.gov

RIN: 1018-AC55

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Susan Lieberman Phone: 703 358-2095 Email: susan_lieberman@fws.gov

RIN: 1018-AC77

1464. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

1466. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TROPICAL BIRDS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

1467. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	10/13/98	63 FR 54975

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Nancy Gloman

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Phone: 703 358-2171

RIN: 1018-AC88

1468. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: LEAST CHUB

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	07/29/99	64 FR 41061

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AC91

1469. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CRITICAL HABITAT DESIGNATION FOR THE WESTERN SNOWY PLOVER

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	12/07/99	64 FR 68507
Final Action Effective	01/06/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AD10

1470. CRITICAL HABITAT PROPOSAL FOR VIRGIN RIVER FISHES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	01/26/00	65 FR 4140
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AD23

1471. EXPORT OF APPENDIX I SPECIMENS THAT WERE BRED FOR COMMERCIAL PURPOSES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Teiko Saito
Phone: 703 358-2104
Email: teiko__saito@fws.gov

RIN: 1018-AD64

1472. CONSOLIDATION OF LISTS OF WILDLIFE OF FEDERAL CONCERN

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 10

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marshall Jones
Phone: 202 208-6393
Email: marshall__jones@fws.gov

RIN: 1018-AD66

1473. MIGRATORY BIRD HUNTING: REGULATIONS REGARDING PROHIBITION AGAINST ARTIFICIALLY ALTERING/MANIPULATING NATURAL VEGETATION IN MOIST AREAS TO ATTRACT WATERFOWL

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
Final Action	06/03/99	64 FR 29799

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kevin Adams
Phone: 703 358-1949
Email: kevin__adams@fws.gov

RIN: 1018-AD74

1474. ENDANGERED AND THREATENED SPECIES: REMOVAL OF LLOYD'S HEDGEHOG CACTUS FROM FEDERAL LIST OF ENDANGERED AND THREATENED PLANTS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	06/24/99	64 FR 33796

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AD91

1475. PROPOSED APPROVAL OF SELECTED STATE PROGRAMS ALLOWING THE EXPORT OF GINSENG HARVESTED IN 1997-1999

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: Yes

Government Levels Affected: Federal, State

Agency Contact: Susan Lieberman
Phone: 703 358-2095
Email: susan__lieberman@fws.gov

RIN: 1018-AE03

1476. IMPORTATION, EXPORTATION, TRANSPORTATION OF WILDLIFE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 18

Completed:

Reason	Date	FR Cite
Final Action	04/29/99	64 FR 23022

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Kevin Adams
Phone: 703 358-1949
Email: kevin__adams@fws.gov

RIN: 1018-AE08

DOI—FWS

Completed Actions

1477. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED ENDANGERED STATUS FOR BLACKBURN'S SPHINX MOTH FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	02/01/00	65 FR 4770
Final Action Effective	03/02/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE20

1478. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR TWO LARKSPURS FROM COASTAL NORTHERN CALIFORNIA

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	01/26/00	65 FR 4156
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE23

1479. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR IONE BUCKWHEAT AND THREATENED STATUS FOR IONE MANZANITA

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	05/26/99	64 FR 28403

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE25

1480. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED THREATENED STATUS FOR NEWCOMB'S SNAIL FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	01/26/00	65 FR 4162
Final Action Effective	02/25/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE27

1481. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THE PLANT KECK'S CHECKER-MALLOW FROM TULARE COUNTY, CALIFORNIA

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	02/16/00	65 FR 7757
Final Action Effective	03/17/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE30

1482. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR PLANT IN WENATCHEE MOUNTAINS OF WASHINGTON

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	12/22/99	64 FR 71680
Final Action Effective	01/21/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE32

1483. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR TWO CAVE ANIMALS FROM HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	01/14/00	65 FR 2348
Final Action Effective	02/14/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE39

1484. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR TWO SAN JOAQUIN VALLEY MAMMALS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	02/23/00	65 FR 8881
Final Action Effective	03/24/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman

Phone: 703 358-2171

RIN: 1018-AE40

1485. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR PLANT ROUGH POPCORNFLOWER

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	01/25/00	65 FR 3866
Final Action Effective	02/24/00	

Regulatory Flexibility Analysis

Required: No

DOI—FWS

Completed Actions

Government Levels Affected: None
Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE44

1486. UPDATE OF ADDRESSES FOR ENDANGERED SPECIES PERMIT APPLICATIONS

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

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE49

1487. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED THREATENED STATUS FOR PLANT HOWELL'S SPECTACULAR THELYPODY

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

Reason	Date	FR Cite
Final Action	05/26/99	64 FR 28393

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE52

1488. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR WILLAMETTE DAISY, FENDER'S BLUE BUTTERFLY AND THREATENED STATUS FOR KINCAID'S LUPINE

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

Reason	Date	FR Cite
Final Action	01/25/00	65 FR 3875
Final Action Effective	02/24/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE53

1489. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST PLANT ZAPATA BLADDERPOD AS ENDANGERED

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

Reason	Date	FR Cite
Final Action	11/22/99	64 FR 63745
Final Action Effective	12/22/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE54

1490. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE PLANT PRAIRIE PENNY CRESS FROM COASTAL NORTHERN CALIFORNIA

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

Reason	Date	FR Cite
Final Action	02/09/00	65 FR 6332
Final Action Effective	03/10/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE55

1491. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF THE PECOS PUPFISH TO BE ENDANGERED

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

Reason	Date	FR Cite
Withdrawn	03/17/00	65 FR 14513

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman
 Phone: 703 358-2171
RIN: 1018-AE56

1492. IMPORTATION, EXPORTATION AND TRANSPORTATION OF WILDLIFE CONCERNING INTERNATIONAL MAIL, PET BIRDS, BORDER PORTS, SHELLFISH AND FISHERY PRODUCTS EXEMPTION

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 14
Completed:

Reason	Date	FR Cite
Withdrawn - Incorporated into RIN 1018-AF46	03/31/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State
Agency Contact: Kevin Adams
 Phone: 703 358-1949
 Email: kevin__adams@fws.gov
RIN: 1018-AE70

1493. RECLASSIFICATION OF THE NAMIBIAN POPULATION OF CHEETAH FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17.11
Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined
Agency Contact: Susan Lieberman
 Phone: 703 358-2095
 Email: susan__lieberman@fws.gov
RIN: 1018-AE73

1494. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED GENTNER'S FRITILARIA (MISSION BELLS)

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

Reason	Date	FR Cite
Final Action	12/10/99	64 FR 69195
Final Action Effective	01/10/00	

DOI—FWS

Completed Actions

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AE75**1495. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST CAMATTA CANYON AMOLE AS ENDANGERED OR THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	03/20/00	65 FR 14878

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AE76**1496. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED YREKA PHLOX****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	02/03/00	65 FR 5268
Final Action Effective	03/06/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AE82**1497. ENDANGERED AND THREATENED SPECIES; PROPOSAL TO LIST AS ENDANGERED OR THREATENED BLUMER'S DOCK****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/99	64 FR 43132

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AE89**1498. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF SEVERAL EVOLUTIONARY SIGNIFICANT UNITS OF WEST COAST STEELHEAD****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	06/17/98	63 FR 32996

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AE97**1499. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELIST DISMAL SWAMP SOUTHEASTERN SHREW****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	02/28/00	65 FR 10420
Final Action Effective	02/28/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AF00**1500. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST COASTAL-PUGET SOUND JARBIDGE RIVER AND ST. MARY'S-BELLY RIVER POPULATION SEGMENTS OF BULL TROUT AS THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	11/01/99	64 FR 58909
Final Action Effective	12/01/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AF01**1501. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST CONTIGUOUS U.S. DISTINCT POPULATION SEGMENTS OF CANADA LYNX AS THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	03/24/00	65 FR 16052

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AF03**1502. UPDATE OF ADDRESSES AND OFFICE OF MANAGEMENT AND BUDGET INFORMATION COLLECTION NUMBERS FOR FWS PERMIT APPLICATIONS****Priority:** Info./Admin./Other**CFR Citation:** 50 CFR 10; 50 CFR 13; 50 CFR 14; 50 CFR 15; 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	10/01/98	63 FR 52632

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Nancy Gloman
Phone: 703 358-2171**RIN:** 1018-AF07**1503. ANNOUNCEMENT OF DRAFT POLICY FOR EVALUATION OF CONSERVATION EFFORTS IN MAKING LISTING DECISIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

DOI—FWS

Completed Actions

Agency Contact: Nancy Gloman
Phone: 703 358-2171
RIN: 1018-AF11

1504. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE WET CANYON TALUSSNAIL AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AF19

1505. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ARMORED SNAIL AND CAMPELOMA

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17.11

Completed:

Reason	Date	FR Cite
Final Action	02/25/00	65 FR 10033

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AF29

1506. AMENDMENT BY MEXICO TO APPENDIX III LISTING OF BIGLEAF MAHOGANY

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Final Rule	06/15/99	64 FR 31989
Final Rule Effective	06/15/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Susan Lieberman
Phone: 703 358-2095
Email: susan__lieberman@fws.gov

RIN: 1018-AF47

1507. MARINE MAMMALS; INCIDENTAL TAKE OF POLAR BEAR AND PACIFIC WALRUS DURING SPECIFIED ACTIVITIES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 18

Completed:

Reason	Date	FR Cite
NPRM	12/09/99	64 FR 68973
NPRM Comment Period End	01/10/00	
Final Rule	03/30/00	65 FR 16828

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Hannibal Bolton
Phone: 703 358-1718

RIN: 1018-AF54

1508. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SIERRA NEVADA POPULATION OF CALIFORNIA BIGHORN SHEEP

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17.11

Completed:

Reason	Date	FR Cite
Final Action	01/03/00	65 FR 20
Final Action Effective	01/03/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman
Phone: 703 358-2171

RIN: 1018-AF59

1509. NATIONAL WILDLIFE REFUGES; ADMINISTRATIVE PROVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 25

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James W. Kurth
Phone: 703 358-1744

RIN: 1018-AF60

1510. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA; STURGEON PERMITS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Notice of Proposed Policy	10/26/99	64 FR 57645
Notice of Policy	12/06/99	64 FR 38113

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Teiko Saito
Phone: 703 358-2104
Email: teiko__saito@fws.gov

RIN: 1018-AF66

1511. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF THREATENED STATUS FOR TWO CHINOOK SALMON EVOLUTIONARILY SIGNIFICANT UNIT (ESU'S) IN CALIFORNIA.

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et. seq.

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The U.S. Fish and Wildlife Service is adding the Central Valley spring run Evolutionarily Significant Unit (ESU) and the California Coastal ESU of the West Coast Chinook Salmon to the List of Endangered and Threatened Species as threatened under the Endangered Species Act of 1973. This amendment is based on a determination by the National Marine Fisheries Service, which has jurisdiction for this species.

Timetable:

Action	Date	FR Cite
Final Action Effective	11/15/99	
Final Action	12/29/99	64 FR 72960

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nancy Gloman, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240

DOI—FWS

Completed Actions

Phone: 703 358-2171

RIN: 1018-AF82

1512. • MIGRATORY BIRD HUNTING; CONSERVATION ORDER, MID-CONTINENT LIGHT FRONTED GEESE (MCLG)**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 712(2)**CFR Citation:** 50 CFR 20; 50 CFR 21**Legal Deadline:** None

Abstract: This rule amends Fish and Wildlife Service regulations based on recent Congressional action that effectively reinstated regulations intended to reduce the population of mid-continent light geese (MCLG). The new law authorizes the use of additional hunting methods to increase take of MCLG. In addition, a conservation order for the reduction of the MCLG population was authorized

Timetable:

Action	Date	FR Cite
NPRM	02/16/99	64 FR 7507
Final Action	12/20/99	64 FR 71236

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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

RIN: 1018-AF85

1513. • MMPA INCIDENTAL TAKE IN THE BEAUFORT SEA**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18**Legal Deadline:** None

Abstract: This rulemaking action reinstated our existing rule issued on

January 28, 1999 (64 FR 4328) and codified at 50 CFR part 18, subpart J to authorize the incidental, unintentional take of small numbers of polar bears and Pacific walrus during oil and gas industry exploration, development, and production operations in the Beaufort Sea and adjacent northern coast of Alaska.

Timetable:

Action	Date	FR Cite
NPRM	01/03/00	65 FR 105
NPRM Comment Period End	01/13/00	
Final Rule	02/03/00	65 FR 5275

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: John Bridges, Office of Marine Mammals Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503
Phone: 907 786-3816

RIN: 1018-AF87

BILLING CODE 4310-55-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

National Park Service (NPS)

1514. NATIONAL PARK SERVICE SYMBOLS: UNITED STATES PARK POLICE INSIGNIA**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 3**CFR Citation:** 36 CFR 11**Legal Deadline:** None

Abstract: The rule will recognize an official United States Park Police insignia, provide for its future protection and prevent the unauthorized use of the insignia. The rule proposes to amend sections regarding authorized use and protection of the arrowhead symbol, add a section regarding the use and protection of the Park Ranger badge, and delete reference to the "Parkscape Symbol."

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	
NPRM Comment Period End	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Chip H. Davis, Ranger Activities Division, Department of the Interior, National Park Service, MS 7408, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4874

Fax: 202 208-6756

Email: chip_davis@nps.gov

RIN: 1024-AB94

1515. APPLICABILITY AND RESOURCE PROTECTION REVISIONS**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462; 16 USC 9a**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	12/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Chip H. Davis, Ranger Activities Division, Department of the Interior, National Park Service, MS 7408, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-4874
Fax: 202 208-6756
Email: chip_davis@nps.gov

RIN: 1024-AC38

1516. NON-FEDERAL OIL AND GAS RIGHTS**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 230a; 16 USC 3101; 16 USC 450kk; 16 USC 459d-3; 16 USC 459h-3; 16 USC

DOI—NPS

Proposed Rule Stage

460cc-2(i); 16 USC 460ee; 16 USC 460m; 16 USC 698c; 16 USC 698f; 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	12/00/00	
NPRM Comment Period End	02/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Carol McCoy, Mining and Minerals Branch, Department of the Interior, National Park Service, Room 221, 12795 West Alameda Parkway, Lakewood, CA 80225
Phone: 303 969-2096

RIN: 1024-AC53

1517. VEHICLES AND TRAFFIC SAFETY; OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 4.23

Legal Deadline: None

Abstract: The National Park Service (NPS) is proposing to amend its regulations concerning motor vehicle operation under the influence of alcohol within units of the NPS. Current NPS regulations prohibit operation with a blood alcohol concentration (BAC) of 0.10 grams or more of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath. On March 3, 1998, President Clinton directed the NPS to promulgate regulations adopting a stricter limit of 0.08 grams BAC within units of the NPS.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Chip H. Davis, Ranger Activities Division, Department of the Interior, National Park Service, MS 7408, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4874

Fax: 202 208-6756

Email: chip_davis@nps.gov

RIN: 1024-AC69

1518. SOLID WASTE SITES IN UNITS OF THE NATIONAL PARK SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 460l-22(c)

CFR Citation: 36 CFR 6.7

Legal Deadline: None

Abstract: The National Park Service (NPS) proposes to amend 36 CFR 6.7 to clarify its applicability to mining-generated solid wastes in units of the NPS. The proposed amendments are not intended to change the substantive scope and goals of 36 CFR 6, which has been in effect since January 25, 1995.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Julia Brunner, Ecologist, Department of the Interior, National Park Service
Phone: 303 969-2012

RIN: 1024-AC70

1519. WORLD HERITAGE CONVENTION

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

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 470a-1; 16 USC 470a-2

CFR Citation: 36 CFR 73

Legal Deadline: None

Abstract: This rule will revise the existing World Heritage regulations to make necessary changes, such as correcting or eliminating the annual calendar for preparing and submitting U.S. nominations (now outdated), correcting the criteria for selecting sites (also outdated), and providing more explicit procedures for public participation. The underlying treaty (World Heritage Convention) and law (Historic Preservation Act Amendments of 1980) will remain in place unchanged.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: James Charleton, International Cooperation Specialist, Department of the Interior, National Park Service, MS 2252, Office of International Affairs, 1849 C Street N.W., MS 2252, Washington, DC 20240
Phone: 202 565-1280

RIN: 1024-AC74

1520. • RELEASE OF INFORMATION ABOUT NATIONAL PARK SYSTEM RESOURCES

Priority: Info./Admin./Other

Legal Authority: 16 USC 1; 16 USC 5937

CFR Citation: 36 CFR 80

Legal Deadline: None

Abstract: This rule will establish how NPS identifies what types and under what circumstances information may be withheld from FOIA requests under section 207 of the NPS Omnibus Management Act. That statute allows information about National Park System resources to be withheld under FOIA unless the Secretary determines that release would not create an unreasonable risk of harm, theft, or destruction of the resource, would further the purposes of the NPS unit, and is consistent with other applicable laws.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis

Required: No

DOI—NPS

Proposed Rule Stage

Government Levels Affected:

Undetermined

Interior, National Park Service, Office of the Solicitor, 1849 C Street N.W., Washington, DC 20240

Phone: 202 208-7957

Agency Contact: K.C. Becker, Attorney-Advisor, Department of the**RIN:** 1024-AC75**DEPARTMENT OF THE INTERIOR (DOI)****Final Rule Stage****National Park Service (NPS)****1521. RIGHTS-OF-WAY****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 79; 16 USC 3; 16 USC 5**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	12/01/97	62 FR 63488
NPRM Comment Period End	01/30/98	
Final Action	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Dick Young, Park Ranger, Department of the Interior, National Park Service
Phone: 757 898-7846**RIN:** 1024-AC01**1522. VOYAGEURS NATIONAL PARK: AIRCRAFT OPERATIONS****Priority:** Substantive, Nonsignificant**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
NPRM Comment Period End	09/05/96	61 FR 20775
Final Action	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jim Hummel, Chief Ranger, Department of the Interior, National Park Service
Phone: 218 283-9821**RIN:** 1024-AC23**1523. GRAND TETON NATIONAL PARK AND JOHN D. ROCKEFELLER, JR. MEMORIAL PARKWAY: SNOWMOBILE AND SNOWPLANE ROUTES AND REGULATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**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	12/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Chip H. Davis, Ranger Activities Division, Department of the Interior, National Park Service, MS 7408, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4874

Fax: 202 208-6756

Email: chip_davis@nps.gov

RIN: 1024-AC34**1524. BIG CYPRESS NATIONAL PRESERVE; RECREATIONAL FROGGING****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**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	03/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

DOI—NPS

Final Rule Stage

Agency Contact: Kevin Kacer, Chief Ranger, Department of the Interior, National Park Service, Big Cypress National Preserve
Phone: 941 695-2000

RIN: 1024-AC54

1525. DENALI NATIONAL PARK AND PRESERVE, SPECIAL REGULATIONS

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

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

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	11/12/99	64 FR 61563
NPRM Comment Period End	01/25/00	65 FR 2920
Final Action	05/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Russ Wilson, Alaska Desk Officer, Department of the Interior, National Park Service
Phone: 202 208-6381

RIN: 1024-AC58

1526. DELAWARE WATER GAP NRA, BICYCLE TRAIL

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

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

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	11/13/97	62 FR 60815
NPRM Comment Period End	01/12/98	
Final Action	02/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Doyle Nelson, Supervisory Park Ranger, Department of the Interior, National Park Service
Phone: 908 841-9533

RIN: 1024-AC62

1527. APPALACHIAN NATIONAL SCENIC TRAIL—SNOWMOBILES

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.100

Legal Deadline: None

Abstract: This rule will designate trail crossings of snowmobile trails at three locations along the Appalachian National Scenic Trail. These trail crossings are part of a State-approved network of snowmobile routes that exist on adjacent State lands. These crossings existed prior to the NPS assuming management of the National Scenic Trail. Designating these crossings fulfills assurances made by the NPS at the time of land acquisition that establishment of the permanent linear trail corridor would not sever established snowmobile routes.

Timetable:

Action	Date	FR Cite
NPRM	03/19/98	63 FR 13383
NPRM Comment Period End	05/18/98	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Chip H. Davis, Ranger Activities Division, Department of the Interior, National Park Service, MS 7408, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-4874
Fax: 202 208-6756
Email: chip_davis@nps.gov

RIN: 1024-AC67

1528. LAND AND WATER CONSERVATION FUND OF ASSISTANCE TO STATES; POST-COMPLETION COMPLIANCE RESPONSIBILITIES

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 4601-4

CFR Citation: 36 CFR 59

Legal Deadline: None

Abstract: This amendment to 36 CFR 59 modifies Land and Water Conservation Fund (L&WCF) post-completion requirements by: (1) Clarifying the "State" planning prerequisite for conversion approval; (2) allowing the recipient of an L&WCF grant to use non-recreation land it currently owns, or non-recreation land that is transferred from one public agency to another without payment to satisfy the replacement requirement when land acquired with L&WCF assistance is proposed for conversion to other than public outdoor recreation uses, assuming all other eligibility criteria are met; (3) eliminating the requirement to notify NPS of all instances of obsolescence and facility use changes; and (4) establishing standards for resolving premature conversions to ensure their timely resolution.

Timetable:

Action	Date	FR Cite
NPRM	12/08/98	63 FR 67638
NPRM Comment Period End	02/08/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Wayne Strum, Outdoor Recreation Planner, Department of the Interior, National Park Service, Recreation Programs Division, 1849 C Street N.W., Washington, DC 20240
Phone: 202 565-1129

RIN: 1024-AC68

DOI—NPS

Final Rule Stage

1529. INFORMATION COLLECTION ACTIVITIES**Priority:** Info./Admin./Other**Legal Authority:** 16 USC 1; 16 USC 3; 44 USC 3506**CFR Citation:** 36 CFR 15**Legal Deadline:** None

Abstract: This final rule is an administrative change to 36 CFR to condense and clarify NPS information collection activities. This change will remove references to OMB approvals for collections of information presently scattered throughout NPS regulations and consolidate them in one part of 36 CFR. These changes do not increase the burden of information collection as described in the Paperwork Reduction Act of 1995 or its implementing regulations at 5 CFR 1320.

Timetable:

Action	Date	FR Cite
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Chip H. Davis, Ranger Activities Division, Department of the

Interior, National Park Service, MS 7408, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4874

Fax: 202 208-6756

Email: chip_davis@nps.gov

RIN: 1024-AC71**1530. CONCESSION CONTRACTS****Priority:** Other Significant**Legal Authority:** 16 USC 1; 16 USC 20; 16 USC 3**CFR Citation:** 36 CFR 51**Legal Deadline:** None

Abstract: The National Park Service is proposing to revise existing regulations governing the award of concession contracts. Title IV of Public Law 105-391 (the National Park Service Concessions Management Improvement Act of 1998) became effective on November 13, 1998, and repealed Public Law 89-249, the Concessions Policies Act of 1965. The new Act mandates revised procedures for issuing concession contracts as well as revised terms and conditions to be included in concession contracts. Section 417 of Public Law 105-391

requires the Secretary to issue implementing regulations as soon as practicable after the effective date of the Act. Existing regulations governing the concession contracting process are in conflict with several provisions of the new law and must be revised to reflect new statutory requirements. The proposed rule will affect approximately 625 concessioners operating within areas administered by NPS.

Timetable:

Action	Date	FR Cite
NPRM	06/30/99	64 FR 35516
NPRM Comment Period End	12/22/99	64 FR 63775
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Wendy Mann, Senior Contract Analyst, Department of the Interior, National Park Service, Concessions Management Program, 1849 C Street N.W., MS 7313, Washington, DC 20240
Phone: 202 565-1219
Email: wendy_mann@nps.gov

RIN: 1024-AC72

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

National Park Service (NPS)

1531. PERSONAL WATERCRAFT**Priority:** Other Significant**CFR Citation:** 36 CFR 3**Completed:**

Reason	Date	FR Cite
Final Action	03/21/00	65 FR 15077
Final Action Effective	04/20/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Chip H. Davis
Phone: 202 208-4874
Fax: 202 208-6756
Email: chip_davis@nps.gov

RIN: 1024-AC65**1532. • NATIONAL CAPITAL REGION, SPECIAL REGULATIONS****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(q); 16 USC 462(k)**CFR Citation:** 36 CFR 7**Legal Deadline:** None

Abstract: This temporary final rule amended the regulation for the National Capital Region to allow use of the area immediately surrounding the Washington Monument for fireworks for the official America's Millennium celebration marking the beginning of the year 2000.

Timetable:

Action	Date	FR Cite
Temporary Final Rule	12/20/99	64 FR 70124

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Arnold Goldstein, Superintendent, National Capital Parks, Department of the Interior, National Park Service, 900 Ohio Drive S.W., Washington, DC 20240
Phone: 202 585-9880

RIN: 1024-AC76**BILLING CODE 4310-70-F**

DEPARTMENT OF THE INTERIOR (DOI)**Prerule Stage****Bureau of Indian Affairs (BIA)****1533. USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 1401 et seq**CFR Citation:** 25 CFR 87**Legal Deadline:** None**Abstract:** This rule will update the existing provisions to reflect the

changes to the Indian Judgement Funds Distribution Act that were made in 1992 by Public Law 102-572.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603, Room 4603 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-2475
Fax: 202 501-0679**RIN:** 1076-AD94**DEPARTMENT OF THE INTERIOR (DOI)****Proposed Rule Stage****Bureau of Indian Affairs (BIA)****1534. INDIAN SCHOOL EQUALIZATION PROGRAM****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**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	04/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Rod Young, Chief, Branch of Administrative Services, Department of the Interior, Bureau of Indian Affairs, MS 3512, MS 3512 MIB, 1849 C Street NW, Washington, DC 20240

Phone: 202 208-4555

RIN: 1076-AD09**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	05/00/00	

Regulatory Flexibility Analysis Required: No**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**RIN:** 1076-AD33

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	06/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kim Snyder, Liaison Officer, Department of the Interior, Bureau of Indian Affairs, Suite 300, 12136 West Bayaud Avenue, Lakewood Avenue, CO 80228
Phone: 303 969-5270**RIN:** 1076-AD36**1537. TRIBAL REORGANIZATION UNDER A FEDERAL STATUTE****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**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	06/00/00	

Regulatory Flexibility Analysis Required: No**1535. LEASING RESTRICTED LANDS OF MEMBERS OF THE FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 356**CFR Citation:** 25 CFR 213**Legal Deadline:** None**1536. EXPLORATION, MINING, AND RECLAMATION OF LANDS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 355; 25 USC 396; 25 USC 396; 25 USC 473; 25 USC 501; 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

DOI—BIA

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Delores Springer, Midwest Regional Office, Department of the Interior, Bureau of Indian Affairs, One Federal Drive, Room 550, Fort Snelling, MN 55111
Phone: 612 713-4400

RIN: 1076-AD46

1538. PETITIONING PROCEDURES

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

Legal Authority: 25 USC 2; 25 USC 473a; 25 USC 476; 25 USC 477; 25 USC 503; 25 USC 9; 5 USC 301

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	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Delores Springer, Midwest Regional Office, Department of the Interior, Bureau of Indian Affairs, One Federal Drive, Room 550, Fort Snelling, MN 55111
Phone: 612 713-4400

RIN: 1076-AD47

1539. ACADEMIC AND DORMITORY STANDARDS

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

Legal Authority: 25 USC 2; 25 USC 2001; 25 USC 2002; 25 USC 2003; 25 USC 9; 5 USC 301; PL 95-561

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	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James C. Martin, Division Chief, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-5810

RIN: 1076-AD55

1540. EDUCATION CONTRACTS UNDER THE JOHNSON-O'MALLEY ACT

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

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	06/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Garry R. Martin, Education Specialist, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-3478

RIN: 1076-AD58

1541. LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

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	11/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Woodrow B. Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, MS 4660, MS 4660 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-4796

RIN: 1076-AD59

1542. SCHOOL CONSTRUCTION CONTRACTS FOR PUBLIC SCHOOLS

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

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	04/00/00	
NPRM Comment Period End	07/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Joe Christie, Office of Indian Education Programs, Department of the Interior, Bureau of Indian Affairs, MS -3530, MS 3512 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-6123

RIN: 1076-AD69

1543. ADULT VOCATIONAL TRAINING

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

Legal Authority: 25 USC 309; PL 88-230

CFR Citation: 25 CFR 27

Legal Deadline: None

Abstract: The rule for BIA's adult vocational training program is being

DOI—BIA

Proposed Rule Stage

rewritten in plain English as part of the President's regulatory reform initiative.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lynn Forcia, Office of Economic Development, Department of the Interior, Bureau of Indian Affairs, MS 4640 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 219-5270

RIN: 1076-AD72

1544. LOAN GUARANTEE PROGRAM

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

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	08/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Woodrow B. Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, MS 4660, MS 4660 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-4796

RIN: 1076-AD73

1545. EMPLOYMENT ASSISTANCE FOR ADULT INDIANS

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

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 26

Legal Deadline: None

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	05/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lynn Forcia, Office of Economic Development, Department of the Interior, Bureau of Indian Affairs, MS 4640 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 219-5270

RIN: 1076-AD75

1546. MORTGAGES AND DEEDS OF TRUST ON INDIVIDUALLY OWNED TRUST LAND OR LAND SUBJECT TO A RESTRICTION ON ALIENATION

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

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	11/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Kevin Adams, Chief Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs
Phone: 703 358-1949
Fax: 703 358-1947
Email: kevin_adams@fws.gov

RIN: 1076-AD85

1547. ACQUISITION OF TITLE TO LAND IN TRUST

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2; 25 USC 2719; 25 USC 9; 5 USC 301

CFR Citation: 25 CFR 151

Legal Deadline: None

Abstract: On September 18, 1980, we issued the first regulations for

acquisition of title to land in trust by the United States for Indian tribes and individual Indians. This rule clarifies the process and criteria by which we determine whether to acquire title to land in trust.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Terry Virden, Director, Office of Trust Responsibilities, Department of the Interior, Bureau of Indian Affairs, MS 4513, MS 4513 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-5831

RIN: 1076-AD90

1548. FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 20

Legal Deadline: None

Abstract: The Bureau is updating this rule to reflect changes in welfare programs. The principal changes are due to Public Law 104-193 which enacted welfare reform and removed welfare as an entitlement. The revised rule will reflect changes resulting from this law and other developments in national welfare policy.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Larry R. Blair, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, MS 4641, MS 4641 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-2721

RIN: 1076-AD91

DOI—BIA

Proposed Rule Stage

1549. LAND ACQUISITIONS FOR GAMING

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2; 25 USC 2719; 25 USC 9; 5 USC 301

CFR Citation: 25 CFR 292

Legal Deadline: None

Abstract: This rule establishes the procedures that the Secretary will use to review tribal applications for trust acquisition of lands for gaming purposes. It applies only to trust acquisitions for gaming purposes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, MS 2070, MS 2070 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 219-4066

RIN: 1076-AD93

1550. ● INDIAN CHILD PROTECTION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 3201 et seq; 42 USC 13031; 25 USC 3207

CFR Citation: 25 CFR 63

Legal Deadline: None

Abstract: The Bureau is revising subpart B to better reflect agency practices and to provide clearer guidance to tribes and tribal organizations that receive funds under the Indian Self-Determination and Education Assistance Act and the Tribally Controlled Schools Act.

Timetable:

Action	Date	FR Cite
NPRM	01/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bettie Rushing, BIA Security Programs, Department of the Interior, Bureau of Indian Affairs, PO Box 1887, Albuquerque, NM

Phone: 505 248-6082

RIN: 1076-AD96

1551. ● CERTIFICATES OF DEGREE OF INDIAN BLOOD

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 70

Legal Deadline: None

Abstract: This rule will codify procedures for processing certificates of degree of Indian blood.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lee Fleming, Research, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-3592

RIN: 1076-AD97

1552. ● ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR RELIEF OF DISTRESS AND SOCIAL WELFARE OF INDIANS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2

CFR Citation: 25 CFR 21

Legal Deadline: None

Abstract: This part, which allows BIA to seek arrangements with States or Counties or other Federal agencies to provide welfare for Indians residing in a State within the exterior boundaries of Indian reservations under BIA jurisdiction, will be deleted because it has never been used.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Larry R. Blair, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, MS 4641, MS 4641 MIB, 1849 C Street NW, Washington, DC 20240

Phone: 202 208-2721

RIN: 1076-AD98

1553. ● TRUST MANAGEMENT REFORM: LEASING, PERMITTING, GRAZING, PROBATE AND FUNDS HELD IN TRUST

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; R.S. 463; R.S. 465; 25 USC 2; 25 USC 9; Stat. 855; R.S. 441; 43 USC 1457

CFR Citation: 25 CFR 15; 25 CFR 115; 25 CFR 162; 25 CFR 166

Legal Deadline: None

Abstract: This rulemaking will make revisions necessary to enable the Secretary to fulfill his fiduciary responsibility to federally recognized tribes. Revisions in leasing include procedures for entering into leases on Indian lands and for accounting for the value of the leases to land owners. Revisions in grazing permits further standardize the process used in granting permits on Indian lands. New provisions for probate codify the probate process for Indian decedents' estates. Revisions to procedures for Individual Indian Monies standardize the process for collecting, distributing, and accounting for individual Indian monies from a variety of sources. Any cost associated with these regulations will be included in the BIA budget. There is no associated cost to the general public or to federally recognized tribes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment	09/00/00	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Duncan Brown, Regulatory Analyst, Department of the Interior, Bureau of Indian Affairs, Room 7229 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-4582
Fax: 202 219-2100
Email: duncan_l_brown@ios.doi.gov

RIN: 1076-AE00

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Indian Affairs (BIA)

Final Rule Stage

**1554. NAVAJO PARTITIONED LANDS
GRAZING REGULATIONS**

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

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	06/00/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs, MS 4513, MS 4513 MIB, 1849 C Street NW, Washington, DC 20240

Phone: 202 208-3598

RIN: 1076-AC81

1555. PREFERENCE IN EMPLOYMENT

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 479

CFR Citation: 25 CFR 5

Legal Deadline: None

Abstract: The Bureau is amending the preference in employment regulations to clarify that they apply not only within the bureau but within other organizations within the Department of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	07/12/96	61 FR 36671
NPRM Comment Period End	09/10/96	
Final Action	06/00/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: Tribal

Agency Contact: Bettie Rushing, BIA Security Programs, Department of the Interior, Bureau of Indian Affairs, PO Box 1887, Albuquerque, NM
Phone: 505 248-6082

RIN: 1076-AD05

**1556. GRANTS TO TRIBALLY
CONTROLLED COMMUNITY
COLLEGES AND NAVAJO
COMMUNITY COLLEGE**

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

Legal Authority: 25 USC 1801 to 1852; 25 USC 1831; 25 USC 640

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; (4) forward funding; (5) renovation and construction of facilities and (6) preparing construction feasibility reports.

Timetable:

Action	Date	FR Cite
NPRM	04/01/97	62 FR 15446
NPRM Comment Period End	06/02/98	
Final Action	04/00/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: Undetermined

Agency Contact: Joe Herrin, Finance Specialist, Department of the Interior, Bureau of Indian Affairs, MS 3512 MIB,

1849 C Street NW, Washington, DC 20240

Phone: 202 208-7658

RIN: 1076-AD08

**1557. INDIAN TRIBAL JUSTICE
SUPPORT**

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

Legal Authority: 25 USC 13; 25 USC 2; 25 USC 200; 25 USC 3601 et seq; 25 USC 9; 5 USC 301; PL 103-176

CFR Citation: 25 CFR 92

Legal Deadline: None

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	
NPRM	07/30/96	61 FR 39607
NPRM Comment Period End	09/30/96	
Final Action	06/00/00	
Final Action Effective	07/00/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: Tribal

Agency Contact: Bettie Rushing, BIA Security Programs, Department of the Interior, Bureau of Indian Affairs, PO Box 1887, Albuquerque, NM
Phone: 505 248-6082

RIN: 1076-AD15

1558. TRIBAL SELF-GOVERNANCE

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

Legal Authority: PL 103-413

CFR Citation: 25 CFR 1000

Legal Deadline: None

Abstract: This rule will clarify how the Department and tribes will carry out their respective responsibilities under the Tribal Self-Governance Act of 1994. At the request of a majority of Indian tribes with self-governance agreements, the Secretary has established a negotiated rulemaking committee to negotiate and promulgate such

regulations as are necessary to carry out the Act.

Statement of Need: The Department of the Interior (DOI) needs to clarify how it and the tribes will carry out their respective responsibilities under the Tribal Self-Governance Act of 1994. Provisions are needed to clarify or establish:

- Procedures for conducting negotiations, defining stable base budgets, time lines for the transfer of funds for tribes, and the amount of residual funds to be retained;
- The processes for accepting new tribes into the self-governance program planning and negotiation process for awarding planning and negotiation grants, for approving waiver requests, and for determining and negotiating tribal shares of BIA and eligible non-BIA programs;
- Mechanisms for reviewing tribal trust functions;
- Retrocession procedures
- Procedures for ensuring that proper health and safety standards exist in construction projects and are included in annual funding agreements;
- Reporting requirements of tribes and DOI; and
- A mechanism for negotiating the inclusion of specific provisions of Federal procurement regulations into annual funding agreements.

DOI expects that the rulemaking process will identify other components of the program that require clarification.

Summary of Legal Basis: The Tribal Self-Governance Act of 1994 requires DOI, upon request of a majority of self-governance tribes, to negotiate and promulgate regulations to carry out the tribal self-governance program. The Act calls for a negotiated rulemaking committee under 5 USC 565, composed of Federal and tribal representatives, with a majority of the tribal representatives from self-governance tribes. The Act also authorizes DOI to adapt negotiated rulemaking procedures to the unique context of self-governance and the government-to-government relationship between the United States and the Indian tribes. On November 1, 1994, a majority of self-governance tribes wrote the Secretary requesting the immediate initiation of negotiated rulemaking.

Alternatives: There is a range of alternatives for each of the program components, from maintaining discretion and flexibility at the local level to standardizing requirements and procedures on the national level.

Anticipated Cost and Benefits: The rule is expected to promote greater efficiency of Federal and tribal government operations. It is also expected to reduce opportunity costs resulting from untimely Federal actions. The rule will improve the ability of Federal and tribal governments to plan their self-governance activities. This should lead to greater stability of operations. Clarifying procedures for conducting operations will improve the ability of governments to plan for the time and cost of conducting negotiations. Clarifying time lines for transfer of base funding and other funds to tribes will improve planning and reduce the opportunity costs resulting from the untimely transfer of funds under the self-governance program. Budget and operation planning will be improved by specifying the process for accepting additional tribes into the self-governance program planning and negotiating process as well as the process for awarding planning and negotiation grants. Since retrocession procedures will be specified, governments will be better able to plan for retrocessions. Standardization of tribal shares will allow the self-governance program to comply with statutory requirements not to limit or reduce the services, contracts, or funds that any other Indian tribe or tribal organization is eligible to receive.

Risks: By removing uncertainty and promoting a more stable framework for the program, the rule will greatly lower the risk of not achieving the stated goals of tribal self-governance. It will change the role of Federal agencies that serve tribes by shifting their responsibilities from day-to-day management of tribal affairs to those concerned with protecting and advocating tribal interests.

Timetable:

Action	Date	FR Cite
Notice of Intent to Establish a Negotiated Rulemaking Committee	02/15/95	60 FR 8806
NPRM	02/12/98	63 FR 7202
Final Action	09/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Federal, Tribal

Agency Contact: William Sinclair, Director, Office of Self-Governance, Department of the Interior, Bureau of Indian Affairs, Room 2542 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 219-0240

RIN: 1076-AD20

1559. LEASING OSAGE RESERVATION LANDS FOR MINING OF MINERALS OTHER THAN OIL AND GAS

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

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	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Leona Chapman, Acting Realty Officer, Department of the Interior, Bureau of Indian Affairs, 101 North Fifth Strett, Muskogee, OK 74401
Phone: 918 687-2292

RIN: 1076-AD34

DOI—BIA

Final Rule Stage

1560. LEAD AND ZINC MINING OPERATIONS AND LEASES ON QUAPAW INDIAN LANDS

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

Legal Authority: PL 75-39; PL 66-359

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	04/00/00	
Final Action Effective	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: John Dalgarn, Supervisory Realty Specialist, Department of the Interior, Bureau of Indian Affairs, Miami Agency, P.O. Box 391, Miami, OK 74355
Phone: 918 542-3396

RIN: 1076-AD35

1561. IRRIGATION PROJECTS AND SYSTEMS

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

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	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4559, MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-5480

RIN: 1076-AD44

1562. INDIAN ELECTRIC POWER UTILITIES

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

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	08/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4559, MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-5480

RIN: 1076-AD45

1563. APPEALS FROM ADMINISTRATIVE ACTIONS

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

Legal Authority: 25 USC 2; 25 USC 9; 5 USC 301

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	06/00/00	
Final Action Effective	08/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bettie Rushing, BIA Security Programs, Department of the Interior, Bureau of Indian Affairs, PO Box 1887, Albuquerque, NM
Phone: 505 248-6082

RIN: 1076-AD50

1564. INDIAN BUSINESS DEVELOPMENT PROGRAM

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

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	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Woodrow B. Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, MS 4660, MS 4660 MIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-4796

RIN: 1076-AD70

DOI—BIA

Final Rule Stage

1565. COURTS OF INDIAN OFFENSES

Priority: Routine and Frequent. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 13; 25 USC 2; 25 USC 200; 25 USC 9; 5 USC 301

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	05/00/00	
Final Action Effective	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bettie Rushing, BIA Security Programs, Department of the Interior, Bureau of Indian Affairs, PO Box 1887, Albuquerque, NM
Phone: 505 248-6082

RIN: 1076-AD76

1566. USE OF COLUMBIA RIVER FISH ACCESS SITES

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

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	10/28/97	62 FR 55767
Final Action	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Chuck James, Area Archeologist, Department of the Interior, Bureau of Indian Affairs
Phone: 503 231-6229

RIN: 1076-AD83

1567. USE OF COLUMBIA RIVER IN-LIEU FISHING SITES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 248

Legal Deadline: None

Abstract: This rule contains procedures for permitting tribal use of in-lieu fishing sites on the Columbia River. These sites are owned by the Federal government and are necessary to allow boat access to the river so that Indian fishers can 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 on the site.

Timetable:

Action	Date	FR Cite
NPRM	10/28/97	62 FR 55767
Final Action	06/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Chuck James, Area Archeologist, Department of the Interior, Bureau of Indian Affairs
Phone: 503 231-6229

RIN: 1076-AD86

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Bureau of Indian Affairs (BIA)

1568. LEASING AND PERMITTING

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 162

Completed:

Reason	Date	FR Cite
Withdrawn - To Be Replaced by RIN 1076-AE00.	01/03/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Mark Bradford
Phone: 202 208-3598

RIN: 1076-AA29

1569. ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR SOCIAL WELFARE AND RELIEF OF DISTRESS OF INDIANS

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 21

Completed:

Reason	Date	FR Cite
Withdrawn - Replaced by RIN 1076-AD98.	01/03/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Larry R. Blair
Phone: 202 208-2721

RIN: 1076-AD61

1570. TRIBAL REVENUE ALLOCATION PLANS

Priority: Other Significant

CFR Citation: 25 CFR 290

Completed:

Reason	Date	FR Cite
Final Action	03/17/00	65 FR 14461
Final Action Effective	04/17/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: George Skibine
Phone: 202 219-4066

RIN: 1076-AD74

1571. CERTIFICATES OF DEGREE OF INDIAN BLOOD

Priority: Info./Admin./Other

CFR Citation: 25 CFR 70

DOI—BIA

Completed Actions

Completed:

Reason	Date	FR Cite
Withdrawn - Replaced by RIN 1076-AD97	01/03/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Lee Fleming
Phone: 202 208-3592**RIN:** 1076-AD78**1572. PREPARATION OF ROLLS OF INDIANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 61**Completed:**

Reason	Date	FR Cite
Final Action	04/23/99	64 FR 19896

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Daisy West
Phone: 202 208-2475
Fax: 202 501-0679**RIN:** 1076-AD89**1573. DISTRIBUTION OF FY 2000 INDIAN RESERVATION ROADS FUNDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 170**Completed:**

Reason	Date	FR Cite
Final Action	02/15/00	65 FR 7431

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** LeRoy Gishi
Phone: 202 208-4359**RIN:** 1076-AD99**BILLING CODE** 4310-02-F**DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)****Proposed Rule Stage****1574. REFUNDS AND RECOUPMENT OF OVERPAYMENTS ON OCS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 181 et seq; 25 USC 2101 et seq; 25 USC 351 et seq; 25 USC 3716; 25 USC 3720a; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 9701; 5 USC 301 et seq; 25 USC 1001 et seq; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1735; 25 USC 1701 et seq; 25 USC 1801 et seq
CFR Citation: 30 CFR 206; 30 CFR 218; 30 CFR 230**Legal Deadline:** None**Abstract:** This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, MineralsManagement Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
Phone: 303 231-3432
Fax: 303 231-3385
Email: david.guzy@mms.gov**RIN:** 1010-AC27**1575. TAKES VS. ENTITLEMENTS REPORTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735**CFR Citation:** 30 CFR 205**Legal Deadline:** None**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165Phone: 303 231-3432
Fax: 303 231-3385
Email: david.guzy@mms.gov
RIN: 1010-AC29**1576. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES****Priority:** Substantive, Nonsignificant**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	01/21/99	64 FR 3360
NPRM Comment Period End	03/22/99	
Supplementary Proposed Rule	11/00/00	
NPRM Comment Period End	01/00/01	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff,

DOI—MMS

Proposed Rule Stage

Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165

Phone: 303 231-3432

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Email: david.guzy@mms.gov

RIN: 1010-AC30

1577. PREPAYMENT OF ROYALTIES

Priority: Substantive, Nonsignificant

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	12/00/00	
NPRM Comment	02/00/01	
Period End		

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165

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Email: david.guzy@mms.gov

RIN: 1010-AC31

1578. OIL AND GAS DRILLING OPERATIONS

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: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: The rule will be written in plain English, substantive changes will

be incorporated, and the rule will reflect the results of the blowout preventer study.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment	08/00/00	
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

Phone: 703 787-1600

Fax: 703 787-1093

Email: kumkum_ray.mms.gov

RIN: 1010-AC43

1579. EXPLORATION OR DEVELOPMENT AND PRODUCTION PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 25 CFR 250

Legal Deadline: None

Abstract: MMS requires companies to submit for approval their exploration and development plans for activities on the Outer Continental Shelf. The companies must submit these plans before they can begin any activities, except preliminary activities. This rule would rewrite the requirements into clearer language and organize them into discrete sections by topic, to make them easier to follow.

Timetable:

Action	Date	FR Cite
NPRM	07/00/00	
NPRM Comment	10/00/00	
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

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RIN: 1010-AC47

1580. INCIDENT REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: Recent rapid growth in offshore exploration and production activities in the Gulf of Mexico has led to an increase in accidents and fatalities. Since safety is our top priority, we must upgrade our accident investigation functions. To do this we need accurate and timely information. This rule is the only way to require operators, lessees, and permit holders in the Outer Continental Shelf (OCS) to give us a written report about each OCS accident. It will also establish clearer guidelines for accident reporting thresholds and timing.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment	11/00/00	
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC57

1581. ROYALTY RELIEF TERMS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 396 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: This rule amends the circumstances that discontinue the existing royalty relief for end-of-life leases.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment	10/00/00	
Period End		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior,

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Proposed Rule Stage

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RIN: 1010-AC58

1582. VALUATION OF FEDERAL GEOTHERMAL RESOURCES USED TO GENERATE ELECTRICITY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq, 2101 et seq; 30 USC 181 et seq, 1001 et seq, 1701 et seq; 31 USC 9701; 43 USC 1301 et seq, 1801 et seq; 30 CFR 206

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule contains procedures to use in valuing geothermal resources used to generate electricity.

Timetable:

Action	Date	FR Cite
ANPRM	08/19/99	64 FR 45213
NPRM	09/00/00	
NPRM Comment Period End	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC59

1583. ● RECORDS AND FILES MAINTENANCE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq, 2101 et seq; 30 USC 181 et seq, 351 et seq, 1001 et seq; 31 USC 9701; 43 USC 1301 et seq, 1331 et seq, 1801 et seq

CFR Citation: 30 CFR 212

Legal Deadline: None

Abstract: This rule will amend records and files maintenance regulations to incorporate the longer retention requirements for records related to Federal oil and gas.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC64

1584. ● DECOMMISSIONING ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a)

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule will amend MMS' regulations governing operations in the Outer Continental Shelf to update decommissioning requirements. The new layout of the rule follows the logical sequence of plugging a well, decommissioning the platform and pipeline, and clearing the waste site. The proposed rule also updates the requirements to reflect changes in technology. We have restructured the requirements to make the regulations easier to read and understand. The proposed technical changes will help ensure that lessees decommission operations safely and effectively.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC65

1585. ● UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE: API/ISO 10432

Priority: Routine and Frequent

Legal Authority: 5 USC 552(a)

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule will incorporate a document by reference into 30 CFR part 250. The document is an international standard dealing with downhole equipment and subsurface safety valve equipment.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 1010-AC66

1586. ● UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE: NACE MR 0175-99 ETC.

Priority: Routine and Frequent

Legal Authority: 5 USC 552(a)

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule incorporates by reference recent revisions of the following documents: NACE MR 0175-99; API Specification Q1, 6th edition; API, RP 2D, Cranes; API, MPMS, Chapter 4, Section 6; API, MPMS Chapter 4, Section 7.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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Proposed Rule Stage

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1587. • REQUIREMENTS GOVERNING SURETY BONDS FOR THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 256

Legal Deadline: None

Abstract: This rule would change requirements governing surety bonds for activities on the Outer Continental Shelf. These changes will codify the terms and conditions under which a surety will be relieved of responsibility when MMS terminates the period and liability of a bond. Codifying these terms and conditions is necessary to clarify the responsibilities of the lessee after the lease expires.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC68

1588. • OUTER CONTINENTAL SHELF OIL AND GAS LEASING-BIDDING SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 and 1337

CFR Citation: 30 CFR 260

Legal Deadline: None

Abstract: This rule rewrites the Outer Continental Shelf (OCS) Bidding System procedures in plain language. It also adds a new section that addresses how leases sold after the year 2000 may receive royalty suspensions on an OCS field. This new section is included because offering royalty suspensions is part of the bidding system that will be used in future oil

and gas lease sales. The current rule specifies royalty suspension volumes that apply across the board to water depth categories in the Central and Western Gulf of Mexico sales from 1995 through 2000. The new rule provides for a more selective, sale-specific approach to granting royalty suspensions. It also explains how different categories of leases will share royalty relief on a common field after 2000.

Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment	10/00/00	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 1010-AC69

1589. • AMENDMENTS TO SALE OF FEDERAL ROYALTY OIL (SMALL REFINER ADMINISTRATIVE FEE)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1301 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 208

Legal Deadline: None

Abstract: This rule would remove the requirement that MMS collect fees from small refiners to recover the administrative cost of the small refiner royalty-in-kind program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment	07/00/00	
Period End		

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 1010-AC70

1590. • DEEP WATER ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF OIL AND GAS LEASES ISSUED AFTER 2000

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 ISC 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 1810 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: Some of the leases issued after the year 2000 in the deep water of the Gulf of Mexico may need development incentives, especially if most of the better prospects have already been leased. The current regulations only allow leases issued before November 28, 1995, to apply for royalty relief. Unless we revise these regulations, new leases on non-producing fields cannot apply for royalty relief under our established deep water royalty relief program. This rule change also establishes guidelines for seeking royalty relief outside our existing programs for end-of-life or deep water royalty relief, if the circumstances serve the objectives of the Outer Continental Shelf Lands Act.

Timetable:

Action	Date	FR Cite
NPRM	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC71

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Final Rule Stage

1591. VALUATION OF OIL FROM INDIAN LEASES

Priority: Other Significant

Legal Authority: 25 USC 2101 et seq; 25 USC 396 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule would modify the regulations that establish royalty value for oil produced from Indian leases and create a new form for collecting value and value differential data. These changes would decrease reliance on oil posted prices and make Indian oil royalty valuation more consistent with the terms of Indian leases.

Statement of Need: Current oil valuation regulations rely primarily on posted prices and prices under arm's-length sales to value oil that is not sold at arm's-length. Recently, posted prices have become increasingly suspect as a fair measure of market value. This rulemaking would modify valuation regulations to place substantial reliance on the highest of crude oil futures prices, major portion prices, or gross proceeds. It would eliminate any direct reliance on posted prices. This rulemaking would also add more certainty to valuation of oil produced from Indian leases.

Summary of Legal Basis: The primary legal basis for this rulemaking is the Federal Oil and Gas Royalty Management Act of 1982, as amended, which defines the Secretary of the Interior's (1) authority to implement and maintain a royalty management system for oil and gas leases on Indian lands, and (2) trust responsibility to administer Indian oil and gas resources.

Alternatives: We considered a range of valuation alternatives. Among these were: (1) Making minor adjustments to the current gross proceeds valuation method using spot prices; (2) using index-based prices with fixed adjustments for production from specific geographic zones; (3) relying on some type of field pricing other than posted prices; and (4) taking oil in-kind.

We chose the higher of New York Mercantile Exchange (NYMEX) futures prices, major portion prices in the field or area, or gross proceeds received by the lessee or its affiliate. We chose NYMEX-based prices as one of three

measures of value because NYMEX represents the price for a widely-traded domestic crude oil, there is little likelihood that any particular participant in NYMEX trading could affect the prices, and NYMEX prices are regarded by many experts to be the best available measure of oil market value.

Anticipated Cost and Benefits: We estimate compliance with this rulemaking would cost the oil and gas industry approximately \$46,000 annually. Additional costs to industry and MMS would be up-front computer programming and other administrative costs associated with processing the new form. The benefits of this rulemaking would be an estimated \$3.6 million increase in annual royalties collected on oil produced from Indian leases. Additional benefits would include simplification and increased certainty of oil pricing, reduced audit efforts, and reduced valuation determinations and associated litigation.

Risks: The risk of not modifying current oil valuation regulations is that Indian recipients may not receive royalties based on the highest paid price or offered for the major portion of oil produced—a common requirement in most Indian leases. These modifications ensure that the Department fulfills its trust responsibilities for administering Indian oil and gas leases under governing mineral leasing laws, treaties, and lease terms.

Timetable:

Action	Date	FR Cite
ANPRM	12/20/95	60 FR 65610
ANPRM Comment Period End	03/19/96	
NPRM	02/12/98	63 FR 7089
NPRM Comment Period Extended	04/09/98	63 FR 17349
NPRM Comment Period End	05/13/98	
Supplementary NPRM	01/05/00	65 FR 403
Comment Period End	03/06/00	
Final Action	04/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Tribal

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RIN: 1010-AC24

1592. TRAINING LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF

Priority: Other Significant

Legal Authority: 43 USC 133

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	04/20/99	64 FR 19318
NPRM Comment Period End	07/19/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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RIN: 1010-AC41

1593. PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 280

Legal Deadline: None

DOI—MMS

Final Rule Stage

Abstract: This rule will expand the provisions governing research by requiring everyone conducting geological and geophysical scientific research without a permit to file a notice with MMS. These revisions respond to changes in technology and practice.

Timetable:

Action	Date	FR Cite
NPRM	12/08/99	64 FR 68649
NPRM Comment Period End	02/07/00	
Final Action	09/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC48

1594. PRODUCER-OPERATED OUTER CONTINENTAL SHELF PIPELINES THAT CROSS DIRECTLY INTO STATE WATERS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: A 1996 Memorandum of Understanding between the Departments of the Interior and Commerce agreed that interior would regulate producer-operated pipelines in the OCS and Transportation would regulate transporter-operated pipelines. This rule will implement the terms of the memorandum. It will ensure that 35 Gulf of Mexico and 10 California producer-operated pipelines are regulated by the Department of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	10/01/99	64 FR 53298
NPRM Comment Period End	11/30/99	
Final Action	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC56

1595. • FORMS AND REPORTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq, 2101 et seq; 30 USC 181 et seq, 351 et seq, 101 et seq, 1701 et seq; 31 USC 3176 et seq, 9701 ; 43 USC 1301 et seq, 1331 et seq, 1801 et seq

CFR Citation: 30 CFR 210

Legal Deadline: None

Abstract: This rule will update the list of Royalty Management Program information collections, the purpose of the collections, and the estimated reporting burden associated with each collection. It will also update MMS mailing addresses.

Timetable:

Action	Date	FR Cite
Final Action	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC63

DEPARTMENT OF THE INTERIOR (DOI)

Minerals Management Service (MMS)

Long-Term Actions

1596. ROYALTY PAYMENT LIABILITY

Priority: Other Significant

Legal Authority: 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 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 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 amending its regulations to clarify payor, lessee, and assignee requirements and responsibilities for Indian mineral leases and Federal solid mineral and geothermal leases.

Timetable:

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504
NPRM	06/09/95	60 FR 30492
Comment Period Extended	08/30/95	60 FR 45112

Action	Date	FR Cite
Comment Period Extended	10/03/95	60 FR 56033
Final Action	04/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 1010-AB45

DOI—MMS

Long-Term Actions

1597. CREDIT ADJUSTMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 301 et seq**CFR Citation:** 30 CFR 218**Legal Deadline:** None**Abstract:** This rule will limit adjustments on royalty payments and determine the use of administrative offset for certain collections. This rule was expanded to include post-Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 impacts on credit adjustments and administrative offsets after the initial proposed rule was published, so a new proposed rule will be issued.**Timetable:**

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
NPRM	04/00/01	
NPRM Comment Period End	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
Phone: 303 231-3432
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Email: david.guzy@mms.gov**RIN:** 1010-AB73**1598. 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; 43 USC 1331 et seq; 43 USC 1801 et seq; 43 USC 1301 et seq; 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 30 USC 181 et seq; 30 USC 351 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 defines the assessment criteria. 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	04/00/01	
NPRM Comment Period End	06/00/01	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** David S. Guzy, Chief, Rules and Publications Staff, Department of the Interior, Minerals Management Service, MS 3021, PO Box 25165, Mail Stop 3021, Denver, CO 80225-0165
Phone: 303 231-3432
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Email: david.guzy@mms.gov**RIN:** 1010-AC34**DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)**

Completed Actions

1599. VALUATION OF OIL FROM FEDERAL MINERAL LEASES**Priority:** Other Significant**CFR Citation:** 30 CFR 206**Completed:**

Reason	Date	FR Cite
Supplementary Proposed Rule	12/30/99	64 FR 73820
NPRM Comment Period End	01/31/00	
Final Action	03/15/00	65 FR 14022
Final Action Effective	06/01/00	

Regulatory Flexibility Analysis Required: Yes**Government Levels Affected:** State**Agency Contact:** David S. Guzy
Phone: 303 231-3432
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Email: David.Guzy@mms.gov**RIN:** 1010-AC09**1600. POSTLEASE OPERATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 218.154; 30 CFR 250.1 to 250.29; 30 CFR 256.1; 30 CFR 256.4; 30 CFR 256.55; 30 CFR 256.73**Completed:**

Reason	Date	FR Cite
Final Action	12/28/99	64 FR 72756
Final Action Effective	01/27/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray
Phone: 703 787-1600
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Email: kumkum__ray.mms.gov**RIN:** 1010-AC32**1601. REVIEWING EXPLORATION PLANS AND DEVELOPMENT AND PRODUCTION PLANS FOR COASTAL ZONE CONSISTENCY****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	10/01/99	64 FR 53195
Final Action Effective	11/01/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Kumkum Ray
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DOI—MMS

Completed Actions

1602. DEEP WATER EMERGENCY WELL CONTROL OPERATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 250

Completed:

Reason	Date	FR Cite
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Withdrawn - No further action will be taken at this time.	08/01/99	
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Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC54

1603. UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 250

Completed:

Reason	Date	FR Cite
Final Action	01/04/00	65 FR 217
Final Action Effective	02/03/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC55

BILLING CODE 4310-MR-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1604. ABANDONED COAL REFUSE SITES—TITLE I

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

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: None

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 poilicy Act of 1992.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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

RIN: 1029-AB70

1605. CONTEMPORANEOUS RECLAMATION

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

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816; 30 CFR 780; 30 CFR 773

Legal Deadline: None

Abstract: This rule would amend our 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	09/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: John Craynon, Chief, Technology Development Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement Phone: 202 208-2866

RIN: 1029-AB79

1606. DAM SAFETY RULES

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

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816; 30 CFR 817

Legal Deadline: None

Abstract: This rule would require the surface coal mining permittee to have an emergency action plan (EAP) when 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 would ensure 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	08/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State

Agency Contact: Ruchi Kohli, Civil Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240 Phone: 202 208-2971

RIN: 1029-AB92

1607. ELECTRONIC FILING OF THE OSM-1 FORM

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 870

Legal Deadline: None

Abstract: This rule would allow mine operators the option of electronically filing the information required by the OSM-1 form. The form is used by coal mine operators to report the amount of coal sold, used, or transferred during the calendar quarter; the method of coal removal; the type of coal removal; and other required information.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

DOI—OSMRE

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Earl Bandy, Office, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 303 233-2796**RIN:** 1029-AB95**1608. • ELECTRONIC FUNDS TRANSFER****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 870.15**Legal Deadline:** None**Abstract:** This rule would establish a new dollar threshold of \$10,000 for Abandoned Mine Land (AML) fee payments. When an operator reaches the threshold, the operator will have to make quarterly AML fee payments by electronic fund transfer to the Treasury Financial Communications System or another electronic fund transfer mechanism approved by the U.S. Treasury Department. The increased use of electronic funds transfer by those paying fees will allow

the Department to expedite and streamline its fee collection efforts.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Sean Spillane, Team, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Building 20 - Room B-2005, Denver, CO 80225
Phone: 303 236-0330**RIN:** 1029-AB96**1609. • TEMPORARY CESSATION OF MINING OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816; 30 CFR 817**Legal Deadline:** None**Abstract:** This rule would affect surface coal mining and reclamation operations that operate under an approved permit and temporarily cease operations. The rule would require a permittee that wishes to cease operations to submit

a notice of intention to cease or abandon mining and reclamation operations. The notice would include: the number of acres affected under the permit before operations cease, the extent that reclamation has been accomplished, and a list of activities that would continue during the cessation. This rule is needed to ensure that reclamation of mined land is not unnecessarily delayed, that any operation for which temporary cessation is requested complies with environmental performance standards, and that hazards to public health and safety will be eliminated during the time of the temporary cessation.

Timetable:

Action	Date	FR Cite
NPRM	09/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Nancy Broderick, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10, MS 10 SIB, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-2700**RIN:** 1029-AB97

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1610. INDIAN LANDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750**Legal Deadline:** None**Abstract:** This rule would 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 the Surface Mining Control and Reclamation Act. The rule is being proposed to implement a settlement agreement.**Timetable:**

Action	Date	FR Cite
NPRM	02/19/99	64 FR 8464
Final Action	09/00/00	

Regulatory Flexibility Analysis Required: No**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**RIN:** 1029-AB83**1611. OWNERSHIP AND CONTROL—REDESIGN****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 40 CFR 774; 30 CFR 773; 30 CFR 778; 30 CFR 701; 30 CFR 724; 30 CFR 842**Legal Deadline:** None**Abstract:** This rule would replace the April 21, 1997, interim rule published to comply with the January 31, 1997, decision of the U.S. Court of Appeals. It will further clarify the definition and application of the terms "owned and controlled" and "owns or controls" in the permitting and enforcement processes. In developing this rule, we will examine current permitting and enforcement issues in order to ensure continued effective implementation of section 520(c) of the Surface Mining Control and Reclamation Act.**Timetable:**

Action	Date	FR Cite
ANPRM	11/26/97	62 FR 63044
NPRM	12/21/98	63 FR 70580
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

DOI—OSMRE

Final Rule Stage

Agency Contact: Earl Bandy, Office,
Department of the Interior, Office of
Surface Mining Reclamation and

Enforcement, 2679 Regency Road,
Lexington, KY 40503

Phone: 303 233-2796

RIN: 1029-AB94

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1612. DEFINITION AND CRITERIA FOR VALID EXISTING RIGHTS

Priority: Other Significant

CFR Citation: 30 CFR 740; 30 CFR 745;
30 CFR 761; 30 CFR 772; 30 CFR 780;
30 CFR 784

Completed:

Reason	Date	FR Cite
Final Action	12/17/99	64 FR 70766

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: State

Agency Contact: Dennis Rice
Phone: 202 208-2829

RIN: 1029-AB42

1613. PROHIBITIONS UNDER SECTION 522(E) OF SMCRA

Priority: Other Significant

CFR Citation: 30 CFR 761

Completed:

Reason	Date	FR Cite
Final Action	12/17/99	64 FR 70838

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Nancy Broderick
Phone: 202 208-2700

RIN: 1029-AB82

BILLING CODE 4310-05-F

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Bureau of Reclamation (RB)

1614. CENTRAL VALLEY PROJECT OF CALIFORNIA—PURPOSES, USES, AND ALLOCATION OF WATER SUPPLIES

Priority: Other Significant

CFR Citation: 43 CFR 432; 50 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	01/03/00	

**Regulatory Flexibility Analysis
Required:** Yes

Government Levels Affected: Local

Agency Contact: Betty Riley Simpson
Phone: 916 978-5196

RIN: 1006-AA34

1615. ACREAGE LIMITATION RULES FOR TRUSTS

Priority: Other Significant

CFR Citation: 43 CFR 428

Completed:

Reason	Date	FR Cite
Final Action	01/26/00	65 FR 4304

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Steven Richardson
Phone: 202 208-4291

RIN: 1006-AA38

1616. RECOVERING THE VALUE OF RIGHTS OF USE AND RELATED ADMINISTRATIVE COSTS

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 429

Completed:

Reason	Date	FR Cite
Withdrawn - No further action will be taken at this time.	01/03/00	

**Regulatory Flexibility Analysis
Required:** Yes

Government Levels Affected: None

Agency Contact: Larry Schluntz
Phone: 303 445-2901

RIN: 1006-AA39

BILLING CODE 4310-09-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Bureau of Land Management (BLM)

1617. LEASES, PERMITS, AND EASEMENTS

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

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

Action	Date	FR Cite
NPRM Comment Period End	01/22/91	
Second NPRM	02/09/95	60 FR 7878
Second NPRM Comment Period End	04/10/95	

DOI—BLM

Proposed Rule Stage

Action	Date	FR Cite
Final Rule for Minimum Impact Land Use Permits Only	06/24/96	61 FR 32351
Final Rule Effective for Minimum Impact Land Use Permits Only	07/24/96	
Third NPRM	08/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-7779
Fax: 202 452-7708
Email: jeff_holdren@blm.gov

RIN: 1004-AB51

1618. 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	09/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, Regulatory Management Team, 1849 C Street NW, Washington, DC 20240
Phone: 202 452-5042
Fax: 202 653-5287
Email: ted_hudson@blm.gov

RIN: 1004-AB77

1619. DESERT LAND ENTRIES

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

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	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-7779
Fax: 202 452-7708
Email: jeff_holdren@blm.gov

RIN: 1004-AC56

1620. 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	03/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0355
Email: roger_haskins@blm.gov

RIN: 1004-AC59

1621. LAND WITHDRAWALS

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

Legal Authority: 43 USC 1714; 43 USC 1740

CFR Citation: 43 CFR 2310; 43 CFR 2370

Legal Deadline: None

Abstract: This rule will revise the regulations on withdrawals and revocations of withdrawals to 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	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-7779
Fax: 202 452-7708
Email: jeff_holdren@blm.gov

RIN: 1004-AC63

1622. COST RECOVERY; MINERAL FILINGS AND OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1001 et seq; 30 USC 181 et seq; 30 USC 22; 30 USC 351 to 360; 31 USC 9701; 43 USC 1734; 50 USC app 565

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.

DOI—BLM

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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
Email: durga_rimal@blm.gov

RIN: 1004-AC64

1623. 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	07/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Shirlean Beshir, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street, NW., Washington, DC 20240

Phone: 202 452-5033

Fax: 202 653-5287

Email: shirlean_beshir@blm.gov

RIN: 1004-AC76

1624. LAND CLASSIFICATION

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 43 USC 1411 to 1418; 43 USC 315; 43 USC 869; EO 6910; EO 6964**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	10/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-7779

Fax: 202 452-7708

Email: jeff_holdren@blm.gov

RIN: 1004-AC78

1625. CAREY ACT GRANTS

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 43 USC 641 et seq**CFR Citation:** 43 CFR 2610**Legal Deadline:** None

Abstract: This rule will update these regulations as they are inconsistent with present day management policies. Application of these provisions of the Carey Act is rarely 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		
Supplementary NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-7779

Fax: 202 452-7708

Email: jeff_holdren@blm.gov

RIN: 1004-AC80

1626. 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	12/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-7779

Fax: 202 452-7708

Email: jeff_holdren@blm.gov

RIN: 1004-AC84

1627. APPEALS PROCEDURES; HEARINGS PROCEDURES**Priority:** Info./Admin./Other**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 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

DOI—BLM

Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	01/17/97	61 FR 58160
Second NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No**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
Fax: 202 653-5287
Email: chris_fontecchio@blm.gov

RIN: 1004-AC99**1628. 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	10/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, Regulatory Management Team, 1849 C Street NW, Washington, DC 20240
Phone: 202 452-5042
Fax: 202 653-5287
Email: ted_hudson@blm.gov

RIN: 1004-AD00**1629. 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 6600; 43 CFR 8365**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	03/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Carl Barna, Paleontological Program Coordinator, Department of the Interior, Bureau of Land Management
Phone: 202 452-0325

RIN: 1004-AD03**1630. 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: 30 USC 1001 et seq; 43 USC 1740**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	01/00/01	

Regulatory Flexibility Analysis Required: No**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
Fax: 202 653-5287
Email: chris_fontecchio@blm.gov

RIN: 1004-AD10**1631. 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 1266; 30 USC 189; 30 USC 359; 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	10/00/00	

Regulatory Flexibility Analysis Required: 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
Email: bill_lesage@blm.gov

RIN: 1004-AD11

DOI—BLM

Proposed Rule Stage

1632. OIL AND GAS LEASING; NATIONAL PETROLEUM RESERVE, ALASKA—UNIT AGREEMENTS**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 proposed rule would add a new subpart to BLM's oil and gas regulations implementing new statutory authority allowing operators to form units in the National Petroleum Reserve Alaska (NPRAs). The rule would also:

(A) allow for waiver suspension, or reduction of rental or royalty payments for NPRAs leases;

(B) allow for suspension of operations and production for NPRAs leases;

(C) amend existing regulatory language to set the primary lease term for an NPRAs lease at 10 years; and

(D) add a new subpart to the NPRAs regulations on subsurface storage agreements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/00	

Regulatory Flexibility Analysis**Required:** 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: eric_kaarlela@blm.gov**RIN:** 1004-AD13**1633. 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: 31 USC 1601 et seq; 43 USC 1740**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	04/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Agency Contact:** Bill Howell, Accountant, Department of the Interior, Bureau of Land Management
Phone: 202 452-7721
Email: bill_howell@blm.gov**RIN:** 1004-AD23**1634. 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:** 16 USC 4601-6a; 43 USC 1740**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	04/00/00	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Lee Larson, Recreation Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-5168

Email: lee_larson@blm.gov

RIN: 1004-AD25**1635. MINERAL MATERIALS DISPOSAL****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:** 30 USC 601 et seq**CFR Citation:** 43 CFR 3600; 43 CFR 3610; 43 CFR 3620**Legal Deadline:** None**Abstract:** This rule will revise completely the regulations on mineral materials disposal to make them easier to understand. It will add provisions on recordkeeping and audit inspection inspection and production verification, cancellation and suspension, appeals and clarification of the rights of competitive or noncompetitive purchasers against subsequent claims on and users of the public lands.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

Regulatory Flexibility Analysis**Required:** 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
Email: durga_rimal@blm.gov**RIN:** 1004-AD29**1636. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**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.

DOI—BLM

Proposed Rule Stage

Legal Authority: 30 USC 22 to 54; 43 USC 1201; 43 USC 1740

CFR Citation: 43 CFR 3730; 43 CFR 3740; 43 CFR 3820; 43 CFR 3860; 43 CFR 3870

Legal Deadline: None

Abstract: This rule will revise the filing and administrative procedures for mineral patent applications. It will also revise the procedures for filing adverse claims or protests against mineral patent applications and for mineral-in-character challenges to non-mineral land entries.

Timetable:

Action	Date	FR Cite
NPRM	03/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: This rulemaking was ordered by the Secretary of the Interior on November 14, 1997. Much of the language of these regulations has remained unchanged since 1939 and needs modernization.

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0355
Email: roger_haskins@blm.gov

RIN: 1004-AD32

1637. ALASKA NATIVE VETERANS ALLOTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1740; PL 105-276

CFR Citation: 43 CFR 2568

Legal Deadline: Final, Statutory, April 21, 2000.

Abstract: This rule will implement recently enacted legislation to allow for an 18-month open season in which certain Alaska Native veterans would be eligible for a 160-acre allotment under the 1906 Native Allotment Act. Such a veteran must have served between January 1, 1969, and December 31, 1971, and otherwise qualified under the 1906 Act as it was in effect before September 18, 1971.

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6260

Action	Date	FR Cite
NPRM Comment Period End	04/10/00	
Final Action	07/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

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RIN: 1004-AD34

1638. CONSERVATION; HELIUM 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 1701 et seq.; 50 USC 167

CFR Citation: 43 CFR 16; 43 CFR 3196

Legal Deadline: None

Abstract: This rule will redesignate, amend, and extend the regulations on conservation of helium to facilitate administration and implementation of provisions in the Helium Privatization Act. The rule will move these regulations to 43 CFR subpart 3196 to consolidate helium-related regulations in one area for ease in finding and complying with them.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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RIN: 1004-AD35

1639. TIMBER EXPORT AND SUBSTITUTION

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 617; 43 USC 1701 et seq.

CFR Citation: 43 CFR 4; 43 CFR 5400; 43 CFR 5420; 43 CFR 5440

Legal Deadline: None

Abstract: This rule will implement the Forest Resources Conservation and Shortage Relief Act of 1990, as amended, by prohibiting, with certain exceptions, the exportation of unprocessed timber from Federal lands west of the 100th Meridian in the contiguous 48 States, and prohibiting direct and indirect substitution of non-Federal for Federal timber. It would allow exceptions for timber surplus to domestic needs, and set up sourcing areas for this timber. The rule will establish civil penalties and administrative remedies for violations of the Act or the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 1004-AD37

1640. HAZARDOUS MATERIALS COMPLIANCE

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

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 1701 et seq.

DOI—BLM

Proposed Rule Stage

CFR Citation: 43 CFR 1890**Legal Deadline:** None

Abstract: This rule will clarify the respective responsibilities of BLM and the holders of various BLM authorizations with regard to releases of hazardous materials and other violations of environmental law caused by the holder or the holder's operator on public lands.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 1004-AD38

1641. • RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 43 USC 1733; 43 USC 1734; 43 USC 1740; 43 USC 1761; 43 USC 1762; 30 USC 185

CFR Citation: 43 CFR 2800; 43 CFR 2880

Legal Deadline: None

Abstract: This rule will describe how BLM will charge annual rents for fiber optic systems on rights-of-way on

Federal and public lands. Fiber optic systems do not fit traditional concepts of rights-of-way and are not easily accommodated by BLM's current rent schedules. BLM is therefore seeking comments on how to charge rents for this emerging technology.

Timetable:

Action	Date	FR Cite
NPRM	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 1004-AD39

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Bureau of Land Management (BLM)

1642. MANAGEMENT OF DESIGNATED WILDERNESS AREA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1131 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 6300; 43 CFR 8560

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 Period End	02/18/97	
Final Action	06/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management
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RIN: 1004-AB69

1643. 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	01/13/98	63 FR 1936
NPRM Comment Period End	05/15/98	63 FR 9171
NPRM Comment Period End	04/05/99	63 FR 66776
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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RIN: 1004-AC54

1644. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING 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: 43 USC 1740

CFR Citation: 43 CFR 2800; 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	06/15/99	64 FR 32106
NPRM Comment Period End	10/13/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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DOI—BLM

Final Rule Stage

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RIN: 1004-AC74

1645. INDIAN ALLOTMENTS

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 334; 25 USC 336; 43 USC 1201

CFR Citation: 43 CFR 2530

Legal Deadline: None

Abstract: This rule will convert existing regulations to plain English and remove those portions that relate to procedural matters.

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53887
NPRM Comment Period End	09/13/99	64 FR 38172
Final Action	08/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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1646. OIL AND GAS LEASING AND OPERATIONS

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: 30 USC 181 et seq

CFR Citation: 43 CFR 3100 to 3160

Legal Deadline: None

Abstract: This rule will revise BLM's current Federal oil and gas leasing and operations regulations, except those concerning drainage (section 3100.2-2), combined hydrocarbon leasing (part 3140) and oil and gas leasing in the National Petroleum Reserve—Alaska

(part 3130). The rule will: (1) cite industry standards and incorporate them by reference rather than repeat those standards in the rule; (2) incorporate the requirements of the Onshore Oil and Gas Orders and national notices to lessees into the regulations to eliminate overlap with current regulations; (3) use performance standards in certain places instead of prescriptive requirements to allow more flexibility for operators and to protect the environment and Federal royalty interests; (4) revise and replace BLM's unitization regulations with a more flexible unit agreement process; and (5) eliminate redundancies, clarify procedures and regulatory requirements and streamline procedures.

Statement of Need: This rulemaking complies with the requirements of the Government Performance and Results Act, the recommendations of the National Performance Review, and other initiatives. It will be presented in a user-friendly format, presented by process rather than by subject matter.

Summary of Legal Basis: The Mineral Leasing Act gives BLM the authority to issue and administer the terms of oil and gas leases on Federal lands, to conduct inspections of drilling operations and to promulgate and enforce regulations pertaining to oil and gas leasing and operations. BLM is the only Federal agency with authority to issue leases for publicly owned oil and gas resources.

Alternatives: The only alternative to the proposed regulations would be to continue to operate under the existing regulations. These regulations are not performance-based and are at times ambiguous and hard to understand. Further, the important information found in Onshore Operating Orders is published separately from the regulations and at irregular intervals.

Anticipated Cost and Benefits: BLM anticipates the following benefits: (1) more clearly written rules will be better understood by both oil and gas lessees and operators and members of the general public; (2) performance standards, rather than prescriptive requirements, will allow lessees and operators and BLM greater flexibility to deal with unique geological or engineering circumstances within the standards set by the rule; and (3) streamlining and clarifying procedures will result in better customer service

and decreased time and money for both BLM and the user public.

Risks: The public may misunderstand one or more performance standards. BLM will publish user guides that explain in detail the standards and will provide examples of how operators might meet specific standards.

Timetable:

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66840
NPRM Comment Period End	07/19/99	64 FR 29256
Final Action	09/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local

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RIN: 1004-AC94

1647. SURFACE MANAGEMENT (LOCATABLE MINERALS)

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

Legal Authority: 18 USC 1001; 18 USC 3571 et seq; 30 USC 22; 30 USC 42; 30 USC 612; 43 USC 1061 et seq

CFR Citation: 43 CFR 3809

Legal Deadline: None

Abstract: The proposed rule would: (1) redefine "unnecessary and undue degradation" to require the use of the "best available technology and practices" or other technology-based standards during the mining of locatable minerals and during the reclamation of mined lands, (2) incorporate performance standards for locatable mineral exploration and development and (3) treat mining operations involving disturbance to 5 acres or less in a more stringent fashion.

Statement of Need: Current locatable mineral mining regulations provide insufficient environmental protection and insufficient enforcement authority for BLM to regulate mining activities which disturb 5 acres or less of public lands. The proposed regulations would strengthen environmental protection and would increase BLM's oversight of

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Final Rule Stage

mining operations on 5 acres or less of public lands.

Summary of Legal Basis: Section 302(b) of the Federal Land Policy and Management Act gives the Secretary of the Interior or his or her delegated representative the authority to regulate the use, occupancy and development of public lands. Although the Secretary may not impair the rights of mining claimants by regulating these activities, he or she may take any action necessary to prevent the unnecessary and undue degradation of the public lands.

Alternatives: The proposed rule could consider three alternatives for increasing oversight on mining activities which disturb 5 acres or less of public lands: (1) repeal the current notice provision and treat these small operations like large ones; (2) narrow the scope of the notice exception so that it does not apply in areas of environmental sensitivity; and (3) better protect the environment against abuse by measures such as requiring more information from operators, giving BLM a longer time to review the notices, and imposing greater penalties for not meeting notice requirements.

Anticipated Cost and Benefits: The Department has prepared a cost-benefit analysis. On balance the general public is expected to benefit by decreasing the public health and safety costs associated with the clean-up of hazardous and toxic substances generated by the mining of various locatable minerals (acid, draining, etc.). There may be slightly increased costs to operators on mining claims from their exploration, development, and reclamation activities, if the surface management regulations require using the best available technology in exploration, mining, and reclamation activities.

Risks: Claimants unable to comply with increased mining costs could

cease operations and go out of business. Some portion of the mining industry could cease exploration and mining operations in the United States and begin or increase mining operations in other countries whose policies are less stringent.

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6422
NPRM Comment Period End	05/10/99	
Supplementary Proposed Rule	10/26/99	64 FR 57613
NPRM Comment Period End	02/23/00	
Final Action	10/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local

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RIN: 1004-AD22

1648. LOCATION RECORDING, AND MAINTENANCE OF MINING CLAIMS AND SITES

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

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: 30 USC 22 to 54; 43 USC 1201; 43 USC 1740

CFR Citation: 43 CFR 3710; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3840; 43 CFR 3850

Legal Deadline: None

Abstract: This rule will amend the mining claim recordation and annual fee collection procedures to conform to the Fiscal Year 1999 Interior and Related Agencies Appropriations Act. It will also consolidate duplicative portions of 43 CFR part 3700 et seq. into 43 CFR part 3800 et seq., and remove the duplicative portions of these regulations from title 43. The interim final rule only implements the statutory changes in the FY 99 Appropriations Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/27/99	64 FR 47018
NPRM	08/27/99	64 FR 47023
NPRM Comment Period End	10/26/99	
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Organizations

Government Levels Affected: None

Additional Information: The \$100 annual maintenance fee and related provisions expired on 9/30/98. The fee and related provisions were extended in the FY 1999 budget legislation. The existing regulations must be amended to conform to the legislation. BLM will take the opportunity to do long-delayed but necessary housekeeping of these parts of title 43 to consolidate duplicative sections.

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RIN: 1004-AD31

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

Bureau of Land Management (BLM)

1649. 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

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Long-Term Actions

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 Period End	11/14/95	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

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RIN: 1004-AC27

BILLING CODE 4310-84-F

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Office of the Secretary (OS)

1650. WILD AND SCENIC RIVERS

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 1278

CFR Citation: 43 CFR 39

Legal Deadline: None

Abstract: This rule would establish uniform standards and procedures by which the Department of the Interior,

through its agencies that administer rivers in the National Wild and Scenic Rivers System (Bureau of Land Management, Fish and Wildlife Service, and National Park Service), will consider Federal licensing of, or assistance to, water resources projects affecting designated Wild and Scenic Rivers or congressionally authorized Study Rivers.

Timetable:

Action	Date	FR Cite
NPRM	12/09/98	63 FR 67834
NPRM Comment Period End	02/08/99	
Final Action	04/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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