Federal Register

Monday,
May 16, 2005

# Part XI

# Department of the Interior

## Semiannual Regulatory Agenda

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
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## 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 spring 2005 and fall 2005. 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 31, 2005.

**Richard A. Stephan,**

*Federal Register Liaison Officer.*

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

| Sequence Number | Title | Regulation Identifier Number |
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| 1443 | Collection of Debts by Administrative Wage Garnishment | 1090–AA93 |

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

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| 1445 | Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division | 1090–AA73 |

### Office of Hearings and Appeals—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
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### Office of Hearings and Appeals—Completed Actions

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| 1447 | Indian Probate Adjudication | 1094–AA50 |

### Office of the Special Trustee—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
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| 1448 | Procedures for Depositing Funds | 1035–AA04 |

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### Office of the Special Trustee—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1449 | American Indian Trust Fund Management Reform Act | 1035–AA05 |

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| Sequence Number | Title | Regulation Identifier Number |
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| 1450 | Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21 | 1018–AI66 |
| 1451 | Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes | 1018–AI97 |
| 1452 | Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States | 1018–AJ24 |
| 1453 | Migratory Bird Hunting; Blanket Approval of Tungsten/Nickel/Iron Shot as Nontoxic for Hunting Waterfowl and Coots | 1018–AU09 |
| 1454 | Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Pacific Coast Distinct Population Segment of the Western Snowy Plover | 1018–AU11 |
| 1455 | Migratory Bird Hunting; Approval of Tungsten-Copper-Tin-Iron Shot as Nontoxic for Hunting Waterfowl and Coots | 1018–AU13 |
| 1456 | General Permit Procedures; Revision to Appeal Process for Migratory Bird Permits | 1018–AU19 |
| 1457 | Migratory Bird Hunting; Approval of 58 Percent Tungsten/34 Percent Tin/4 Percent Iron Shot as Nontoxic for Hunting Waterfowl and Coots | 1018–AU28 |

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| 1458 | Seizure and Forfeiture Procedures—50 CFR Part 12 | 1018–AC89 |
| 1459 | Convention on International Trade in Endangered Species (CITES) | 1018–AD87 |
| 1460 | U.S. Proposals for CITES Appendix III; American Eel | 1018–AF09 |
| 1461 | Endangered and Threatened Wildlife and Plants; Removing of the Bald Eagle in the Lower 48 States From the List of Endangered and Threatened Wildlife | 1018–AF21 |
| 1462 | Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States | 1018–AF27 |
| 1463 | Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14 | 1018–AF46 |
| 1464 | Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Straight-Horned Markhor Population of the Torghar Region of Baluchistan, Pakistan, From Endangered to Threatened | 1018–AG00 |
| 1465 | Endangered and Threatened Wildlife and Plants; Delisting the Gulf Coast Distinct Population Segment of the Brown Pelican Population in the Southeastern United States | 1018–AG40 |
| 1466 | Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species | 1018–AG64 |
| 1467 | Injurious Wildlife—Addition of Black Carp | 1018–AG70 |
| 1468 | Interagency Guidance for the Prescription of Fishways Pursuant to Section 18 of the Federal Power Act | 1018–AH42 |
| 1469 | Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout From Endangered to Threatened With a Special Rule | 1018–AH57 |
| 1470 | Corrections to Rights-of-Way Regulations | 1018–AI12 |
| 1471 | North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies | 1018–AI13 |
| 1472 | Endangered and Threatened Wildlife and Plants; Reclassification of the American Crocodile From Endangered to Threatened | 1018–AI41 |
| 1473 | Import of Polar Bear Trophies From Canada; Finding for the Gulf of Boothia Population | 1018–AI65 |
| 1474 | Endangered and Threatened Wildlife and Plants; Delisting of the Arizona Agave | 1018–AI79 |
| 1475 | Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened | 1018–AI83 |
| 1476 | U.S. Proposals for CITES Appendix III; Black Cohosh | 1018–AI91 |
| 1477 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-Legged Frog | 1018–AJ16 |
| 1478 | Injurious Wildlife; Silver Carp (Hypophthalmichthys Molitrix) | 1018–AT29 |
| 1479 | Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds | 1018–AT30 |
| 1480 | Endangered and Threatened Wildlife and Plants; Delisting of Mexican Bobcat From List of Endangered Species | 1018–AT31 |
| 1481 | Marine Mammals; and Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program | 1018–AT34 |

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| 1483 | Endangered and Threatened Wildlife and Plants; Reclassification of the Virginia Northern Flying Squirrel From Endangered to Threatened | 1018–AT37 |
| 1484 | Endangered and Threatened Wildlife and Plants; Removal of the Yellowstone Grizzly Bear Population From the List of Endangered and Threatened Species | 1018–AT38 |
| 1485 | Injurious Wildlife; Bighead Carp (Hypophthalmichthys Nobilis) | 1018–AT49 |
| 1486 | Revised Definition of ''Destruction or Adverse Modification'' for Endangered Species Act Section 7 Consultations | 1018–AT50 |
| 1487 | Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened | 1018–AT56 |
| 1488 | Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation | 1018–AT60 |
| 1489 | Listing of Six Foreign Birds Under the Endangered Species Act | 1018–AT62 |
| 1490 | Migratory Bird Hunting: Revision of Language Used in Regulations for Approving Nontoxic Shot for Use in Waterfowl Hunting | 1018–AT67 |
| 1491 | Regulations To Implement the Captive Wildlife Safety Act | 1018–AT69 |
| 1492 | Mosquito and Mosquito-Borne Disease Management | 1018–AT72 |
| 1493 | Strategic Growth of the National Wildlife Refuge System | 1018–AT73 |
| 1494 | Endangered and Threatened Wildlife and Plants; Salt Creek Tiger Beetle Critical Habitat Designation | 1018–AT79 |
| 1495 | Marine Mammals: Proposed Incidental Take Authorization During Specified Activities | 1018–AT82 |
| 1496 | Endangered and Threatened Wildlife and Plants; Removal of the Cui-ui From the List of Endangered and Threatened Species | 1018–AT85 |
| 1497 | Migratory Bird Hunting; Approval of 62 Percent Iron/25 Percent Tungsten/13 Percent Nickel Shot as Nontoxic for Hunting Waterfowl and Coots | 1018–AT87 |
| 1498 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for Southwestern Willow Flycatcher | 1018–AT88 |
| 1499 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the St. Andrew Beach Mouse | 1018–AT90 |
| 1500 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for 3 Willamette Species: Willamette Daisy, Fender's Blue Butterfly, and Kincaid's Lupine | 1018–AT91 |
| 1501 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Willowy Monardella | 1018–AT92 |
| 1502 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Alameda Whipsnake | 1018–AT93 |
| 1503 | Protection of Bald Eagles and Definition | 1018–AT94 |
| 1504 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2006-2007 Subsistence Taking of Wildlife Regulations | 1018–AT98 |
| 1505 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations | 1018–AT99 |
| 1506 | Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for 16 Freshwater Mussels, 1 Freshwater Snail, and 5 Fishes in Tennessee | 1018–AU01 |
| 1507 | Migratory Bird Hunting; Approval of Tungsten-Iron-Copper-Nickel Shot as Nontoxic for Waterfowl Hunting | 1018–AU04 |
| 1508 | Kodiak National Wildlife Refuge Permit requirement for Conservation Easement Lands | 1018–AU08 |
| 1509 | 2005-2006 Refuge-Specific Hunting and Sport Fishing Regulations | 1018–AU14 |
| 1510 | Negotiation of Annual Funding Agreements With Tribes (Manual Chapter) | 1018–AU16 |
| 1511 | Endangered and Threatened Wildlife and Plants; Proposed Correction to the Grizzly Bear Entry in the List of Endangered and Threatened Wildlife | 1018–AU17 |
| 1512 | Proposed Reclassification of the Gray Bat From Endangered to Threatened | 1018–AU20 |
| 1513 | Special Rule for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter (Enhydra lutris kenyoni) | 1018–AU21 |
| 1514 | Reevaluation of Proposed Rule to List the Cactus Ferruginous Pygmy-Owl as Endangered | 1018–AU22 |
| 1515 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Sonoma County Population | 1018–AU23 |

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| 1517 | Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries | 1018–AF44 |
| 1518 | Endangered and Threatened Wildlife and Plants; Tibetan Antelope | 1018–AF49 |
| 1519 | U.S. Proposals for CITES Appendix III; Certain Turtle Species | 1018–AF69 |
| 1520 | Federal Falconry Standards and Falconry Permitting | 1018–AG11 |

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| 1521 | Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub | 1018–AG16 |
| 1522 | National Wildlife Refuge System; Appropriate Refuge Uses | 1018–AG46 |
| 1523 | Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species | 1018–AH53 |
| 1524 | Addition of the Great White Shark and the Cape Stag Beetles to Appendix III Under CITES | 1018–AH66 |
| 1525 | Importation of Exotic Wild Birds Into the United States; Adding Blue-Fronted Amazon Parrots From Argentina's Approved Sustainable Use Management Plan to the Approved List of Non-Captive Bred Species | 1018–AH89 |
| 1526 | Public Notice for CITES Appendix III Listing of Spanish Cedar by the Government of Peru | 1018–AH99 |
| 1527 | Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species | 1018–AI04 |
| 1528 | Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations | 1018–AI07 |
| 1529 | Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod | 1018–AI15 |
| 1530 | Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations | 1018–AI32 |
| 1531 | Endangered and Threatened Wildlife and Plants; Listing the Southwest Alaskan Distinct Population Segment of the Northern Sea Otter | 1018–AI44 |
| 1532 | Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species | 1018–AI67 |
| 1533 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp | 1018–AI71 |
| 1534 | Endangered and Threatened Wildlife and Plants; Nonessential Experimental Population of the Northern Aplomado Falcon | 1018–AI80 |
| 1535 | Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle | 1018–AI82 |
| 1536 | Migratory Bird Permits; Military Readiness Exemption | 1018–AI92 |
| 1537 | Endangered and Threatened Wildlife and Plants; Removal of Eggert's Sunflower From the List of Endangered and Threatened Species and Determination that Designation of Critical Habitat Is Not Prudent | 1018–AJ08 |
| 1538 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk-Vetch | 1018–AJ09 |
| 1539 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion | 1018–AJ10 |
| 1540 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Jacinto Valley Crownscale | 1018–AJ11 |
| 1541 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River Population Segments of Bull Trout | 1018–AJ12 |
| 1542 | Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle | 1018–AJ13 |
| 1543 | Marine Mammals: Revised Definition of "Authentic Native Articles of Handicrafts and Clothing" | 1018–AT48 |
| 1544 | Migratory Bird Permits; Federal Falconry Standards; Adding Connecticut to the List of States That Meet Federal Falconry Standards | 1018–AT63 |
| 1545 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Tiger Salamander, Central DPS; 50 CFR 17 | 1018–AT68 |
| 1546 | Seasons, Harvest Limits, Methods, and Means Related to Taking of Wildlife for Subsistence Uses During 2005-2006 Regulatory Year (Subpart D) | 1018–AT70 |
| 1547 | Endangered and Threatened Wildlife and Plants; Coachella Valley Milk-Vetch Critical Habitat Designation | 1018–AT74 |
| 1548 | Endangered and Threatened Wildlife and Plants; Thread-Leaved Brodiaea Critical Habitat Designation | 1018–AT75 |
| 1549 | Migratory Bird Hunting; 2005-2006 Migratory Game Bird Hunting Regulations | 1018–AT76 |
| 1550 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox | 1018–AT78 |
| 1551 | Subsistence Management Regulations for Public Lands in Alaska; Southwestern Alaska Coastal Areas | 1018–AT81 |
| 1552 | Endangered and Threatened Wildlife and Plants; Critical Habitat for the Arkansas River Shiner | 1018–AT84 |
| 1553 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia | 1018–AT86 |
| 1554 | Endangered and Threatened Wildlife and Plants; Critical Habitat for Western Snowy Plover | 1018–AT89 |
| 1555 | Captive-Bred Wildlife Regulation: Excluding the Captive-Bred Scimitar-Horned Oryx, Addax, and Dama Gazelle From Endangered Status | 1018–AT95 |
| 1556 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2006-2007 Subsistence Taking of Fish and Shellfish Regulations | 1018–AU05 |
| 1557 | Critical Habitat Designation for Four Vernal Pool Crustaceans and Eleven Vernal Pool Plants in California and Southern Oregon | 1018–AU06 |
| 1558 | Amendment of Lower St. Johns River Manatee Refuge in Florida | 1018–AU10 |
| 1559 | Delisting the Preble's Meadow Jumping Mouse | 1018–AU12 |
| 1560 | National Wildlife Refuge System; Mission, Goals, and Purposes | 1018–AU24 |

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### United States Fish and Wildlife Service—Final Rule Stage (Continued)

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| 1562 | National Wildlife Refuge System; Wilderness Stewardship | 1018–AU27 |
| 1563 | Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act | 1018–AU29 |

### United States Fish and Wildlife Service—Long-Term Actions

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| 1564 | Implementation of the 1994 Amendments to the Marine Mammal Protection Act | 1018–AE72 |
| 1565 | 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 |
| 1566 | Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands | 1018–AG23 |
| 1567 | Endangered and Threatened Wildlife and Plants; Listing the Dolly Varden as a Threatened Species in Washington Due to Similarity of Appearance to Bull Trout | 1018–AH68 |
| 1568 | Release of Captive-Reared Mallards | 1018–AI05 |
| 1569 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl | 1018–AI48 |
| 1570 | Migratory Bird Permits; Eiderdown From Iceland | 1018–AI64 |
| 1571 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher | 1018–AI72 |
| 1572 | Migratory Bird Permits; Revisions to General Exceptions | 1018–AI96 |
| 1573 | Revision of Migratory Bird Hunting Regulations | 1018–AI98 |
| 1574 | Revision of the Regulations Governing the Transport of Eagle Feathers | 1018–AJ00 |
| 1575 | Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf | 1018–AJ03 |
| 1576 | Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf | 1018–AJ04 |
| 1577 | Injurious Wildlife Species; Boiga Snakes | 1018–AT28 |
| 1578 | Endangered and Threatened Wildlife and Plants; Amendment to Manatee Protection Areas in Florida (Barge Canal Exception) | 1018–AT39 |
| 1579 | Endangered and Threatened Wildlife and Plants; Listing the Boreal Toad | 1018–AT43 |
| 1580 | Listing the Miami Blue Butterfly as Endangered; Listing the Cassius Blue, Ceraunus Blue, and Nickerbean (Ammon) Blue Butterflies as Threatened Due to Similarity of Appearance to the Miami Blue | 1018–AT51 |
| 1581 | Listing of 7 Foreign Butterfly Species Under the Endangered Species Act | 1018–AT83 |
| 1582 | Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Topeka Shiner | 1018–AU00 |
| 1583 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2007-2008 Subsistence Taking of Wildlife Regulations | 1018–AU15 |

### United States Fish and Wildlife Service—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1584 | General Provisions and General Permit Procedures—50 CFR Part 13 | 1018–AC57 |
| 1585 | Migratory Bird Permits: Scientific Collecting Permits | 1018–AE63 |
| 1586 | Injurious Wildlife; Addition of the Asian Swamp Eel | 1018–AF53 |
| 1587 | Policy on General Conservation Permits | 1018–AF63 |
| 1588 | Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Boulder Darter and the Spotfin Chub in Shoal Creek, Alabama and Tennessee | 1018–AH44 |
| 1589 | Endangered and Threatened Wildlife; Reclassification From Endangered to Threatened Status for Mariana Fruit Bat (Guam), and Threatened Status for Mariana Fruit Bat (CNMI) | 1018–AH55 |
| 1590 | Audit Resolution Policy | 1018–AH69 |

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## United States Fish and Wildlife Service—Completed Actions (Continued)

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| 1591 | Addition by Indonesia of Ramin to Appendix III Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora | 1018–AI08 |
| 1592 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations | 1018–AI38 |
| 1593 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milk-Vetch | 1018–AI78 |
| 1594 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Colorado Butterfly Plant | 1018–AJ07 |
| 1595 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Arroyo Toad | 1018–AT42 |
| 1596 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander Santa Barbara County Population | 1018–AT44 |
| 1597 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Riverside Fairy Shrimp | 1018–AT45 |
| 1598 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2005-2006 Subsistence Taking of Fish and Shellfish Regulations | 1018–AT46 |
| 1599 | Subsistence Management Regulations for Public Lands in Alaska, Subpart A and Subpart B | 1018–AT47 |
| 1600 | Endangered and Threatened Wildlife and Plants; Special Rule to Control the Trade in Threatened Beluga Sturgeon | 1018–AT54 |
| 1601 | CITES Appendix III Listing of the Sea Cucumber (Isostichopus fuscus) by the Government of Ecuador | 1018–AT55 |
| 1602 | Endangered and Threatened Wildlife and Plants; Emergency Critical Habitat Designation for Santa Ana Sucker | 1018–AT57 |
| 1603 | Conferring Designated Port Status on Memphis, TN, Louisville, KY, and Houston, TX | 1018–AT59 |
| 1604 | Regulations for Nonessential Experimental Populations of the Western Distinct Population Segment of the Gray Wolf | 1018–AT61 |
| 1605 | Permit Revocation Regulations for Endangered Species Act Incidental Take Permits | 1018–AT64 |
| 1606 | Endangered and Threatened Wildlife and Plants; Designating Manatee Protection Areas in Lee County, FL | 1018–AT65 |
| 1607 | Endangered and Threatened Wildlife and Plants; Buena Vista Lake Shrew Critical Habitat Designation | 1018–AT66 |
| 1608 | Migratory Bird Subsistence Harvest in Alaska; Proposed Spring/Summer Subsistence Annual Harvest Regulations for Migratory Birds in Alaska During the 2005 Subsistence Season | 1018–AT77 |
| 1609 | Endangered and Threatened Wildlife and Plants; Listing and Critical Habitat for the Sacramento Mountains Checkerspot Butterfly | 1018–AT96 |
| 1610 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2006-2007 Subsistence Taking of Fish and Shellfish Regulations | 1018–AT97 |
| 1611 | Endangered and Threatened Wildlife and Plants; Interim Rule for Beluga Sturgeon (Huso Huso) | 1018–AU02 |

## National Park Service—Proposed Rule Stage

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| 1614 | Revisions to Right-of-Way Regulations | 1024–AD16 |
| 1615 | Cost Recovery for Special Park Uses | 1024–AD18 |
| 1616 | Historic Preservation Certifications | 1024–AD24 |
| 1617 | Vessel Management in Glacier Bay National Park | 1024–AD25 |
| 1618 | Making Pictures, Television Productions or Sound Tracks | 1024–AD30 |
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## National Park Service—Final Rule Stage

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| 1622 | Pictured Rocks National Lakeshore; Personal Watercraft | 1024–AC93 |
| 1623 | Fire Island National Seashore; Personal Watercraft | 1024–AC94 |
| 1624 | Bighorn Canyon National Recreation Area; Personal Watercraft | 1024–AC96 |
| 1625 | Native American Graves Protection and Repatriation Act; Future Applicability | 1024–AD05 |
| 1626 | Boating and Water Use Activities | 1024–AD07 |

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### National Park Service—Final Rule Stage (Continued)

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| 1629 | Apostle Islands; Snowmobiles | 1024–AD26 |

### National Park Service—Completed Actions

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| 1631 | Golden Gate National Recreation Area; Special Regulations | 1024–AD03 |
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| 1648 | Probate of Indian Estates, Except for Members of the Five Civilized Tribes | 1076–AE59 |
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| 1651 | Leasing of Osage Reservation Lands for Oil and Gas Mining | 1076–AE62 |
| 1652 | Surface Exploration, Mining, and Reclamation of Lands | 1076–AE63 |
| 1653 | Lead and Zinc Mining Operations and Leases, Quapaw Agency | 1076–AE64 |
| 1654 | Leasing of Osage Reservation Lands, Oklahoma: Mining—Except Oil and Gas | 1076–AE65 |
| 1655 | Leasing of Restricted Lands of Members of the Five Civilized Tribes, Oklahoma: Mining | 1076–AE66 |
| 1656 | Leasing of Allotted Lands for Mineral Development | 1076–AE67 |
| 1657 | Leasing of Tribal Lands for Mineral Development | 1076–AE68 |
| 1658 | Terms and Conditions: Coal Leases | 1076–AE69 |
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| 1660 | Probate of Indian Estates—Appeals to the Office of Hearings and Appeals | 1076–AE71 |
| 1661 | General Forestry Regulations | 1076–AE72 |
| 1662 | Leases and Permits | 1076–AE73 |

### Bureau of Indian Affairs—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1663 | Irrigation Projects and Systems | 1076–AD44 |

## DOI

### Bureau of Indian Affairs—Final Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1664 | Alaska Resupply Operation | 1076–AE04 |
| 1665 | Leases and Permits on Indian Trust and Restricted Lands | 1076–AE36 |
| 1666 | Reindeer in Alaska | 1076–AE37 |
| 1667 | Navajo Partitioned Lands Grazing Permits | 1076–AE46 |
| 1668 | Home-Living Programs and School Closure and Consolidation | 1076–AE51 |
| 1669 | Winnemucca Court of Indian Offenses | 1076–AE52 |

### Bureau of Indian Affairs—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1670 | Certificates of Degree of Indian Blood | 1076–AD97 |

### Bureau of Indian Affairs—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1671 | Buy Indian Act Regulations | 1076–AE07 |
| 1672 | Indian Highway Safety Program | 1076–AE47 |
| 1673 | No Child Left Behind Act of 2001 | 1076–AE49 |
| 1674 | Conforming Amendments To Implement the No Child Left Behind Act of 2001 | 1076–AE54 |

### Minerals Management Service—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1675 | Requirements for Material, Personnel and Pipe Handling Operations | 1010–AD14 |
| 1676 | Safety Management Systems | 1010–AD15 |
| 1677 | Cost Recovery for Plans, Permits, and Inspections for Oil and Gas Operations in the Outer Continental Shelf | 1010–AD23 |

### Minerals Management Service—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1678 | Late and Overpayment Interest | 1010–AC27 |
| 1679 | Takes vs. Entitlements Reporting | 1010–AC29 |
| 1680 | Prepayment of Royalties | 1010–AC31 |
| 1681 | Royalty Relief Terms | 1010–AC58 |
| 1682 | Data Release and Definitions | 1010–AC99 |
| 1683 | Valuation of Oil From Indian Leases | 1010–AD00 |
| 1684 | Reduction to Royalty Relief in Special Circumstances | 1010–AD02 |
| 1685 | Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf | 1010–AD06 |
| 1686 | Protection of Marine Mammals and Endangered Species | 1010–AD10 |
| 1687 | Pipeline Safety Rule Phase I | 1010–AD11 |
| 1688 | Oil and Gas Production Rates | 1010–AD12 |
| 1689 | Rights of Use and Easement | 1010–AD13 |
| 1690 | Administrative Cost Recovery for OCS Oil and Gas Operations | 1010–AD16 |
| 1691 | Open and Nondiscriminatory Movement of Oil and Gas as Required by the Outer Continental Shelf Lands Act | 1010–AD17 |
| 1692 | Revisions to Rules Governing Platforms and Structures and Pipelines | 1010–AD18 |
| 1693 | Oil and Gas Well Cementing Requirements | 1010–AD19 |
| 1694 | Reporting and Compliance With the Debt Collection Improvement and Privacy Acts | 1010–AD20 |

## DOI

### Minerals Management Service—Proposed Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1695 | Federal Sodium and Potassium Valuation | 1010–AD21 |

### Minerals Management Service—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1696 | Plans and Information | 1010–AC47 |
| 1697 | Incident Reporting | 1010–AC57 |
| 1698 | Proprietary Terms and Data Disclosure | 1010–AC81 |
| 1699 | Documents Incorporated by Reference for Offshore Floating Production Facilities | 1010–AC85 |
| 1700 | Blowout Prevention for Production Tree Coiled Tubing Workover Operations | 1010–AC96 |
| 1701 | Federal Gas Valuation | 1010–AD05 |
| 1702 | Suspension of Operations for Ultra-Deep Drilling | 1010–AD09 |
| 1703 | Providing Contact Information to MMS | 1010–AD22 |

### Minerals Management Service—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1704 | Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration | 1010–AC95 |
| 1705 | Federal Oil Valuation | 1010–AD04 |

### Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1706 | Abandoned Coal Refuse Sites | 1029–AB70 |
| 1707 | Revegetation | 1029–AC02 |
| 1708 | Financial Assurances | 1029–AC05 |

### Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1709 | Indian Lands | 1029–AB83 |
| 1710 | Processing State Program Amendments | 1029–AC06 |
| 1711 | Ownership and Control Settlement Rule | 1029–AC08 |
| 1712 | Fee Allocation Rule | 1029–AC47 |
| 1713 | Civil Penalty Adjustments | 1029–AC48 |
| 1714 | Transfer, Assignment, or Sale of Permit Rights | 1029–AC49 |

### Office of Surface Mining Reclamation and Enforcement—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1715 | Placement of Excess Spoil | 1029–AC04 |

## DOI

### Bureau of Reclamation—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1716 | Public Conduct on Bureau of Reclamation Facilities, Lands and Waterbodies | 1006–AA45 |
| 1717 | Implemenation of the Truckee River Operating Agreement | 1006–AA48 |

### Bureau of Reclamation—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1718 | Public Conduct on Bureau of Reclamation Lands and Projects; Extension of Expiration Date | 1006–AA49 |

### Bureau of Land Management—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1719 | Mining Claims Under the General Mining Law; Surface Management | 1004–AD69 |

### Bureau of Land Management—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1720 | Cost Recovery; Mineral Filings and Operations | 1004–AC64 |
| 1721 | Mineral Patent Applications; Adverse Claims, Protests, and Conflicts | 1004–AD32 |
| 1722 | Conservation; Helium Leasing | 1004–AD35 |
| 1723 | Oil and Gas Onshore Order No. 1 | 1004–AD59 |
| 1724 | Alaska Native Veteran Allotments | 1004–AD60 |
| 1725 | Marginal Oil/Gas Royalty Rate Reduction Program | 1004–AD65 |
| 1726 | Public Lands and Resources; Law Enforcement—Criminal; Recreation Programs | 1004–AD66 |
| 1727 | Heavy Oil Royalty Reduction Program | 1004–AD67 |
| 1728 | Permits for Recreation on Public Lands | 1004–AD68 |
| 1729 | Sales of Forest Products; Preparation for Sale | 1004–AD70 |

### Bureau of Land Management—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1730 | Grazing Administration—Exclusive of Alaska | 1004–AD42 |

### Bureau of Land Management—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1731 | Appeals Procedures; Hearings Procedures | 1004–AC99 |

### Bureau of Land Management—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1732 | Desert Land Entries | 1004–AC56 |

## DOI

### Bureau of Land Management—Completed Actions (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1733 | Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act | 1004–AC74 |
| 1734 | Oil and Gas Leasing Operations; Bonding | 1004–AD56 |
| 1735 | Land Use Planning | 1004–AD57 |

### Office of the Secretary—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|---|---|---|
| 1736 | Payment in Lieu of Taxes | 1093–AA09 |

## Department of the Interior (DOI) — Final Rule Stage

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

### 1442. HYDROPOWER LICENSING: CONDITIONS AND PRESCRIPTIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 3; 16 USC 668dd(d)(1); 25 USC 2; 25 USC 9; 43 USC 1201; 43 USC 1740; 5 USC 301

**CFR Citation:** 43 CFR 25

**Legal Deadline:** None

**Abstract:** The Department of the Interior proposes a public review process for hydropower conditions and prescriptions established by the Department under the Federal Power Act. The Department also proposes to create an administrative appeals process for review of these measures. The Federal Power Act authorizes the Department to include in hydropower licenses issued by the Federal Energy Regulatory Commission conditions and prescriptions necessary to protect Federal and tribal lands and resources when navigable waterways or Federal reservations are used for hydropower generation. These proposed processes are designed to coincide with and complement the commission's overall licensing process.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/09/04 | 69 FR 54602 |
| NPRM Comment Period End | 11/08/04 | |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** William Bettenberg, Director, Office of Policy Analysis, Department of the Interior, Room 4426 MIB 1849 C Street NW, Washington, DC 20240
Phone: 202 208–5978
Fax: 202 208–4867

**RIN:** 1090–AA91

### 1443. • COLLECTION OF DEBTS BY ADMINISTRATIVE WAGE GARNISHMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 31 USC 3720D

**CFR Citation:** 43 CFR 39

**Legal Deadline:** None

**Abstract:** This rule adopts the authority established under the Debt Collection Improvement Act (DCIA) to use administrative wage garnishment to collect delinquent non-tax debts. The DCIA allows a Federal agency collecting delinquent non-tax debt from a non-Federal employee to issue a wage garnishment order without first obtaining a court order. In order to be allowed to use this procedure, the Department adopts, without change, the administrative wage garnishment regulations issued by the Department of the Treasury.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** William Webber, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW MS 5412 MIB, Washington, DC 20240
Phone: 202 208–5684

**RIN:** 1090–AA93

## Department of the Interior (DOI) — Long-Term Actions
## Assistant Secretary for Policy, Management and Budget (ASPMB)

### 1444. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES

**Priority:** Other Significant

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

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

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

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 07/16/96 | 61 FR 37031 |
| ANPRM Comment Period End | 09/16/96 | |
| NPRM | To Be Determined | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Frank DeLuise, Assessment Program, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Room 4449 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4143

**RIN:** 1090–AA29

### 1445. DEPARTMENT HEARINGS AND APPEALS; PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 571 to 583

**CFR Citation:** 25 CFR 15; 30 CFR 301; 43 CFR 1850; 43 CFR 4

**Legal Deadline:** None

**Abstract:** This proposed rule would amend regulations governing case management and case processing by administrative law judges in OHA field offices. The rules are necessary to increase efficiency in case processing.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Charles E. Breece, Deputy Director, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 801 N. Quincy Street Suite 300, Arlington, VA 22203
Phone: 703 235–3810

**RIN:** 1090–AA73

BILLING CODE 4310—RK—S

## Department of the Interior (DOI) — Proposed Rule Stage
## Office of Hearings and Appeals (OHA)

### 1446. EQUAL ACCESS TO JUSTICE ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 96–481

**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

**Abstract:** Under this Act, an eligible person may obtain reimbursement for attorney's fees when the person prevails over the Department in a legal proceeding. This rule establishes procedures for submitting and consideration of reimbursement requests.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, Interior Board of Appeals, 801 N. Quincy Street, Arlington, VA 20003
Phone: 703 235–3750

**RIN:** 1094–AA49

## Department of the Interior (DOI) — Completed Actions
## Office of Hearings and Appeals (OHA)

### 1447. INDIAN PROBATE ADJUDICATION

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 15; 43 CFR 4

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 03/09/05 | 70 FR 11804 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Teresa LeBlanc
Phone: 703 235–0188

**RIN:** 1094–AA50

BILLING CODE 4310—79—S

## Department of the Interior (DOI) — Proposed Rule Stage
## Office of the Special Trustee (OST)

### 1448. PROCEDURES FOR DEPOSITING FUNDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 89 Stat 1145

**CFR Citation:** 25 CFR 124

**Legal Deadline:** None

**Abstract:** This rule will amend 25 CFR part 124 to update organizational references and to clarify procedures. We are publishing this document as a direct final rule because it removes from the Code of Federal Regulations material that relates solely to internal procedures of the Office of the Special Trustee and the removal will not affect the public or Indian tribes.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Lorie Curtis, Department of the Interior, Office of the Special Trustee, 4400 Masthead Ave. NE, Albuquerque, NM 87109
Phone: 505 816–1203

**RIN:** 1035–AA04

## Department of the Interior (DOI) — Final Rule Stage
## Office of the Special Trustee (OST)

### 1449. AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 4001

**CFR Citation:** 25 CFR 1200

**Legal Deadline:** None

**Abstract:** Part 1200 describes the processes by which Indian tribes can manage tribal funds currently held in trust by the United States. It describes how tribes may withdraw their funds from trust status, how they may return funds to trust status, and how they may request technical assistance or grants to help prepare or manage funds or to ensure capability to manage those funds. This rulemaking updates certain titles, addresses, and document references.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Action | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** 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–AA05

BILLING CODE 4310—10—S

## Department of the Interior (DOI) — Prerule Stage
## United States Fish and Wildlife Service (FWS)

### 1450. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION; 50 CFR 17.21

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17.21(g)

**Legal Deadline:** None

**Abstract:** Section 17.21(g) of title 50 of the Code of Federal Regulations addresses education as a valid component of Endangered Species Act approved programs. An advanced notice of proposed rulemaking will request public input on conservation education requirements that will be used in the development of a proposed rule that will propose a Service position on conservation education.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2350
Fax: 703 358–2281
Email: tim__vannorman@fws.gov

**RIN:** 1018–AI66

### 1451. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING POSSESSION OF MIGRATORY BIRDS FOR EDUCATIONAL PURPOSES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 92 Stat 3112 (16 USC 712(2)); PL 95–616; PL 106–108; 16 USC 668a; 16 USC 703 to 712; . . .

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** This request for comments will generate input needed to develop a proposed regulation to amend migratory bird permit regulations to create a new permit category establishing conditions and criteria for obtaining a permit to possess migratory birds, including eagles, for educational purposes. Currently, this activity is authorized by a miscellaneous permit category.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI97

### 1452. 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:** We plan to propose to publish an advance notice of proposed rulemaking to ask the public for comments and input into the best process and spectrum of updates needed to amend the regulations that establish standards for the humane and healthful transport of wild birds and mammals. These regulations have not been amended in more than 10 years and are currently not in accordance with international requirements.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AJ24

### 1453. • MIGRATORY BIRD HUNTING; BLANKET APPROVAL OF TUNGSTEN/NICKEL/IRON SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

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

**Legal Authority:** 40 Stat. 755; 16 USC 703–712; 16 USC 742a–j; PL 106–108; 113 Stat. 1491; . . .

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** We received an application for blanket approval of tungsten/nickel/iron shot as nontoxic for use in waterfowl hunting. We are obligated under regulations at 50 CFR 20.134 to consider all such applications.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Dr. George T. Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203–1610
Phone: 703 358–1825
Fax: 703–358–2217
Email: george__t__allen@fws.gov

**RIN:** 1018–AU09

### 1454. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; 4(D) RULE FOR THE PACIFIC COAST DISTINCT POPULATION SEGMENT OF THE WESTERN SNOWY PLOVER

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is planning to propose a special rule for the Pacific Coast population of the western snowy plover under section 4(d) of the Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AU11

### 1455. • MIGRATORY BIRD HUNTING; APPROVAL OF TUNGSTEN–COPPER–TIN–IRON SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

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

**Legal Authority:** 40 Stat. 755; 16 USC 703–712; 16 USC 742a–j; PL 106–108; 113 Stat. 1491; . . .

**CFR Citation:** 50 CFR 20

**Legal Deadline:** Other, Statutory, February 21, 2005, ANPRM must publish within 30 days of receipt of application.
NPRM, Statutory, April 21, 2005, NPRM (or announcement of nonapproval) must publish within 90 days of receipt of application.
Within 30 days of receipt of the application, FWS Director reviews it and notifies applicant that thorough review of the application will commence; Notice of Application will appear in the **Federal Register** announcing the initiation of review of a Tier 1 application. Complete review of a Tier 1 application will occur within 60 days of the date the Notice of Application is published in the **Federal Register**. Additional deadlines occur upon acceptance/nonacceptance of application.

**Abstract:** The Service has received an application to approve shot formulated of 60 percent tungsten, 35 percent copper, 3.9 percent tin, and 1 percent iron as nontoxic for waterfowl and coot hunting in the United States. The Service will assess possible toxicity effects of the Tungsten-Copper-Tin-Iron (TCTI) shot and determine whether approval of the shot for hunting waterfowl and coots is warranted.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. George T. Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203–1610
Phone: 703 358–1825
Fax: 703–358–2217

Email: george__t__allen@fws.gov

**RIN:** 1018–AU13

### 1456. • GENERAL PERMIT PROCEDURES; REVISION TO APPEAL PROCESS FOR MIGRATORY BIRD PERMITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668a; 16 USC 703 to 712

**CFR Citation:** 50 CFR 13.29

**Legal Deadline:** None

**Abstract:** The Service will propose to revise the permit appeal process to transfer the final appeal decision on migratory bird permits to the Director. Migratory bird permits are issued in the Service's seven Regional offices. Current regulations provide that when a permit is denied, and a subsequent request for reconsideration is denied, an appeal may be submitted to the Regional Director for the Region in which the issuing office is located. Adjusting the review structure in the Regions and transferring the final appeal decision to the Director will better ensure consistent permit decisions nationally.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

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

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

**Energy Effects:** Statement of Energy Effects planned as required by Executive Order 13211.

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AU19

### 1457. • MIGRATORY BIRD HUNTING; APPROVAL OF 58 PERCENT TUNGSTEN/34 PERCENT TIN/4 PERCENT IRON SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

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

**Legal Authority:** 40 Stat. 755; 16 USC 703 to 712; Fish and Wildlife Act of 1956; 16 USC 742a–j; PL 106–108; 113 Stat. 1491; Note Following 16 USC 703

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** On March 16, 2005, the Service received an application from Nice Shot, Inc., of Albion, Pennsylvania, for approval of tungsten-tin-iron shot for use in waterfowl hunting. The Service is obligated under the regulations at 50 CFR 20.134 to consider all such applications.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Dr. George T. Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203–1610
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**RIN:** 1018–AU28

## Department of the Interior (DOI) — Proposed Rule Stage
## United States Fish and Wildlife Service (FWS)

### 1458. SEIZURE AND FORFEITURE PROCEDURES—50 CFR PART 12

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3371 et seq

**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 and administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisement, 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. In August 2000, the Civil Asset Forfeiture Reform Act became law. CAFRA mandated many changes to 50 CFR 12 that are incorporated in this second proposed rule.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/27/95 | 60 FR 58468 |
| Second NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS–LE–3000 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1949
Fax: 703 358–1947
Email: kevin__adams@fws.gov

**RIN:** 1018–AC89

### 1459. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)

**Priority:** Other Significant

**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 second through twelfth meetings of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/08/00 | 65 FR 26663 |
| Correction | 06/29/00 | 65 FR 40167 |
| Second NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal, State

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AD87

## 1460. U.S. PROPOSALS FOR CITES APPENDIX III; AMERICAN EEL

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This action would add American eel to Appendix III to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). 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 | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Email: marie__maltese@fws.gov

**RIN:** 1018–AF09

## 1461. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVING OF THE BALD EAGLE IN THE LOWER 48 STATES FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to release additional supplementary information on the previous proposal to remove the bald eagle from the List of Endangered and Threatened Species. This action is based on continued recovery gains and increasing population trends.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/06/99 | 64 FR 36454 |
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AF21

## 1462. HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES, AND AMPHIBIANS TO THE UNITED STATES

**Priority:** Substantive, Nonsignificant

**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 | 09/00/05 | |
| Final Action | 03/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AF27

## 1463. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE, 50 CFR PART 14

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668, 704, 712, 1382, 1538(d) to (f), and 1540(f); 16 USC 3371 to 3378, 4223 to 4244, and 4901 to 4916; 18 USC 42; 31 USC 9701

**CFR Citation:** 50 CFR 14

**Legal Deadline:** None

**Abstract:** This proposed rule will revise the importation, exportation, and transportation regulations pertaining to the movement of all wildlife and wildlife products into or out of the United States.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 07/15/98 | 63 FR 38143 |
| NPRM | 04/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS–LE–3000 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1949
Fax: 703 358–1947
Email: kevin__adams@fws.gov

**RIN:** 1018–AF46

### 1464. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT–HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALUCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We received a petition to reclassify a certain population of the straight-horned markhor from endangered to threatened. We must determine whether a status review shows that the petitioned action is warranted; if so, we will propose to change the classification of the straight-horned markhor population of the Torghar Hills region of Baluchistan 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 |
|---|---|---|
| NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: michael__kreger@fws.gov

**RIN:** 1018–AG00

### 1465. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE GULF COAST DISTINCT POPULATION SEGMENT OF THE BROWN PELICAN POPULATION IN THE SOUTHEASTERN UNITED STATES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to remove the Gulf Coast population of the brown pelican (Texas, Louisiana, Mississippi) from the List of Endangered and Threatened Species. We propose this action because the available data indicate that the threats to the species in this range have been removed or reduced and, as a result, brown pelican breeding levels have been and continue to be at or above historical levels, and population numbers and productivity continue to increase.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
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**RIN:** 1018–AG40

### 1466. WILD BIRD CONSERVATION ACT: REVIEW OF APPROVED LIST OF CAPTIVE–BRED SPECIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4901 to 4916

**CFR Citation:** 50 CFR 15

**Legal Deadline:** None

**Abstract:** Under the Wild Bird Conservation Act, a species may be exempt from the prohibitions of the Act if it qualifies for inclusion in an approved list. One way for a species to be included is if the species occurs in trade only as captive-bred specimens. We intend to seek information and consider whether to amend this approved list, which was established in 1994.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Notice | 05/29/01 | 66 FR 29072 |
| NPRM | 04/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
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**RIN:** 1018–AG64

### 1467. INJURIOUS WILDLIFE—ADDITION OF BLACK CARP

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** We will review economic and biological information on the black carp (Mylopharyngodon piceus) for possible addition to the list of injurious wildlife under the Lacey Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/30/02 | 67 FR 49280 |
| NPRM Comment Period Reopened | 06/04/03 | 68 FR 33431 |
| Second NPRM—Notice of Draft Envir. Assess/Econ. Analysis | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

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

**Government Levels Affected:** Undetermined

**Agency Contact:** Erin Williams, Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2034
Email: erin__williams@fws.gov

**RIN:** 1018–AG70

### 1468. INTERAGENCY GUIDANCE FOR THE PRESCRIPTION OF FISHWAYS PURSUANT TO SECTION 18 OF THE FEDERAL POWER ACT

**Priority:** Other Significant

**Legal Authority:** 16 USC 791(a) et seq

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This will make publicly available, and describe the intent of, internal guidance for us (the Fish and Wildlife Service) and the National Marine Fisheries Service regarding the prescription of fishways under section 18 of the Federal Power Act, for non-Federal hydropower projects licensed by the Federal Energy Regulatory Commission. It will also provide clarification of the terms ''fish'' and ''fishway.'' The guidance document will be reviewed following a 2-year trial period, and the information obtained will be used to support a final action.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Notice of Proposed Policy | 12/22/00 | 65 FR 80898 |
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Robin Nims–Elliott, Chief, Branch of Advanced Planning & Habitat Restoration, Div. of Habitat & Resource Conservation, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2161
Email: robin__nimselliot@fws.gov

**RIN:** 1018–AH42

## 1469. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED WITH A SPECIAL RULE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to reclassify the Gila trout from endangered to threatened, with a special rule. This action is based on recovery.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AH57

## 1470. CORRECTIONS TO RIGHTS–OF–WAY REGULATIONS

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

**Legal Authority:** PL 101–475

**CFR Citation:** 50 CFR 29

**Legal Deadline:** None

**Abstract:** The Service proposes to make revisions to the Rights-of-Way General Regulations in 50 CFR 29 subpart B. The revisions will correct the address of our Region 5 Office in 50 CFR 29.21-2(c)(5). We will also implement section 1 of Public Law 101-475 by correcting the names of the House and Senate Committees we must notify upon receipt of an application for a right-of-way for an oil and gas pipeline that is 24 inches or more in diameter and again before granting right-of-way. Finally, the proposed revised regulation will delete the reference to a 60-day waiting period after notification of our intent to grant the right-of-way. (The waiting period was repealed by Congress.)

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Brenda Johnson–Turner, Realty Specialist, Department of the Interior, United States Fish and Wildlife Service, 4401 N Fairfax Dr, Arlington, VA 22203
Phone: 703 358–2363
Email: brenda__johnson-turner@fws.gov

**RIN:** 1018–AI12

## 1471. NORTH AMERICAN WETLANDS CONSERVATION ACT AND NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT GRANT ADMINISTRATION POLICIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4401 et seq; 16 USC 6101 et seq

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The Grant Administration Policies document is being published to explain the North American Wetlands Conservation Act (NAWCA) and Neotropical Migratory Bird Conservation Act (NMBCA) grants programs and to guide the grants administration process.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Dr. Keith A. Morehouse, Department of the Interior, United States Fish and Wildlife Service, MS 110, Div. of Bird Habitat Conservation MS MB4075, Arlington Square 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1784
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Email: keith__morehouse@fws.gov

**RIN:** 1018–AI13

## 1472. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE AMERICAN CROCODILE FROM ENDANGERED TO THREATENED

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to reclassify the American crocodile from endangered to threatened. This action is based on the substantial improvement in the species' status and improved understanding of the species' biology and management needs. Since its listing in 1975, the population of the American crocodile in Florida has more than doubled and its distribution has expanded. Land

acquisition has also provided protection for many important nesting areas.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 03/24/05 | 70 FR 15052 |
| NPRM Comment Period End | 05/23/05 | |
| Review of Comments | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AI41

## 1473. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDING FOR THE GULF OF BOOTHIA POPULATION

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 18.30

**Legal Deadline:** None

**Abstract:** This rule announces proposed findings on the import of polar bears (Ursus maritimus) taken in sport hunts from the Canadian Gulf of Boothia polar bear population under the Marine Mammal Protection Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AI65

## 1474. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE ARIZONA AGAVE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to remove the Arizona agave (Agave arizonica), a plant, from the list of threatened and endangered species. Since the listing, a growing body of evidence has led to the determination that the succulent—found only where the range of Toumey's agave (Agave toumeyana var. bella) and the golden-flowered agave (Agave chrysantha) overlap—is indeed a hybrid of the two parent-species. Controlled experiments on the reproductive limitations of the Arizona agave conducted at the Desert Botanical Garden in Phoenix have confirmed that the plant is a hybrid. Hybrid plants—a phenomenon common among agaves—are not eligibile for protection under the Endangered Species Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AI79

## 1475. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DOWNLISTING THE WOOD BISON FROM ENDANGERED TO THREATENED

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to publish a proposed rule to downlist the Wood bison from endangered to threatened. This action is being considered because of progress in the recovery of this species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Gabel, Chief, Division 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
Fax: 703 358–2276
Email: roddy__gabel@fws.gov

**RIN:** 1018–AI83

## 1476. U.S. PROPOSALS FOR CITES APPENDIX III; BLACK COHOSH

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This rule would list black cohosh in appendix III to CITES, for the purposes of more effective monitoring of trade, ensuring that traded specimens are legally acquired in their State(s) of origin, and obtaining the cooperation of other countries that are parties to CITES in controlling the trade in such specimens.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Patricia S. De Angelis, Botanist, Division of Scientific Authority; Chair, Plant Conserv. All., Medicinal Plant Workg. Gp., Department of the Interior, United States Fish and Wildlife Service, 4401 N Fairfax Dr., Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: patricia__deangelis@fws.gov

**RIN:** 1018–AI91

### 1477. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA RED–LEGGED FROG

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, March 31, 2004, Settlement agreement. Final, Judicial, November 2005.

**Abstract:** We will re-propose the designation of critical habitat for the California red-legged frog, a threatened species endemic to California and Baja California, Mexico.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/13/04 | 69 FR 19619 |
| NPRM | 05/00/05 | |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AJ16

### 1478. INJURIOUS WILDLIFE; SILVER CARP (HYPOPHTHALMICHTHYS MOLITRIX)

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** We will review economic and biological information on silver carp for possible addition to the list of injurious wildlife under the Lacey Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 07/23/03 | 68 FR 43482 |
| NPRM–Draft Economic Analysis | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

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

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Erin Williams, Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2034
Email: erin__williams@fws.gov

**RIN:** 1018–AT29

### 1479. WILD BIRD CONSERVATION ACT; REVIEW OF REGULATIONS TO ALLOW IMPORTS OF EXOTIC WILD BIRDS

**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 review the existing Wild Bird Conservation Act regulations to allow imports of exotic wild birds and make modifications as appropriate. On the basis of our experience and the feedback of applicants, we will streamline procedures and make the regulations more user-friendly.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
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**RIN:** 1018–AT30

### 1480. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF MEXICAN BOBCAT FROM LIST OF ENDANGERED SPECIES

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

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We received a petition to delist the Mexican bobcat (Lynx rufus escuinapae). If we determine as a result of our status review, based on our review of the best available scientific information, that the species does not meet the definitions of endangered or threatened in the ESA (i.e., that delisting is warranted), we will propose a rule to delist the Mexican bobcat and remove it from the List of Endangered Species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
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**RIN:** 1018–AT31

### 1481. MARINE MAMMALS; AND ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED TERMINATION OF THE SOUTHERN SEA OTTER TRANSLOCATION PROGRAM

**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 to terminate the southern sea otter translocation program and change regulations to allow sea otters residing in designated translocation and

management zones to remain after the zones are abolished. The southern sea otter translocation program, established under authority of Public Law 99-625, has failed to meet its established goals and objectives. A draft supplemental environmental impact statement (SEIS), to be released for public comment concurrent with the proposed rule, includes a full evaluation of the southern sea otter translocation program and alternatives for the future of the program. The proposed rule describes the actions necessary to implement the proposed action identified in the SEIS. This decision is consistent with recommendations from the southern sea otter recovery team and resolves conflicts that have arisen between Fish and Wildlife Service mandates under the ESA and PL 99-625.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |
| Final Action | 05/00/06 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Martin Kodis, Chief, Branch of Resource Management Support, Division of Habitat and Resource Conservation, Department of the Interior, United States Fish and Wildlife Service, 400 ARL SQ, 4401 North Fairfax Drive, Arlington, VA 22203
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Fax: 703 358–1869
Email: martin__kodis@fws.gov

**RIN:** 1018–AT34

## 1482. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO THE NONESSENTIAL EXPERIMENTAL POPULATION RULE FOR THE MEXICAN GRAY WOLF

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is exploring a revision to the Mexican gray wolf nonessential experimental population rule. In 2000, a panel of scientists recommended a revision to the experimental population rule after conducting a 3-year review of the program. The Service intends to allow for the direct release of wolves into an expanded release area, but still within the area where wolves are currently authorized to occur. The Service also plans to expand upon the designated recovery area, allowing for greater management flexibility when a wolf travels outside of this area.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
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Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AT36

## 1483. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE VIRGINIA NORTHERN FLYING SQUIRREL 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 will reclassify the Virginia northern flying squirrel from endangered to threatened.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AT37

## 1484. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE YELLOWSTONE GRIZZLY BEAR POPULATION FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service will remove the Yellowstone population of grizzly bears from the List of Endangered and Threatened Species. This population has reached its recovery goals.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AT38

## 1485. INJURIOUS WILDLIFE; BIGHEAD CARP (HYPOPHTHALMICHTHYS NOBILIS)

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** We will review economic and biological information on bighead carp for possible addition to the list of injurious wildlife under the Lacey Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 09/17/03 | 68 FR 54409 |
| NPRM–Draft Economic Analysis | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

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

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Erin Williams, Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2034
Email: erin__williams@fws.gov

**RIN:** 1018–AT49

## 1486. REVISED DEFINITION OF ''DESTRUCTION OR ADVERSE MODIFICATION'' FOR ENDANGERED SPECIES ACT SECTION 7 CONSULTATIONS

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

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

**CFR Citation:** 50 CFR 402.02

**Legal Deadline:** None

**Abstract:** Fish and Wildlife Service and National Marine Fisheries Service will revise the definition of ''destruction or adverse modification'' to reflect the two Circuit Court of Appeals' decisions that the existing regulation is invalid.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ–420, 4401 N. Fairfax Drive Mailstop ARL–SQ 420, Arlington, VA 22203
Phone: 703 358–2106
Fax: 703 358–1735
Email: rick__sayers@fws.gov

**RIN:** 1018–AT50

## 1487. SPECIAL RULE RECLASSIFYING ARGENTINIAN BROAD–SNOUTED CAIMAN POPULATION FROM ENDANGERED TO THREATENED

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

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to propose to downlist the broad-snouted caiman (Caiman latirostris) population in Argentina from endangered to threatened under the Endangered Species Act, with a special rule (under section 4(d) of ESA) allowing the importation into the United States of skins and products from the Argentinian population of broad-snouted caiman, if certain conditions are satisfied.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: michael__kreger@fws.gov

**RIN:** 1018–AT56

## 1488. MIGRATORY BIRD PERMITS; CHANGES IN REGULATIONS GOVERNING RAPTOR PROPAGATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 703 to 712

**CFR Citation:** 50 CFR 21.30

**Legal Deadline:** None

**Abstract:** We propose reorganization of current regulations, and adding or changing of some provisions therein. The changes will make it easier to understand the requirements for raptor propagation and the procedures for obtaining a propagation permit.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**Related RIN:** Related to 1018–AG11

**RIN:** 1018–AT60

## 1489. LISTING OF SIX FOREIGN BIRDS UNDER THE ENDANGERED SPECIES ACT

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We propose to list six foreign bird species under the Endangered Species Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Email: marie__maltese@fws.gov

**RIN:** 1018–AT62

## 1490. MIGRATORY BIRD HUNTING: REVISION OF LANGUAGE USED IN REGULATIONS FOR APPROVING NONTOXIC SHOT FOR USE IN WATERFOWL HUNTING

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

**Legal Authority:** 16 USC 742a to 742j

**CFR Citation:** 50 CFR 20.134

**Legal Deadline:** None

**Abstract:** We propose plain-language revision of 50 CFR 20.134 to make it easier for the public to read and understand. The language governing determination of Expected Environmental Concentrations (EEC) in terrestrial and aquatic ecosystems is altered to make clear the shot size and number of shot to be used in calculating the EECs. We also added language specifying the pH levels to be used in calculating the EEC in water.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**URL For More Information:** migratorybirds.fws.gov

**URL For Public Comments:** migratorybirds.fws.gov

**Agency Contact:** Dr. George T. Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203–1610
Phone: 703 358–1825
Fax: 703–358–2217
Email: george__t__allen@fws.gov

**RIN:** 1018–AT67

## 1491. REGULATIONS TO IMPLEMENT THE CAPTIVE WILDLIFE SAFETY ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 14

**Legal Deadline:** Final, Statutory, June 19, 2004.

**Abstract:** We plan to propose to implement the Captive Wildlife Safety Act (CWSA) by adding subpart K to 50 CFR 14. The CWSA amends the Lacey Act by making it illegal to buy, sell, transport, receive, or acquire live lions, tigers, leopards, cheetahs, jaguars, and cougars or any hybrid of these species across State lines, or to import or export any of these species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS–LE–3000 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1949
Fax: 703 358–1947
Email: kevin__adams@fws.gov

**RIN:** 1018–AT69

## 1492. MOSQUITO AND MOSQUITO–BORNE DISEASE MANAGEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668dd to 668ee

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This draft Service Manual chapter (606 FW 2) provides policy for refuge managers to apply when determining how and when mosquito populations may be managed on lands administered within the National Wildlife Refuge System. This draft chapter is based on science and includes a requirement for data-gathering both prior to and after management actions. The draft chapter also includes a provision for actions taken during emergencies. This chapter applies to all units of the Refuge System where we have jurisdiction over such actions, whether mosquito management is performed by the Service or by an outside agency.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Michael Higgins, Mosquito Coordinator, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., Suite 670, Arlington, VA 22204
Phone: 410 573–4520

**RIN:** 1018–AT72

## 1493. STRATEGIC GROWTH OF THE NATIONAL WILDLIFE REFUGE SYSTEM

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668dd to 668ee

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This Service Manual chapter (602 FW 5) outlines the process and decision points for the consideration of lands proposed for inclusion in the National Wildlife Refuge System (System). It explains in detail the various steps in taking a proposal from the initial idea stage to the Director's decision on whether a Region should proceed with the detailed planning and public involvement required for a new national wildlife refuge or major addition to an existing refuge, and ultimately, to approval of a new refuge or substantial addition.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dirck Byler, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., Ste. 670, Arlington, VA 22203
Phone: 703 358–2337

**RIN:** 1018–AT73

## 1494. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SALT CREEK TIGER BEETLE CRITICAL HABITAT DESIGNATION

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will propose to designate critical habitat for the Salt Creek tiger beetle, a subspecies endemic to eastern Nebraska saline wetlands and associated streams in the northern third of Lancaster County and southern margin of Saunders County in Nebraska.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**Related RIN:** Related to 1018–AJ13

**RIN:** 1018–AT79

## 1495. MARINE MAMMALS: PROPOSED INCIDENTAL TAKE AUTHORIZATION DURING SPECIFIED ACTIVITIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Marine Mammal Protection Act authorizes issuance of regulations to allow the incidental unintentional take of small numbers of marine mammals in activities (other than commercial fishing) in specific geographical areas. These proposed regulations would authorize incidental take of polar bears and Pacific walrus in the Beaufort Sea and adjacent northern coast of Alaska during oil and gas industry activities for 5 years. Previous regulations expired on March 28, 2005.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |
| Final Action | 05/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Martin Kodis, Chief, Branch of Resource Management Support, Division of Habitat and Resource Conservation, Department of the Interior, United States Fish and Wildlife Service, 400 ARL SQ, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–5496
Fax: 703 358–1869
Email: martin__kodis@fws.gov

**RIN:** 1018–AT82

## 1496. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE CUI–UI FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is planning to remove the Cui-ui, a fish, from the List of Endangered and Threatened Species based on recovery of this species. Threats to the species have been reduced, and the population has rebounded and surpassed recovery levels.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AT85

## 1497. MIGRATORY BIRD HUNTING; APPROVAL OF 62 PERCENT IRON/25 PERCENT TUNGSTEN/13 PERCENT NICKEL SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

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

**Legal Authority:** 40 Stat. 755; 16 USC 703–712; 16 USC 742a–j ; PL 106–108; 113 Stat. 1491; . . .

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** On August 26, 2004, we received an application from Environ-Metal Inc. for approval of ''Hevi-Steel with Nickel'' for use in waterfowl hunting. We are obligated under regulations at 50 CFR 20.134 to consider all such applications.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Dr. George T. Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203–1610
Phone: 703 358–1825
Fax: 703–358–2217
Email: george__t__allen@fws.gov

**RIN:** 1018–AT87

## 1498. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR SOUTHWESTERN WILLOW FLYCATCHER

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2004.
Final, Statutory, September 30, 2005.
Final, Judicial, September 30, 2005.

**Abstract:** We propose critical habitat for the Southwestern willow flycatcher.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM Under RIN 1018–AI49 | 10/12/04 | 69 FR 60706 |
| NPRM Comment Period Extended Under RIN 1018–AI49 | 12/13/04 | 69 FR 72161 |
| NPRM Comment Period Extended | 03/31/05 | 70 FR 16474 |
| Extended Comment Period End | 05/31/05 | |
| Final Action | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered

Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–2434
Email: marjorie__nelson@fws.gov

**Related RIN:** Previously reported as 1018–AI49

**RIN:** 1018–AT88

## 1499. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE ST. ANDREW BEACH MOUSE

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2005.
Final, Statutory, September 30, 2006.
Final, Judicial, September 30, 2006.

**Abstract:** We plan to propose critical habitat for the St. Andrew Beach mouse.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–2434
Email: marjorie__nelson@fws.gov

**Related RIN:** Related to 1018–AE41

**RIN:** 1018–AT90

## 1500. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR 3 WILLAMETTE SPECIES: WILLAMETTE DAISY, FENDER'S BLUE BUTTERFLY, AND KINCAID'S LUPINE

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, October 15, 2005.
Final, Statutory, October 15, 2006.
Final, Judicial, October 15, 2006.

**Abstract:** We plan to propose critical habitat for 3 Willamette Species (Willamette Daisy, Fender's Blue Butterfly, and Kincaid's Lupine).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
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Email: marjorie__nelson@fws.gov

**Related RIN:** Related to 1018–AE53

**RIN:** 1018–AT91

## 1501. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE WILLOWY MONARDELLA

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, October 30, 2005.
Final, Statutory, October 30, 2006.
Final, Judicial, October 30, 2006.

**Abstract:** We plan to propose critical habitat for the Willowy monardella.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–2434
Email: marjorie__nelson@fws.gov

**Related RIN:** Related to 1018–AD38

**RIN:** 1018–AT92

## 1502. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE ALAMEDA WHIPSNAKE

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, October 1, 2005.
Final, Statutory, October 1, 2006.
Final, Judicial, October 1, 2006.
Previous critical habitat, established 10/03/2000 (65 FR 58933; 1018-AF98), is remanded by court.

**Abstract:** We plan to propose critical habitat for the Alameda whipsnake.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–2434

Email: marjorie__nelson@fws.gov

**Related RIN:** Related to 1018–AF98

**RIN:** 1018–AT93

### 1503. PROTECTION OF BALD EAGLES AND DEFINITION

**Priority:** Other Significant

**Legal Authority:** 16 USC 668a

**CFR Citation:** 50 CFR 22.3

**Legal Deadline:** None

**Abstract:** This proposed rule would establish a regulatory definition of ''disturb.'' The Bald and Golden Eagle Protection Act prohibits take of eagle. Take is defined by the Act to include ''disturb.'' This rule is necessary in the event the bald eagle is removed from the list of threatened species under the Endangered Species Act. The BGEPA will become the primary law protecting bald eagles.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**URL For More Information:** migratorybirds.fws.gov

**Agency Contact:** Eliza Savage, Regulatory Analyst, Department of the Interior, United States Fish and Wildlife Service, Rm. 4000 4501 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2329
Email: eliza__savage@fws.gov

**Related RIN:** Previously reported as 1018–AH74

**RIN:** 1018–AT94

### 1504. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D; 2006–2007 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS

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

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** This proposed rule will revise the regulations for seasons, harvest limits, methods, and means for the subsistence taking of wildlife during the 2006-07 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review cycle.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
Phone: 907 786–3873
Fax: 907 786–3898
Email: bill__knauer@fws.gov

**RIN:** 1018–AT98

### 1505. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS

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

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** This proposed rule will revise the rural/nonrural determinations based on 2000 Federal census data. This review/revision is called for in 50 CFR 100.15 and 36 CFR 242.15.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
Phone: 907 786–3873
Fax: 907 786–3898
Email: bill__knauer@fws.gov

**RIN:** 1018–AT99

### 1506. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR 16 FRESHWATER MUSSELS, 1 FRESHWATER SNAIL, AND 5 FISHES IN TENNESSEE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is planning to establish a nonessential experimental population for 16 freshwater mussels, 1 freshwater snail, and 5 fishes in the Lower French Broad River and in the Lower Holston River, Tennessee.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AU01

### 1507. • MIGRATORY BIRD HUNTING; APPROVAL OF TUNGSTEN–IRON–COPPER–NICKEL SHOT AS NONTOXIC FOR WATERFOWL HUNTING

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

**Legal Authority:** 40 Stat. 755; 16 USC 703 to 712; 16 USC 742a–j; PL 106–108; 113 Stat. 1491; . . .

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** We received an application for approval of tungsten-iron-copper-nickel shot as nontoxic for waterfowl hunting. We are obligated under regulations at 50 CFR 20.134 to consider all such applications.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Dr. George T. Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203–1610
Phone: 703 358–1825
Fax: 703–358–2217
Email: george__t__allen@fws.gov

**RIN:** 1018–AU04

## 1508. • KODIAK NATIONAL WILDLIFE REFUGE PERMIT REQUIREMENT FOR CONSERVATION EASEMENT LANDS

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

**Legal Authority:** 16 USC 668dd to 668ee; 16 USC 460k to 460k–4; 16 USC 668aa–33

**CFR Citation:** 50 CFR 36.39(j)

**Legal Deadline:** None

**Abstract:** We plan to propose this rule to comply with our commitments made under a conservation easement among the United States, the State of Alaska, and Koniag Inc. to permit public use of private lands within the boundaries of Kodiak National Wildlife Refuge Alaska. The conservation easement furthers the missions of the Service and the National Wildlife Refuge System and the purposes of Kodiak National Wildlife Refuge. The easement lands affected by this rule are along Karluk River and Karluk Lake on Kodiak Island, Alaska. This rule will apply as long as the conservation easement is in place. Without this rule, the Service would fail to perform an obligation and Koniag, Inc. would have the right to terminate the conservation easement.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |
| NPRM Comment Period End | 06/00/05 | |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Abbey Kucera, Natural Resource Specialist, Department of the Interior, United States Fish and Wildlife Service, Kodiak National Wildlife Refuge 1390 Buskin River Road, Kodiak, AK 99615
Phone: 907 487–2600
Fax: 907–487–2144
Email: abbey__kucera@fws.gov

**RIN:** 1018–AU08

## 1509. • 2005–2006 REFUGE–SPECIFIC HUNTING AND SPORT FISHING REGULATIONS

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

**Legal Authority:** 5 USC 301; 16 USC 460; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i); . . .

**CFR Citation:** 50 CFR 32

**Legal Deadline:** None

**Abstract:** We propose to open additional national wildlife refuges to hunting and/or sport fishing and to provide refuge-specific regulations for those activities. This is an annual update for the National Wildlife Refuge System that ensures adequate public notice of openings/changes each fall. We operate hunting/fishing programs on refuges in furtherance of the implementation of the National Wildlife Refuge System Improvement Act of 1997 directives to facilitate compatible priority wildlife-dependent recreational opportunities.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

**Agency Contact:** Leslie Marler, Management Analyst, Department of the Interior, United States Fish and Wildlife Service, Room 670, National Wildlife Refuge System U.S. Fish and Wildlife Service 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2397
Email: leslie__marler@fws.gov

**RIN:** 1018–AU14

## 1510. • NEGOTIATION OF ANNUAL FUNDING AGREEMENTS WITH TRIBES (MANUAL CHAPTER)

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

**Legal Authority:** 16 USC 668dd to 668ee; 16 USC 742a to 742j; 16 USC 661 to 666c; PL 93–638; PL 103–413; PL 105–270; The Native American Policy of the U.S. Fish and Wildlife Service of June 28, 1994 (Native American Policy); 25 CFR 1000

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This service manual chapter (512 FW 5) establishes policy that refuge and hatchery managers (project leaders), and other Fish and Wildlife Service employees will apply when reviewing and responding to a request from a self-governance Indian tribe or consortium of tribes to negotiate an annual funding agreement (AFA) under the provisions of title IV of the Indian Self-Determination and Education Assistance Act. This chapter also provides general guidance that a project leader should consider when reviewing a request for an AFA.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, Tribal

**Agency Contact:** Dave Walker, Refuge Policy Liaison, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 670, 4401 N. Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2310
Fax: 703–358–2248
Email: dave__walker@fws.gov

**RIN:** 1018–AU16

## 1511. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED CORRECTION TO THE GRIZZLY BEAR ENTRY IN THE LIST OF ENDANGERED AND THREATENED WILDLIFE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We propose to correct an error in the original listing of grizzly bear (Urso arctos horribilis) under the ESA. The historical range included areas outside the species' range.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:** endangered.fws.gov

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AU17

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### 1512. • PROPOSED RECLASSIFICATION OF THE GRAY BAT FROM ENDANGERED TO THREATENED

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is planning a proposal to reclassify the gray bat from endangered to threatened.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:** endangered.fws.gov

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AU20

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### 1513. • SPECIAL RULE FOR THE SOUTHWEST ALASKA DISTINCT POPULATION SEGMENT OF THE NORTHERN SEA OTTER (ENHYDRA LUTRIS KENYONI)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1533

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Statutory, April 2005.

**Abstract:** The special rule would allow for the non-commercial export as well as (re-) import of authentic native articles of handicraft and clothing that were derived from sea otters legally taken from the listed population for subsistence purposes by Alaskan Natives in accordance with the Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**Related RIN:** Related to 1018–AI44

**RIN:** 1018–AU21

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### 1514. • REEVALUATION OF PROPOSED RULE TO LIST THE CACTUS FERRUGINOUS PYGMY–OWL AS ENDANGERED

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1533

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, May 2005.

**Abstract:** Following a court decision remanding the final Agency decision to list the cactus ferruginous pygmy-owl as endangered, we are reopening the comment period on the previous proposal to obtain public comments on the conservation status of the species and adequancy of our determination of distinct population segment.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AU22

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### 1515. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER, SONOMA COUNTY POPULATION

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 1533 et seq

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service will designate critical habitat for the Sonoma County population of California tiger salamander (Ambystoma californiense) under the Endangered Species Act of 1973, as amended. The critical habitat is located in Sonoma County, California.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |
| NPRM Comment Period End | 07/00/05 | |
| Final Action | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and

Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–2434
Email: marjorie__nelson@fws.gov

**RIN:** 1018–AU23

## Department of the Interior (DOI) — Final Rule Stage
## United States Fish and Wildlife Service (FWS)

### 1516. 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 7th (1998) edition of the American Ornithologists' Union's Check-list of North American Birds; and (2) add species of known occurrence in the United States that are subject to protection under the Migratory Bird Treaty Act but are not included on the current list.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/09/95 | 60 FR 24686 |
| Second NPRM | 10/12/01 | 66 FR 52281 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AB72

### 1517. IMPORTATION OF CAPTIVE–BRED EXOTIC BIRDS INTO THE UNITED STATES FROM BREEDING FACILITIES IN OTHER COUNTRIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4901 to 4916

**CFR Citation:** 50 CFR 15

**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 | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Gabel, Chief, Division 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
Fax: 703 358–2276
Email: roddy__gabel@fws.gov

**RIN:** 1018–AF44

### 1518. 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 propose to list the Tibetan antelope, or chiru, as endangered. The antelope is native to Tibet, Kashmir, and north-central China. It is threatened by illegal trade in its wool, known as shahtoosh, which is exceptionally fine. 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 | 04/25/00 | 65 FR 24171 |
| NPRM | 10/06/03 | 68 FR 57646 |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: michael__kreger@fws.gov

**RIN:** 1018–AF49

### 1519. 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 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 |
| Final Action | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Email: marie__maltese@fws.gov

**RIN:** 1018–AF69

## 1520. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING

**Priority:** Other Significant

**Legal Authority:** 16 USC 703 to 712

**CFR Citation:** 50 CFR 21.28; 50 CFR 21.29

**Legal Deadline:** None

**Abstract:** We propose changes in the regulations governing the practice of falconry in the United States. We propose substantial reorganization of the current regulations, combining 50 CFR 21.28 and 21.29 and reorganizing the topics in those sections. We will add or change some provisions in the current regulations. The changes will make it easier to understand the requirements for falconry and the procedures for obtaining a falconry permit.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/09/05 | 70 FR 6978 |
| Final Action | 03/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AG11

## 1521. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF ENDANGERED STATUS AND DESIGNATION OF CRITICAL HABITAT FOR THE GILA CHUB

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We are finalizing endangered status and the designation of critical habitat for the Gila chub.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/09/02 | 67 FR 51947 |
| Final Action | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AG16

## 1522. NATIONAL WILDLIFE REFUGE SYSTEM; APPROPRIATE REFUGE USES

**Priority:** Other Significant

**Legal Authority:** 16 USC 668(dd) to 668(ee)

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This policy (FWS Manual) provides a procedure for determining whether uses other than the six priority wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are appropriate on refuges. This policy establishes a process for deciding when it is appropriate to allow nonpriority uses.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Proposed Policy | 01/16/01 | 66 FR 3673 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |
| Comment Period Reopened | 06/21/01 | 66 FR 33268 |
| Final Action | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Additional Information:** This RIN previously included policies concerning mission, goals, and purposes; wildlife-dependent recreation uses; and wilderness stewardship. These policies have been separated into distinct actions, each bearing a unqiue RIN.

**Agency Contact:** Carol Carson, Refuge Program Specialist, Department of the Interior, United States Fish and Wildlife Service, 4401 N Fairfax Dr Suite 670, Arlington, VA 22205
Phone: 703 358–2490

**Related RIN:** Split from 1018–AU24, Split from 1018–AU25, Split from 1018–AU26, Split from 1018–AU27

**RIN:** 1018–AG46

## 1523. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE JOHNSTON'S FRANKENIA FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to make a final determination on the proposed rule to remove the Johnston's frankenia from the List of Endangered and Threatened Plants. This action is based on new information.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/22/03 | 68 FR 27961 |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and

State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AH53

## 1524. ADDITION OF THE GREAT WHITE SHARK AND THE CAPE STAG BEETLES TO APPENDIX III UNDER CITES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This action will amend the regulations in 50 CFR part 23 by adding the great white shark and Cape stag beetles to Appendix III under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Direct Final Rule | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Pat Ford, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Email: pat__ford@fws.gov

**RIN:** 1018–AH66

## 1525. IMPORTATION OF EXOTIC WILD BIRDS INTO THE UNITED STATES; ADDING BLUE–FRONTED AMAZON PARROTS FROM ARGENTINA'S APPROVED SUSTAINABLE USE MANAGEMENT PLAN TO THE APPROVED LIST OF NON–CAPTIVE BRED SPECIES

**Priority:** Other Significant

**Legal Authority:** 16 USC 4901 to 4916

**CFR Citation:** 50 CFR 15

**Legal Deadline:** None

**Abstract:** This rule would allow the importation into the United States of parrots removed from the wild in Argentina under an approved sustainable use management plan. This is the first such plan that, if approved, would contribute to the goals of the Wild Bird Conservation Act to promote the conservation of exotic birds through sustainable use.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/06/03 | 68 FR 46559 |
| NPRM Comment Period Reopened | 03/29/05 | 70 FR 15798 |
| Reopened Comment Period End | 04/28/05 | |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: michael__kreger@fws.gov

**RIN:** 1018–AH89

## 1526. PUBLIC NOTICE FOR CITES APPENDIX III LISTING OF SPANISH CEDAR BY THE GOVERNMENT OF PERU

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This notice advises the public that, by unilateral action provided for in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Government of Peru has listed Spanish cedar in CITES Appendix III. This listing invokes certain permitting requirements to assist Peru in controlling trade in this species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Direct Final Rule | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Pat Ford, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Email: pat__ford@fws.gov

**RIN:** 1018–AH99

## 1527. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF TWO AUSTRALIAN PARAKEETS FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

**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:** We propose to reclassify the turquoise parakeet (Neophema pulchella) and the scarlet-chested parakeet (Neophema splendida) from endangered to threatened under the Endangered Species Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/02/03 | 68 FR 52169 |
| Final Rule | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: michael__kreger@fws.gov

**RIN:** 1018–AI04

### 1528. MIGRATORY BIRD HUNTING AND PERMITS; REGULATIONS FOR MANAGING HARVEST OF LIGHT GOOSE POPULATIONS

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

**Abstract:** This rule authorizes new methods of take for light goose hunting under 50 CFR part 20 and revises subpart E of 50 CFR part 21 for the management of overabundant light goose populations. It also modifies the conservation order that will increase take of such populations under the authority of this subpart.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/12/01 | 66 FR 52077 |
| NPRM Correction | 11/07/01 | 66 FR 56266 |
| NPRM Comment Period Extended | 12/10/01 | 66 FR 63665 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI07

### 1529. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND DESIGNATION OF CRITICAL HABITAT FOR THREE SNAILS AND ONE AMPHIPOD

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99–625; 100 Stat. 3500

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, February 6, 2002, Settlement agreement.

**Abstract:** We will list and designate critical habitat for Koster's springsnail, Noel's amphipod, Pecos assiminea, and the Roswell springsnail in New Mexico and Texas.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/12/02 | 67 FR 6459 |
| NPRM Comment Period Reopened | 05/31/02 | 67 FR 38059 |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AI15

### 1530. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** This rule would establish a regulation authorizing State wildlife agencies to conduct indirect and/or direct population control management activities on resident Canada geese, including the take of birds. The intent of this rule is to allow State wildlife management agencies sufficient flexibility to deal with problems caused by resident Canada geese and to guide and direct Canada goose population growth and management activities in the coterminous United States.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/21/03 | 68 FR 50496 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI32

### 1531. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SOUTHWEST ALASKAN DISTINCT POPULATION SEGMENT OF THE NORTHERN SEA OTTER

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We proposed listing the southwest Alaskan distinct population segment of the Northern sea otter, found mostly in the Aleutian Islands and the Alaska peninsula and adjacent waters.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/11/04 | 69 FR 6600 |
| NPRM; Announcement of Public Hearing | 05/05/04 | 69 FR 25055 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AI44

### 1532. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PERMITS FOR FOREIGN LISTED SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will issue a policy clarifying the process used for issuing Endangered Species Act permits for foreign listed species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Notice of Proposed Policy | 08/18/03 | 68 FR 49512 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2350
Fax: 703 358–2281
Email: tim__vannorman@fws.gov

**RIN:** 1018–AI67

## 1533. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We proposed designation of critical habitat for the endangered San Diego Fairy shrimp, a freshwater crustacean found in southern California.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/22/03 | 68 FR 19888 |
| NPRM Comment Period Reopened; Draft Economic Analysis; Notice of Public Hearing | 04/08/04 | 69 FR 18516 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: chris__nolin@fws.gov

**RIN:** 1018–AI71

## 1534. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; NONESSENTIAL EXPERIMENTAL POPULATION OF THE NORTHERN APLOMADO FALCON

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to make a final determination on the proposed rule to establish a nonessential experimental population for the Northern aplomado falcon, to facilitate the recovery of this endangered species and to ensure that its reintroduction will not impose new restrictions.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/09/05 | 70 CFR 6819 |
| Final Rule | 02/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AI80

## 1535. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE SCIMITAR–HORNED ORYX, ADDAX, AND DAMA GAZELLE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** Based on comments received, we may finalize a rule to list three species of antelope (Scimitar-Horned oryx, addax, and the Dama gazelle) as endangered.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/05/91 | 56 FR 56491 |
| NPRM Comment Period Reopened | 07/24/03 | 68 FR 43706 |
| NPRM Comment Period Reopened | 11/26/03 | 68 FR 66395 |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Gabel, Chief, Division 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
Fax: 703 358–2276
Email: roddy__gabel@fws.gov

**RIN:** 1018–AI82

## 1536. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION

**Priority:** Other Significant

**Legal Authority:** PL 107–314

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** The 2003 Defense Authorization Bill, signed by the President on December 2, 2002, requires the U.S. Fish and Wildlife Service to develop and issue regulations that exempt the Armed Forces from incidental take of migratory birds during authorized military readiness activities. The Department of Defense must concur with these regulations.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/02/04 | 69 FR 31074 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI92

### 1537. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF EGGERT'S SUNFLOWER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES AND DETERMINATION THAT DESIGNATION OF CRITICAL HABITAT IS NOT PRUDENT

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to make a final determination on a proposal to remove the Eggert's sunflower from the List of Endangered and Threatened Species. This action is based on the recent completion of population and distribution studies, the commitment of land managers to the protection and management of several populations, and the discovery of previously undocumented populations throughout the species' range. On May 22, 1997, the Eggert's sunflower was designated as a threatened species. This species is known to occur in Alabama, Kentucky, and Tennessee.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/05/04 | 69 FR 17627 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AJ08

### 1538. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE FISH SLOUGH MILK–VETCH

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will designate critical habitat for the Fish Slough milk-vetch. On October 6, 1998, the Fish Slough milk-vetch, a plant species native to California, was listed as a threatened species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/04/04 | 69 FR 31552 |
| Final Action | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: chris__nolin@fws.gov

**RIN:** 1018–AJ09

### 1539. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MUNZ'S ONION

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, May 30, 2004.

**Abstract:** We will designate critical habitat for Munz's onion. On October 13, 1998, the Munz's onion, a plant native to California, was listed as endangered.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/04/04 | 69 FR 31569 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
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Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AJ10

### 1540. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN JACINTO VALLEY CROWNSCALE

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will designate critical habitat for the San Jacinto Valley Crownscale. On October 13, 1998, the San Jacinto Valley Crownscale, a plant species endemic to California, was listed as an endangered species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/06/04 | 69 FR 59844 |
| NPRM Comment Period End | 12/06/04 | |
| Final Rule | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: chris__nolin@fws.gov

**RIN:** 1018–AJ11

### 1541. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COASTAL–PUGET SOUND, ST. MARY–BELLY RIVER, AND JARBIDGE RIVER POPULATION SEGMENTS OF BULL TROUT

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will designate critical habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River population segments of bull trout. The Coastal-Puget Sound bull trout population segment encompasses all Pacific Coast drainages within Washington, including Puget Sound. The St. Mary-Belly River bull trout population segment occurs in

northwest Montana. The Jarbidge River population segment occurs in Nevada.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/25/04 | 69 FR 35767 |
| NPRM—Correction | 07/19/04 | 69 FR 43058 |
| Final Action | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
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**RIN:** 1018–AJ12

## 1542. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SALT CREEK TIGER BEETLE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2005, Settlement Agreement.

**Abstract:** We will list the Salt Creek tiger beetle (Cicindela nevadica lincolniana) as endangered pursuant to the Endangered Species Act of 1973, as amended (Act). This subspecies is endemic to eastern Nebraska saline wetlands and associated streams in the northern third of Lancaster County and southern margin of Saunders County in Nebraska. On February 1, 2005, this action was proposed under an erroneous RIN (1018-AE59).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/01/05 | 70 FR 5101 |
| Final Action | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**Related RIN:** Related to 1018–AT79

**RIN:** 1018–AJ13

## 1543. MARINE MAMMALS: REVISED DEFINITION OF ''AUTHENTIC NATIVE ARTICLES OF HANDICRAFTS AND CLOTHING''

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

**Legal Authority:** 16 USC 1631

**CFR Citation:** 50 CFR 18.3

**Legal Deadline:** None

**Abstract:** A final rulemaking action that removes language put into place by an FWS interim rule intended to govern the taking of northern sea otters by Alaska Natives for use in creating and selling handicrafts and clothing under section 101(b), the Native exemption section of the Marine Mammal Protection Act (MMPA). The proposed rule was published on June 4, 2004. Our interim rule revised the definition of ''authentic native articles of handicrafts and clothing'' in 50 CFR 18.3, to limit takes to the period ''on or before December 21, 1972'' and precluded the take of sea otters by Alaska Natives for use in creating and selling handicrafts and clothing under section 101(b).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/04/04 | 69 FR 31582 |
| NPRM Comment Period End | 08/03/04 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, Tribal

**Agency Contact:** Martin Kodis, Chief, Branch of Resource Management Support, Division of Habitat and Resource Conservation, Department of the Interior, United States Fish and Wildlife Service, 400 ARL SQ, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–5496
Fax: 703 358–1869
Email: martin__kodis@fws.gov

**RIN:** 1018–AT48

## 1544. MIGRATORY BIRD PERMITS; FEDERAL FALCONRY STANDARDS; ADDING CONNECTICUT TO THE LIST OF STATES THAT MEET FEDERAL FALCONRY STANDARDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712(2)

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** We propose to add Connecticut to the list of States in which the practice of falconry is approved.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/20/04 | 69 FR 75892 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AT63

## 1545. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR CALIFORNIA TIGER SALAMANDER, CENTRAL DPS; 50 CFR 17

**Priority:** Other Significant

**Legal Authority:** 16 USC 703 to 712

**CFR Citation:** 50 CFR 21.29

**Legal Deadline:** None

**Abstract:** We proposed to designate critical habitat for the California tiger salamander (Ambystoma californiense), Central California population (Central population).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/10/04 | 69 FR 48569 |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

**Additional Information:** The NPRM that published 08/10/2004 (69 FR 48569) used the wrong RIN: it used 1018-AF68. It should have used 1018-AT68.

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
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Email: chris__nolin@fws.gov

**RIN:** 1018–AT68

## 1546. SEASONS, HARVEST LIMITS, METHODS, AND MEANS RELATED TO TAKING OF WILDLIFE FOR SUBSISTENCE USES DURING 2005–2006 REGULATORY YEAR (SUBPART D)

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

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2005-06 regulatory year. This rulemaking is necessary because subpart D is subject to annual review.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/31/04 | 69 FR 53023 |
| Final Action | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
Phone: 907 786–3873
Fax: 907 786–3898
Email: bill__knauer@fws.gov

**RIN:** 1018–AT70

## 1547. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; COACHELLA VALLEY MILK–VETCH CRITICAL HABITAT DESIGNATION

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We proposed critical habitat for the Coachella Valley milk-vetch, which occurs in California.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/14/04 | 69 FR 74468 |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AT74

## 1548. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; THREAD–LEAVED BRODIAEA CRITICAL HABITAT DESIGNATION

**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:** We proposed critical habitat for the Thread-Leaved Brodiaea, which occurs in California.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/08/04 | 69 FR 71283 |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
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**RIN:** 1018–AT75

## 1549. MIGRATORY BIRD HUNTING; 2005–2006 MIGRATORY GAME BIRD HUNTING REGULATIONS

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

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

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** We plan to propose to establish annual hunting regulations for certain migratory game birds for the 2005-06 hunting season. We annually prescribe outside limits (frameworks), within which States may select hunting seasons. We also request proposals from Indian tribes that wish to establish special migratory bird hunting regulations on Federal Indian reservations and ceded lands. Migratory game bird hunting seasons provide hunting opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory bird population status and habitat conditions.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/06/05 | 70 FR 17573 |
| NPRM Comment Period End | 05/01/05 | |
| Final Action | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

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

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AT76

### 1550. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN MIGUEL ISLAND FOX, SANTA ROSA ISLAND FOX, SANTA CRUZ ISLAND FOX, AND SANTA CATALINA ISLAND FOX

**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:** We proposed critical habitat for four island fox species, which occur on the Channel Islands off California.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/07/04 | 69 FR 60134 |
| NPRM Comment Period End | 12/06/04 | |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**Related RIN:** Related to 1018–AI28

**RIN:** 1018–AT78

### 1551. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; SOUTHWESTERN ALASKA COASTAL AREAS

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

**Abstract:** We plan to propose to revise and clarify the jurisdiction of the Federal Subsistence Management Program in coastal areas in southwestern Alaska.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/08/04 | 69 FR 70940 |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
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**RIN:** 1018–AT81

### 1552. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE ARKANSAS RIVER SHINER

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2004.
Final, Statutory, September 30, 2005.
Final, Judicial, September 30, 2005.

**Abstract:** We proposed critical habitat for the Arkansas River shiner, a fish, in portions of the Canadian River in New Mexico, Texas, and Oklahoma.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/06/04 | 69 FR 59859 |
| NPRM Comment Period End | 04/30/05 | |
| Final Action | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–2434
Email: marjorie__nelson@fws.gov

**RIN:** 1018–AT84

### 1553. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SPREADING NAVARRETIA

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will designate critical habitat for the spreading navarettia. On October 13, 1998, the spreading navarretia, a plant species native to California and Mexico, was listed as a threatened species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/07/04 | 69 FR 60110 |
| NPRM Comment Period End | 11/22/04 | |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
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**RIN:** 1018–AT86

### 1554. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR WESTERN SNOWY PLOVER

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, December 1, 2004.
Final, Statutory, September 20, 2005.
Final, Judicial, September 20, 2005.

**Abstract:** We proposed critical habitat for the Western snowy plover.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/17/04 | 69 FR 75607 |
| Final Action | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Marjorie Nelson, Chief, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358–2105
Fax: 703 358–2434
Email: marjorie__nelson@fws.gov

**RIN:** 1018–AT89

### 1555. CAPTIVE–BRED WILDLIFE REGULATION: EXCLUDING THE CAPTIVE–BRED SCIMITAR–HORNED ORYX, ADDAX, AND DAMA GAZELLE FROM ENDANGERED STATUS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4201 to 4245

**CFR Citation:** 50 CFR 17.21

**Legal Deadline:** None

**Abstract:** We propose to amend the Endangered Species Act regulations by adding a new subsection that would authorize otherwise-prohibited acts that enhance the propagation or survival of captive-bred populations of three antelope that have been proposed for listing as endangered: Scimitar-Horned oryx, Addax, and Dama gazelle. These species would not be exempted from the permit requirements of the Convention on International Trade in Endangered Species of Wild Flora and Fauna.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/01/05 | 70 FR 5117 |
| Final Rule | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Rm. 750 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: michael__kreger@fws.gov

**RIN:** 1018–AT95

### 1556. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2006–2007 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3111

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

**Legal Deadline:** None

**Abstract:** This rule would establish regulations for fishing seasons, harvest limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2006-07 regulatory year. The rulemaking is necessary because subpart D is subject to an annual public review cycle. When final, this rulemaking would replace the fish and shellfish taking regulations included in the ''Subsistence Management Regulations for Public Lands in Alaska, Subpart D 2005-06 Subsistence Taking of Fish and Wildlife Regulations,'' which expire on March 31, 2006. This rule would also amend the Customary and Traditional Use Determinations of the Federal Subsistence Board and the General Regulations related to the taking of fish and shellfish.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/06/05 | 70 FR 1216 |
| Final Rule | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
Phone: 907 786–3873
Fax: 907 786–3898
Email: bill__knauer@fws.gov

**RIN:** 1018–AU05

### 1557. • CRITICAL HABITAT DESIGNATION FOR FOUR VERNAL POOL CRUSTACEANS AND ELEVEN VERNAL POOL PLANTS IN CALIFORNIA AND SOUTHERN OREGON

**Priority:** Other Significant

**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99–625; 100 Stat. 3500

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, July 2005.
Court order: (1) Reconsider exclusions from the final designation of critical habitat, except for those lands within 5 California counties excluded based on potential economic impacts, and publish new final determination as to those lands within 120 days, inclusive of a 60-day public comment period on the exclusions; and (2) reconsider the exclusion of the five California counties based on potential economic impacts and publish a new final determination no later than July 31, 2005.

**Abstract:** Pursuant to a court order, we confirmed the noneconomic exclusions made to our August 6, 2003, final rule to designate critical habitat for four vernal pool crustaceans and eleven vernal pool plants in California and southern Oregon (68 FR 46684). This action was published on March 8, 2005, under an erroneous RIN (1018-AI26).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Rule | 03/08/05 | 70 FR 11140 |
| Final Rule | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**Related RIN:** Previously reported as 1018–AI26

**RIN:** 1018–AU06

### 1558. • AMENDMENT OF LOWER ST. JOHNS RIVER MANATEE REFUGE IN FLORIDA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531 et seq; 16 USC 1361 to 1407

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to amend the current manatee protection area regulation for the Lower St. Johns River Manatee Refuge by lessening the restrictions in certain areas. This would allow small recreational watercraft a broader area of operation at 25 mph, thereby reducing the potential for collisions with commercial watercraft in the main channel. In addition, this change would permit use of new signage that would be more easily seen by boaters and more easily enforced, improving safety for manatees.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**URL For More Information:** northflorida.fws.gov

**Agency Contact:** David Hankla, Field Supervisor, Department of the Interior, United States Fish and Wildlife Service, 6620 Southpoint Dr. South Suite 310, Jacksonville, FL 32216
Phone: 904 232–2580
Fax: 940–232–2404
Email: manatee@fws.gov

**Related RIN:** Previously reported as 1018–AJ06

**RIN:** 1018–AU10

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### 1559. • DELISTING THE PREBLE'S MEADOW JUMPING MOUSE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to make a final determination on the proposal to delist the Preble's Meadow Jumping Mouse, removing it from the List of Endangered Species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/02/05 | 70 FR 5404 |
| Final Rule | 02/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AU12

### 1560. • NATIONAL WILDLIFE REFUGE SYSTEM; MISSION, GOALS, AND PURPOSES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 666 (dd); 16 USC 666 (ee)

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This policy (FWS Manual) addresses the mission, goals, and purposes of the National Wildlife Refuge System in the context of the National Wildlife Refuge System Improvement Act of 1997.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Proposed Policy | 01/16/01 | 66 FR 3668 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |
| Comment Period Reopened | 06/21/01 | 66 FR 33268 |
| Final Action | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Carol Carson, Refuge Program Specialist, Department of the Interior, United States Fish and Wildlife Service, 4401 N Fairfax Dr Suite 670, Arlington, VA 22205
Phone: 703 358–2490

**Related RIN:** Split from 1018–AG46

**RIN:** 1018–AU24

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### 1561. • NATIONAL WILDLIFE REFUGE SYSTEM; WILDLIFE–DEPENDENT RECREATION (HUNTING AND FISHING, VISITOR SERVICES, PROGRAM ELEMENTS, ENVIRONMENTAL EDUCATION, AND PROGRAM EVALUATION)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668 (dd); 16 USC 668 (ee)

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The National Wildlife Refuge System Improvement Act of 1997 establishes that wildlife-dependent recreational uses (including hunting and fishing) are priority general public uses and must receive priority consideration over the general public uses. This policy describes how we will prioritize these uses. This policy also establishes new visitor services requirements, essential elements of a quality program, an additional level of environmental education programs, and program evaluation methods.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Proposed Policy | 01/16/01 | 66 FR 3681 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |
| Comment Period Reopened | 06/21/01 | 66 FR 33268 |
| Final Action | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Tom Reed, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, Division of Visitor Services, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2243
Email: tom__reed@fws.gov

James W. Kurth, Deputy Chief, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, MS 670 ARLSQ, Washington, DC 20240
Phone: 703 358–1744

**Related RIN:** Split from 1018–AG46

**RIN:** 1018–AU25

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### 1562. • NATIONAL WILDLIFE REFUGE SYSTEM; WILDERNESS STEWARDSHIP

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668 (dd); 16 USC 668 (ee)

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This policy (FWS Manual) modifies existing policy for implementing the Wilderness Act of 1964 and the Administration Act, as amended. This policy updates guidance on administrative and public activities on wilderness within the Refuge System.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Proposed Policy | 01/16/01 | 66 FR 3708 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |

## DOI—FWS

## Final Rule Stage

| Action | Date | FR Cite |
|---|---|---|
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |
| Comment Period Reopened | 06/21/01 | 66 FR 33268 |
| Final Action | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Nancy Roeper, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, Wildlife Resources Branch, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2389
Email: nancy__roeper@fws.gov

**Related RIN:** Split from 1018–AG46

**RIN:** 1018–AU27

### 1563. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISIONS TO THE REGULATIONS APPLICABLE TO PERMITS ISSUED UNDER THE ENDANGERED SPECIES ACT

**Priority:** Other Significant

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

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

**Legal Deadline:** None

**Abstract:** Presently, Safe Harbor Agreements and Candidate Conservation Agreements with Assurances only allow incidental take of species. The Service is proposing to clarify the range of activities permittable under section 10(a)(1)(A) of the Endangered Species Act. In addition, the Service is proposing to amend the policies to allow for intentional take of species in association with Safe Harbor Agreements.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM Under 1018–AH93 | 09/10/03 | 68 FR 53327 |
| NPRM Comment Period Reopened Under 1018–AH93 | 02/23/04 | 69 FR 8161 |
| 1018–AH93 Withdrawn | 09/10/04 | |
| Final Action Under 1018–AU29 | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

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

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

**Agency Contact:** Nancy Green, Biologist, Department of the Interior, United States Fish and Wildlife Service, Room 430 E 4401 N. Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2105
Fax: 703 358–1735
Email: nancy__green@fws.gov

**Related RIN:** Previously reported as 1018–AH93

**RIN:** 1018–AU29

## Department of the Interior (DOI)
## United States Fish and Wildlife Service (FWS)

## Long-Term Actions

### 1564. 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. Regulations will be developed for issuance of permits and the 1994 amendments to the Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AE72

### 1565. 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 marine mammals under our jurisdiction, for scientific research and for photography 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 | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AF26

### 1566. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR 12 SPECIES OF PICTURE–WING FLIES FROM THE HAWAIIAN ISLANDS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We propose endangered status pursuant to the Endangered Species Act of 1973, as amended, for 12 species of Hawaiian picture-wing flies—Drosophila aglaia, D. differens, D. hemipeza, D. heteroneura, D. montgomeryi, D. mulli, D. musaphilia, D. neoclavisetae, D. obatai, D. ochrobasis, D. substenoptera, and D. tarphytrichia. These species are found on one or more of the following Hawaiian Islands: Kauai, Oahu, Molokai, Maui, and Hawaii. These 12 species face substantial threats from one or more of the following: habitat degradation, loss of host plants, biological pest control, and predation from alien arthropods.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/17/01 | 66 FR 3964 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AG23

## 1567. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE DOLLY VARDEN AS A THREATENED SPECIES IN WASHINGTON DUE TO SIMILARITY OF APPEARANCE TO BULL TROUT

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We propose to list the Dolly Varden (Salvelinus malma) as threatened under the ''Similarity of Appearance'' provision of the Endangered Species Act in Washington, due to its similarity of appearance to the bull trout.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/09/01 | 66 FR 1628 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AH68

## 1568. RELEASE OF CAPTIVE–REARED MALLARDS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** We are resuming review of all aspects of regulations pertaining to the release and harvest of captive-reared mallards.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Notice of Intent | 08/28/01 | 66 FR 45274 |
| Notice of Availability | 08/26/03 | 68 FR 51231 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI05

## 1569. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will propose a new designation of critical habitat for the Cactus ferruginous pygmy owl distinct population segment found in Arizona.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/27/02 | 67 FR 71031 |
| NPRM Comment Period Reopened | 02/25/03 | 68 FR 8730 |
| NPRM Comment Period Reopened | 04/28/03 | 68 FR 22353 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AI48

## 1570. MIGRATORY BIRD PERMITS; EIDERDOWN FROM ICELAND

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 95–616; 16 USC 712(2); PL 106–108

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** This rulemaking will allow the importation into the United States of processed Icelandic eiderdown.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/05/03 | 68 FR 52727 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI64

### 1571. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA GNATCATCHER

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, April 11, 2003, Court order.

**Abstract:** We plan to finalize critical habitat for the Coastal California gnatcatcher, a threatened bird found in southern California.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/24/03 | 68 FR 20228 |
| NPRM Comment Period Reopen, Draft Econ Analysis Avail, Public Hearing | 04/08/04 | 69 FR 18515 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
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Email: chris__nolin@fws.gov

**RIN:** 1018–AI72

### 1572. MIGRATORY BIRD PERMITS; REVISIONS TO GENERAL EXCEPTIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 95–616; 92 Stat 3112 (16 USC 712(2)); PL 106–108

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** Under this rule, some public institutions which are now exempted from permit requirements would be required to obtain permits in order to possess migratory birds. It would create new exemptions for State and Federal resource managers and it would establish husbandry requirements applicable to exempt facilities.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

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

**Government Levels Affected:** State, Federal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian__millsap@fws.gov

**RIN:** 1018–AI96

### 1573. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 703 to 712; 16 USC 742a to 742j; PL 106–108

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** We will revise and update a significant portion of the regulations governing migratory game bird hunting. This rule will also use plain language to clarify these regulations.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS–LE–3000 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1949
Fax: 703 358–1947
Email: kevin__adams@fws.gov

**RIN:** 1018–AI98

### 1574. REVISION OF THE REGULATIONS GOVERNING THE TRANSPORT OF EAGLE FEATHERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668a; 16 USC 703 to 712; 16 USC 1531 to 1544

**CFR Citation:** 50 CFR 22

**Legal Deadline:** None

**Abstract:** We will develop regulations that allow the temporary transport of eagle feathers to and from the United States by Indian people of Canada and regulations that will streamline the permit process that allows transport of eagle feathers to and from Canada and Mexico by members of federally recognized Indian tribes.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, Tribal

**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS–LE–3000 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1949
Fax: 703 358–1947
Email: kevin__adams@fws.gov

**RIN:** 1018–AJ00

### 1575. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE EASTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We are planning to remove the eastern Distinct Population Segment (DPS) of the gray wolf, consisting of 21 States, from the List of Endangered and Threatened Species. The reasons for this action are the following: the achievement of all recovery criteria and completion of suitable state wolf management plans by Minnesota, Wisconsin, and Michigan.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 04/01/03 | 68 FR 15876 |
| NPRM | 07/21/04 | 69 FR 43664 |
| NPRM and Notice of Public Hearings | 08/13/04 | 69 FR 50147 |
| NPRM/Notice of Public Hearing | 09/29/04 | 69 FR 58119 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**Related RIN:** Related to 1018–AF20

**RIN:** 1018–AJ03

## 1576. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to remove the western Distinct Population Segment (DPS) of the gray wolf from the List of Endangered and Threatened Species. The reason for this action is the following: On the basis of estimates compiled in December 2002, we conclude that the wolf population has achieved the required third year of its population recovery criteria.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 04/01/03 | 68 FR 15879 |
| NPRM | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
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Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**Related RIN:** Related to 1018–AF20

**RIN:** 1018–AJ04

## 1577. INJURIOUS WILDLIFE SPECIES; BOIGA SNAKES

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** We will review available economic and biological information on snakes in the genus Boiga for possible addition to the list of injurious wildlife under the Lacey Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 09/12/03 | 68 FR 53705 |
| NPRM | 12/00/06 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Erin Williams, Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2034
Email: erin__williams@fws.gov

**RIN:** 1018–AT28

## 1578. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO MANATEE PROTECTION AREAS IN FLORIDA (BARGE CANAL EXCEPTION)

**Priority:** Substantive, Nonsignificant. 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 is planning to make a final determination on the proposed rule to create an exception to the regulations governing the Barge Canal manatee refuge in Brevard County, Florida. Under this exception, parties may apply for authorization to conduct otherwise prohibited activities in the refuge if they can demonstrate to the Service that the activity can be pursued in such a manner that manatees will not be taken.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/16/02 | 67 FR 18572 |
| Final Action | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**Related RIN:** Previously reported as 1018–AH80

**RIN:** 1018–AT39

## 1579. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE BOREAL TOAD

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

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, September 30, 2005, Settlement agreement (final listing due 09/30/05).

**Abstract:** We plan to issue a proposed listing rule to list the boreal toad (Bufo boreas boreas) pursuant to the Endangered Species Act of 1973, as amended. This subspecies occurs in western North America, in Alaska, Alberta, British Columbia, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, and the Yukon.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735

Email: chris__nolin@fws.gov

**RIN:** 1018–AT43

### 1580. LISTING THE MIAMI BLUE BUTTERFLY AS ENDANGERED; LISTING THE CASSIUS BLUE, CERAUNUS BLUE, AND NICKERBEAN (AMMON) BLUE BUTTERFLIES AS THREATENED DUE TO SIMILARITY OF APPEARANCE TO THE MIAMI BLUE

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

**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99–625, 100 Stat 3500

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** FWS proposes to emergency list the Miami blue butterfly as endangered under the Endangered Species Act of 1973, as amended. The geographic range of this butterfly has been severely reduced and is now restricted to Bahia Honda Key, Monroe County, Florida. The wild population of Miami blue is estimated at 45 to 50 adults. We also determine the cassius blue butterfly (Leptotes cassius theonus), ceraunus blue butterfly (Hemiargus ceraunus antibubastus or Hemiargus hanno antibubastus), and nickerbean (ammon) blue butterfly (Cyclargus (Hemiargus) ammon ammon) to be threatened due to similarity of appearance to the Miami blue, with a special rule pursuant to section 4(e) of the ESA.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | To Be Determined | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris__nolin@fws.gov

**RIN:** 1018–AT51

### 1581. LISTING OF 7 FOREIGN BUTTERFLY SPECIES UNDER THE ENDANGERED SPECIES ACT

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to propose to list 7 foreign butterfly species under the Endangered Species Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 12/07/04 | 69 FR 70580 |
| Next Action Undetermined | | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Dr. Patricia S. De Angelis, Botanist, Division of Scientific Authority; Chair, Plant Conserv. All., Medicinal Plant Workg. Gp., Department of the Interior, United States Fish and Wildlife Service, 4401 N Fairfax Dr., Arlington, VA 22203
Phone: 703 358–1708
Fax: 703 358–2276
Email: patricia__deangelis@fws.gov

**RIN:** 1018–AT83

### 1582. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR THE TOPEKA SHINER

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is planning to establish a nonessential experimental population for the Topeka shiner.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | To Be Determined | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AU00

### 1583. ● SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2007–2008 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS

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

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2007-08 regulatory year. This rulemaking is necessary because Subpart D is subject to an annual review.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/06 | |
| Final Action | 06/00/07 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
Phone: 907 786–3873
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Email: bill__knauer@fws.gov

**RIN:** 1018–AU15

## Department of the Interior (DOI)
## United States Fish and Wildlife Service (FWS)

Completed Actions

### 1584. GENERAL PROVISIONS AND GENERAL PERMIT PROCEDURES—50 CFR PART 13

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 13

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 04/11/05 | 70 FR 18311 |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local

**Agency Contact:** Peter Thomas
Phone: 703 358–2095
Email: peter__thomas@fws.gov

**RIN:** 1018–AC57

### 1585. MIGRATORY BIRD PERMITS: SCIENTIFIC COLLECTING PERMITS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 21

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/10/05 | |

**Regulatory Flexibility Analysis Required:** No

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

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

**Agency Contact:** Brian Millsap
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**RIN:** 1018–AE63

### 1586. INJURIOUS WILDLIFE; ADDITION OF THE ASIAN SWAMP EEL

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 16

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/10/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Kari Jonell Duncan
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**RIN:** 1018–AF53

### 1587. POLICY ON GENERAL CONSERVATION PERMITS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** None

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/10/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Agency Contact:** Peter Thomas
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**RIN:** 1018–AF63

### 1588. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR THE BOULDER DARTER AND THE SPOTFIN CHUB IN SHOAL CREEK, ALABAMA AND TENNESSEE

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| NPRM | 10/21/04 | 69 FR 61774 |
| Final Rule | 04/08/05 | 70 FR 17916 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick__leonard@fws.gov

**RIN:** 1018–AH44

### 1589. ENDANGERED AND THREATENED WILDLIFE; RECLASSIFICATION FROM ENDANGERED TO THREATENED STATUS FOR MARIANA FRUIT BAT (GUAM), AND THREATENED STATUS FOR MARIANA FRUIT BAT (CNMI)

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 01/06/05 | 70 FR 1190 |
| Final Action Effective | 02/07/05 | 70 FR 1190 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marjorie Nelson
Phone: 703 358–2105
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Email: marjorie__nelson@fws.gov

**Related RIN:** Previously reported as 1018–AE83

**RIN:** 1018–AH55

### 1590. AUDIT RESOLUTION POLICY

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 80; 43 CFR 12

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/10/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Kim Galvan
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**RIN:** 1018–AH69

### 1591. ADDITION BY INDONESIA OF RAMIN TO APPENDIX III UNDER THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 23

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/10/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Pat Ford
Phone: 703 358–1708
Email: pat__ford@fws.gov

**RIN:** 1018–AI08

### 1592. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS

**Priority:** Substantive, Nonsignificant

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

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 02/11/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer
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Email: bill__knauer@fws.gov

**RIN:** 1018–AI38

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### 1593. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE LANE MOUNTAIN MILK–VETCH

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Rule | 04/08/05 | 70 FR 18219 |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AI78

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### 1594. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLORADO BUTTERFLY PLANT

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 01/11/05 | 70 FR 1939 |
| Final Action Effective | 02/10/05 | 70 FR 1939 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AJ07

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### 1595. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE ARROYO TOAD

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Revisions & Reopening of Comment Period | 02/14/05 | 70 FR 7459 |
| Final Rule | 04/13/05 | 70 FR 19561 |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AT42

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### 1596. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER SANTA BARBARA COUNTY POPULATION

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| NPRM–Reopen Comment Period, NOA Draft Econ Analysis | 10/07/04 | 69 FR 60138 |
| Final Action | 11/24/04 | 69 FR 68567 |
| Final Action Effective | 12/27/04 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AT44

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### 1597. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE RIVERSIDE FAIRY SHRIMP

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| NPRM: NOA, Draft Econ Analysis and Reopen Comment Period | 10/19/04 | 69 FR 61461 |
| Final Rule | 04/12/05 | 70 FR 19153 |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AT45

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### 1598. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D; 2005–2006 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

**Priority:** Routine and Frequent

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

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Rule | 03/21/05 | 70 FR 13377 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer
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Email: bill__knauer@fws.gov

**RIN:** 1018–AT46

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### 1599. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART A AND SUBPART B

**Priority:** Other Significant

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

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/10/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer
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Email: bill__knauer@fws.gov

**Related RIN:** Related to 1018–AT81

**RIN:** 1018–AT47

### 1600. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE TO CONTROL THE TRADE IN THREATENED BELUGA STURGEON

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 03/04/05 | 70 FR 10493 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Federalism:** This action may have federalism implications as defined in EO 13132.

**Agency Contact:** John Field
Phone: 703 358–1708
Email: john__field@fws.gov

**Related RIN:** Related to 1018–AI11

**RIN:** 1018–AT54

### 1601. CITES APPENDIX III LISTING OF THE SEA CUCUMBER (ISOSTICHOPUS FUSCUS) BY THE GOVERNMENT OF ECUADOR

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/17/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Field
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Email: john__field@fws.gov

**RIN:** 1018–AT55

### 1602. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY CRITICAL HABITAT DESIGNATION FOR SANTA ANA SUCKER

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| NPRM–NOA–Draft Econ Analysis and Reopen Comment Period | 10/01/04 | 69 FR 58876 |
| Final Action | 01/04/05 | 70 CFR 425 |
| Final Action Effective | 02/03/05 | |
| Final Action Correction | 02/17/05 | 70 FR 8037 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AT57

### 1603. CONFERRING DESIGNATED PORT STATUS ON MEMPHIS, TN, LOUISVILLE, KY, AND HOUSTON, TX

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

**CFR Citation:** 50 CFR 14

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 12/06/04 | 69 FR 70379 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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

**RIN:** 1018–AT59

### 1604. REGULATIONS FOR NONESSENTIAL EXPERIMENTAL POPULATIONS OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 01/06/05 | 70 FR 1285 |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Agency Contact:** Patrick Leonard
Phone: 703 358–2171
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Email: patrick__leonard@fws.gov

**RIN:** 1018–AT61

### 1605. PERMIT REVOCATION REGULATIONS FOR ENDANGERED SPECIES ACT INCIDENTAL TAKE PERMITS

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17.22(b)(5); 50 CFR 17.32(b)(5); 50 CFR 13.28

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Rule | 12/10/04 | 69 FR 71723 |
| Final Rule Effective | 01/10/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Richard E Sayers
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**RIN:** 1018–AT64

### 1606. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING MANATEE PROTECTION AREAS IN LEE COUNTY, FL

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Rule | 04/07/05 | 70 FR 17863 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard
Phone: 703 358–2171
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Email: patrick__leonard@fws.gov

**RIN:** 1018–AT65

### 1607. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; BUENA VISTA LAKE SHREW CRITICAL HABITAT DESIGNATION

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 01/24/05 | 70 CFR 3734 |
| Final Action Effective | 02/23/05 | 70 CFR 3734 |

## DOI—FWS

## Completed Actions

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin
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Email: chris__nolin@fws.gov

**RIN:** 1018–AT66

### 1608. MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; PROPOSED SPRING/SUMMER SUBSISTENCE ANNUAL HARVEST REGULATIONS FOR MIGRATORY BIRDS IN ALASKA DURING THE 2005 SUBSISTENCE SEASON

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 92

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| NPRM | 12/20/04 | 69 FR 76362 |
| Final Rule | 04/08/05 | 70 FR 18243 |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Fred Armstrong
Phone: 907 786–3887

**RIN:** 1018–AT77

### 1609. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND CRITICAL HABITAT FOR THE SACRAMENTO MOUNTAINS CHECKERSPOT BUTTERFLY

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 12/21/04 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marjorie Nelson
Phone: 703 358–2105
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Email: marjorie__nelson@fws.gov

**Related RIN:** Previously reported as 1018–AH40

**RIN:** 1018–AT96

### 1610. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D; 2006–2007 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

**Priority:** Routine and Frequent

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

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 02/01/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer
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Email: bill__knauer@fws.gov

**RIN:** 1018–AT97

### 1611. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; INTERIM RULE FOR BELUGA STURGEON (HUSO HUSO)

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We allowed the trade in beluga sturgeon (Huso Huso) and its byproducts, provided that the specimens are accompanied by valid permits issued under the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Interim Final Rule Effective | 10/21/04 | |
| Interim Final Rule | 10/26/04 | 69 FR 62415 |
| Withdrawn | 03/04/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
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Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
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**RIN:** 1018–AU02

BILLING CODE 4310—55—S

## Department of the Interior (DOI)
## National Park Service (NPS)

## Proposed Rule Stage

### 1612. GATEWAY NATIONAL RECREATION AREA; PERSONAL WATERCRAFT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.29

**Legal Deadline:** None

**Abstract:** This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW., Room 3145 MIB, Washington, DC 20240
Phone: 202 208–4206

**RIN:** 1024–AC95

### 1613. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.51

**Legal Deadline:** None

**Abstract:** This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |
| Final Rule | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AC99

### 1614. REVISIONS TO RIGHT–OF–WAY REGULATIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 462k

**CFR Citation:** 36 CFR 14

**Legal Deadline:** None

**Abstract:** This rule will revise existing regulations relating to the issuance of right-of-way permits across lands and waters under National Park Service administration. The current regulations are outdated. The new regulations will provide a process for the review, consideration, and approval or denial of requests for rights-of-way.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208–7469
Fax: 202 219–8835
Email: chick__fagan@nps.gov

**RIN:** 1024–AD16

### 1615. COST RECOVERY FOR SPECIAL PARK USES

**Priority:** Other Significant

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

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The National Park Service issues special use permits for activities such as special events, commercial photography, and utility rights-of-way in areas of the National Park System. Processing these permit requests is costly, but the NPS has not instituted a system for cost recovery, as is authorized by law. This rule will establish a procedure to enable the NPS to recover its costs from the permit beneficiaries.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208–7469
Fax: 202 219–8835
Email: chick__fagan@nps.gov

**RIN:** 1024–AD18

### 1616. HISTORIC PRESERVATION CERTIFICATIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 4702

**CFR Citation:** 36 CFR 67

**Legal Deadline:** None

**Abstract:** This rule would amend 36 CFR part 67, which governs the certification of historic structures to receive Federal income tax incentives. This action is necessary so that the rule will more accurately reflect the management structure of the program, clarify the applicable standards of rehabilitation, and more rationally allocate the apportionment of the application fees.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bryan Mitchell, Department of the Interior, National Park Service, NC330, 1849 C Street NW., Washington, DC 20240
Phone: 202 354–2078
Fax: 202 371–5197
Email: bryan__mitchell@nps.gov

**RIN:** 1024–AD24

### 1617. VESSEL MANAGEMENT IN GLACIER BAY NATIONAL PARK

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 410hh–4

**CFR Citation:** 36 CFR 13.65

**Legal Deadline:** None

**Abstract:** This rule would modify quotas and operating requirements for four types of motorized watercraft in Glacier Bay National Park and Preserve. The rulemaking is necessary so that the National Park Service may more efficiently manage motorized watercraft use and protect park resources.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW., Room 3145 MIB, Washington, DC 20240
Phone: 202 208–4206

**RIN:** 1024–AD25

### 1618. MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

## DOI—NPS

## Proposed Rule Stage

**CFR Citation:** 36 CFR 5

**Legal Deadline:** None

**Abstract:** This rule would revise the filming regulations in 43 CFR part 5 and 36 CFR part 5 to implement Public Law 106-206 (May 26, 2000) by: (1) Establishing a reasonable fee for commercial filming activities and similar projects; (2) establishing uniform guidelines for commercial filming permit programs in agencies of the Department of the Interior and the Department of Agriculture; and (3) implementing requirements that agencies respond to applicants for commercial filming or still photography permits in a timely manner.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW., Room 3145 MIB, Washington, DC 20240
Phone: 202 208–4206

**RIN:** 1024–AD30

### 1619. • DISPOSITION OF CULTURALLY IDENTIFIABLE HUMAN REMAINS

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

**Legal Authority:** Not Yet Determined

**CFR Citation:** 43 CFR 10.11

**Legal Deadline:** None

**Abstract:** This rule would establish procedures for the disposition of culturally identifiable human remains in the possession or control of museums or Federal agencies.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Tim McKeown, National NAGPRA Program officer, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 354–2206
Email: tim__mckeown@nps.gov

**RIN:** 1024–AD31

### 1620. • SPECIAL REGULATION FOR DRY TORTUGAS PARK

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

**Legal Authority:** 16 USC 462k

**CFR Citation:** 36 CFR 7.27

**Legal Deadline:** None

**Abstract:** This rule would implement changes made by PL 102-525. This includes name changes, protection of fisheries and the activities in the research natural area, and protection of shipwrecks. This rule will divide the park into four separate use zones; establish a zone as a research natural area (RNA); and regulate the use by permit, requiring the use of mooring buoys, and regulating the taking of fish species.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AD32

## Department of the Interior (DOI)
## National Park Service (NPS)

## Final Rule Stage

### 1621. COMMERCIAL USE AUTHORIZATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 105–391

**CFR Citation:** 36 CFR 52

**Legal Deadline:** None

**Abstract:** Public Law 105-391 became effective on November 13, 1998. The new Act mandates revised procedures for issuing commercial use authorizations. Section 417 of Public Law 105-391 requires that the Secretary promulgate implementing regulations as soon as practicable after the effective date of the Act. Existing regulations governing commercial use within National Parks are not adequate to administer the provisions of the new statute and must be revised to reflect new requirements.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/27/02 | 67 FR 70899 |
| NPRM Comment Period End | 01/27/03 | |
| Final Action | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jo A. Pendry, Concessions Program Manager, Department of the Interior, National Park Service, 1201 I Street NW., Washington, DC 20240
Phone: 202 513–7156
Fax: 202 219–1173

**RIN:** 1024–AC85

### 1622. PICTURED ROCKS NATIONAL LAKESHORE; PERSONAL WATERCRAFT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.32

**Legal Deadline:** None

**Abstract:** This proposed rulemaking would allow personal watercraft use in

designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/15/04 | 69 FR 65556 |
| Final Rule | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AC93

## 1623. FIRE ISLAND NATIONAL SEASHORE; PERSONAL WATERCRAFT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.20

**Legal Deadline:** None

**Abstract:** This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/23/04 | 69 FR 51788 |
| NPRM Comment Period End | 10/22/04 | |
| Final Rule | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AC94

## 1624. BIGHORN CANYON NATIONAL RECREATION AREA; PERSONAL WATERCRAFT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.92

**Legal Deadline:** None

**Abstract:** This proposed rule would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/05/04 | 69 FR 25043 |
| NPRM Comment Period End | 07/06/04 | |
| Final Rule | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AC96

## 1625. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT; FUTURE APPLICABILITY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 3001 et seq

**CFR Citation:** 43 CFR 10.13

**Legal Deadline:** None

**Abstract:** This proposed rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act (NAGPRA). This section will clarify the applicability of NAGPRA to museums and Federal agencies following the statutory deadlines for completion of summaries and inventories.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/20/04 | 69 FR 61613 |
| Final Rule | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Robbins, Assistant Director, Cultural Resources, Department of the Interior, National Park Service, NC340, 1849 C Street NW., Washington, DC 20240
Phone: 202 343–3388
Fax: 202 343–5260
Email: john__robbins@nps.gov

**RIN:** 1024–AD05

## 1626. BOATING AND WATER USE ACTIVITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3

**CFR Citation:** 36 CFR 3

**Legal Deadline:** None

**Abstract:** This part was last updated comprehensively in the early 1980s. This regulation will help to address new and emerging technology, clarify some regulations for the benefit of the public and enforcement staff, implement changes to reduce safety concerns, and make NPS regulations more consistent with State regulations in order to reduce confusion with the public.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/26/03 | 68 FR 51207 |
| NPRM Comment Period End | 12/24/03 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AD07

## 1627. NATIVE AMERICAN HANDICRAFTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 5964

**CFR Citation:** 36 CFR 51

**Legal Deadline:** None

**Abstract:** This rule would implement section 416 of the National Parks

Omnibus Management Act of 1998, which encourages promotion of the sale of authentic United States Indian, Alaska native, Native Samoan, and Native Hawaiian handicrafts in units of the National Park System.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 03/25/04 | 69 FR 15286 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Tony Sisto, Acting Chief of Concessions, Department of the Interior, National Park Service, 1849 C Street NW, Washington, DC 20240
Phone: 202 513–7156

**RIN:** 1024–AD20

### 1628. GULF ISLANDS NATIONAL SEASHORE: PERSONAL WATERCRAFT USE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 462(k)

**CFR Citation:** 36 CFR 7.12

**Legal Deadline:** None

**Abstract:** This rule would allow personal watercraft use in designated areas of the park. The rule is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 03/17/05 | 70 FR 12988 |
| Final Rule | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AD21

### 1629. APOSTLE ISLANDS; SNOWMOBILES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.82

**Legal Deadline:** None

**Abstract:** This rule would allow snowmobiles in designated areas of the park. This rulemaking is necessary because NPS general regulations that currently allow snowmobiles require that parks designate specific routes and areas for snowmobile use.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/12/04 | 69 FR 49841 |
| NPRM Comment Period End | 10/12/04 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AD26

## Department of the Interior (DOI) National Park Service (NPS) — Completed Actions

### 1630. SPECIAL REGULATIONS OF THE NATIONAL PARK SYSTEM; RELIGIOUS CEREMONIAL COLLECTION OF GOLDEN EAGLETS IN WUPATKI NATIONAL MONUMENT

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 7.101

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/01/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Patricia L. Parker
Phone: 202 354–6963
Fax: 202 371–6609
Email: pat__parker@nps.gov

**RIN:** 1024–AC86

### 1631. GOLDEN GATE NATIONAL RECREATION AREA; SPECIAL REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 7.97

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/15/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Brian O'Neill
Phone: 415 561–4739
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Email: brian__o'neill@nps.gov

**RIN:** 1024–AD03

### 1632. ALASKA PARK UNITS; SPECIAL REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 13

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 12/02/04 | 69 FR 70061 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Bernard Fagan
Phone: 202 208–7469
Fax: 202 219–8835
Email: chick__fagan@nps.gov

**RIN:** 1024–AD13

### 1633. APOSTLE ISLANDS; OFF–ROAD VEHICLES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 7.82

## DOI—NPS

## Completed Actions

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/01/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Chick Fagan
Phone: 202 208–7456

**RIN:** 1024–AD27

### 1634. YELLOWSTONE NATIONAL PARK—SNOWMOBILE REGULATIONS

**Priority:** Other Significant

**CFR Citation:** 36 CFR 7.13; 36 CFR 7.22; 36 CFR 7.21

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 11/10/04 | 69 FR 65348 |
| Final Action Effective | 12/10/04 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case
Phone: 202 208–4206
Email: jerry__case@nps.gov

**RIN:** 1024–AD29

BILLING CODE 4310—70—S

## Department of the Interior (DOI)
## Bureau of Indian Affairs (BIA)

## Proposed Rule Stage

### 1635. INDIAN ELECTRIC POWER UTILITIES

**Priority:** Substantive, Nonsignificant

**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. BIA is revising this rule to incorporate new procedures on billing and collection of government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/07/96 | 61 FR 29040 |
| NPRM Comment Period End | 08/06/96 | |
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4559, 1849 C Street NW., MS 3543 MIB, Washington, DC 20240
Phone: 202 208–5480

**RIN:** 1076–AD45

### 1636. TRIBAL REVENUE ALLOCATION PLANS

**Priority:** Other Significant

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 290

**Legal Deadline:** None

**Abstract:** The Secretary of the Interior is responsible for reviewing tribal plans for allocating revenues from gaming activities. The Secretary must determine whether the proposed rule is sufficient to promote tribal economic development and fund essential tribal programs, benefits, and services. BIA plans to revise the regulations in part 290 to include additional criteria to assist the Secretary in making this determination.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

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

**RIN:** 1076–AE24

### 1637. INDIAN COUNTRY LAW ENFORCEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2802

**CFR Citation:** 25 CFR 12

**Legal Deadline:** None

**Abstract:** BIA plans to amend its regulation governing law enforcement in Indian country by revising section 12.4 of subpart A and by adding new section 12.24 to subpart C to allow tribal law enforcement officials to travel outside Indian country to respond to incidents in another area and to transport evidence to and from locations in Indian country.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Peter Maybee, Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., MS 4550 MIB, Washington, DC 20240
Phone: 202 208–5787
Fax: 202 208–6170

**RIN:** 1076–AE35

### 1638. PROCLAMATION OF RESERVATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 467

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This rule will define the procedures and criteria to be used for issuance of reservation proclamations by the Secretary of the Interior.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Eufrona Snyder, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–3614

Fax: 202 219–1065

**RIN:** 1076–AE40

### 1639. LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 1496

**CFR Citation:** 25 CFR 103

**Legal Deadline:** None

**Abstract:** We are revising our regulations to comply with the Indian Financing Amendments Act of 2002, specifically 25 U.S.C. 1485(I), which requires the Secretary of the Interior to promulgate regulations to facilitate, administer, and promote transfers of liens and guaranteed and insured portions of loans as intended under the Act. We also are introducing regulations to implement 25 U.S.C. 1497A and 1499, statutory changes dating back to 1988, concerning the guarantee of bonds and supplemental surety bonds. The lack of regulations relating to this subject has inhibited the use of these provisions.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** David B. Johnson, Department of the Interior, Bureau of Indian Affairs, Office of the Solicitor, Division of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–3026

**RIN:** 1076–AE42

### 1640. 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 Judgment Funds Distribution Act that were made in 1992 by Public Law 102-572.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 219–2327
Fax: 202 219–2327

**RIN:** 1076–AE43

### 1641. PREPARATION OF ROLLS OF INDIANS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 25 CFR 61

**Legal Deadline:** None

**Abstract:** This rule will add the enrollment eligibility criteria for individuals who apply to share in the distribution of Western Shoshone Judgment funds. It will also set forth the method for establishing an application deadline date.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 219–2327
Fax: 202 219–2327

**RIN:** 1076–AE44

### 1642. STANDARDS FOR APPROVING TRIBAL PER CAPITA DISTRIBUTIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 117c

**CFR Citation:** 25 CFR 111

**Legal Deadline:** None

**Abstract:** This rule will provide standards for the review and approval of tribal requests for the authority to make per capita distributions from tribal funds held in trust by the Secretary of the Interior under Public Law 98-164, 25 U.S.C. 117a and 117b.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 219–2327
Fax: 202 219–2327

**RIN:** 1076–AE45

### 1643. APPEALS FROM ADMINISTRATIVE ACTIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 9

**CFR Citation:** 25 CFR 2

**Legal Deadline:** None

**Abstract:** This rule will: (1) Clarify who has a right to file and appeal; (2) provide firm deadlines for filing appeals and responses; (3) provide options to appellants if BIA delays making a decision on an appeal; and (4) Provide an expedited process for certain classes of appeals.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Cathy Wilson, Supervisory Water Rights Specialist, Department of the Interior, Bureau of Indian Affairs, 400 North 5th Street, 13th Floor POB 10, MS 420 Two Arizona Center, Phoenix, AZ 85004
Phone: 602 379–6789
Fax: 602 379–6835

**RIN:** 1076–AE48

### 1644. • UNCLAIMED MONEYS/WHEREABOUTS UNKNOWN

**Priority:** Other Significant

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 115

**Legal Deadline:** None

**Abstract:** This rule will create one account in the Department to hold

Individual Indian Moneys funds of any account holders who cannot be located. It will explain the actions the Department will take to determine the current address of an account holder whose whereabouts are unknown. It will set forth an account holder's duty to inform the Department of a current address. It will authorize the holder of an IIM account whose funds have been transferred to the Unknown Moneys account to make a claim for the transferred funds at any time.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE55

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### 1645. • TRUST FUNDS FOR TRIBES AND INDIVIDUAL INDIANS

**Priority:** Other Significant

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 115

**Legal Deadline:** None

**Abstract:** This rule will amend regulations to provide for direct payments to certain Individual Indian Money accounts, allow for quantified multiple fee owner interests in certain Indian land parcels, develop methodology for dealing with IIM accounts worth $1 or less with respect to reporting and accounting of fee for services of such accounts.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE56

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### 1646. • GRAZING PERMITS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 166

**Legal Deadline:** None

**Abstract:** This rule will amend the procedures the BIA uses to approve, grant, and administer permits for grazing on tribal land, individually owned Indian land, or Government land.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE57

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### 1647. • RIGHTS–OF–WAY OVER INDIAN LANDS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 25 USC 323 to 328; 5 USC 301

**CFR Citation:** 25 CFR 169

**Legal Deadline:** None

**Abstract:** This rule will amend the procedures, terms, and conditions under which rights-of-way over and across tribal land, individually owned land, and government owned land may be granted.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE58

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### 1648. • PROBATE OF INDIAN ESTATES, EXCEPT FOR MEMBERS OF THE FIVE CIVILIZED TRIBES

**Priority:** Other Significant

**Legal Authority:** 36 Stat 856, as amended; Secs. 1,2, 36 Stat 855, as amended

**CFR Citation:** 25 CFR 15

**Legal Deadline:** None

**Abstract:** This rule will amend the procedures that the Secretary follows to initiate the probate of the trust estate of a deceased individual Indian who owned trust or restricted property.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE59

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### 1649. • ENHANCEMENT OF ENVIRONMENTAL QUALITY

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** Not Yet Determined

**CFR Citation:** 25 CFR 260

**Legal Deadline:** None

**Abstract:** This rule will develop regulations to enhance the administration of the National Environmental Policy Act on Indian lands where significant environmental impact may be realized due to governmental activity in furtherance of the protection of Indian and tribal resources.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE60

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### 1650. • LEASING OF CERTAIN LANDS IN WIND RIVER INDIAN RESERVATION, WYOMING: OIL AND GAS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 39 Stat 519

**CFR Citation:** 25 CFR 227

**Legal Deadline:** None

**Abstract:** This rule will amend procedures for entering into oil and gas leases on Wind River Indian Reservation, Wyoming.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE61

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### 1651. • LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

**Priority:** Other Significant

**Legal Authority:** 34 Stat 543

**CFR Citation:** 25 CFR 226

**Legal Deadline:** None

**Abstract:** This rule will amend procedures on Osage Reservation lands for entering into oil and gas mining leases, operations oversight, cessation of mining operations, lessee requirements, penalties and appeals regarding adverse decisions.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE62

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### 1652. • SURFACE EXPLORATION, MINING, AND RECLAMATION OF LANDS

**Priority:** Other Significant

**Legal Authority:** 34 Stat 539

**CFR Citation:** 25 CFR 216

**Legal Deadline:** None

**Abstract:** This rule will amend procedures to ensure adequate measures are taken to avoid, minimize, or correct damage to the environment - land, water, and air - and to avoid, minimize, or correct hazards to the public health and safety due to surface exploration, mining, and reclamation of lands.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE63

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### 1653. • LEAD AND ZINC MINING OPERATIONS AND LEASES, QUAPAW AGENCY

**Priority:** Other Significant

**Legal Authority:** 41 Stat 1248; 50 Stat 68

**CFR Citation:** 25 CFR 215

**Legal Deadline:** None

**Abstract:** This rule will amend procedures for administering lead and zinc mining by the Quapaw Agency, Oklahoma.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE64

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### 1654. • LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA: MINING—EXCEPT OIL AND GAS

**Priority:** Other Significant

**Legal Authority:** 34 Stat 543

**CFR Citation:** 25 CFR 214

**Legal Deadline:** None

**Abstract:** This rule will amend procedures for administering mining laws, except for oil and gas, on the Osage Reservation, Oklahoma, to include operations, rental fees and obligations, use of surface lands and homesteads in environmentally responsible manner, and reports and forfeiture processes.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of

the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE65

### 1655. • LEASING OF RESTRICTED LANDS OF MEMBERS OF THE FIVE CIVILIZED TRIBES, OKLAHOMA: MINING

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 35 Stat 312

**CFR Citation:** 25 CFR 213

**Legal Deadline:** None

**Abstract:** This rule will amend procedures to acquire leases, establish rent and royalty rates, ensure environmentally sound operations, and remove restrictions against alienation on Indian lands.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE66

### 1656. • LEASING OF ALLOTTED LANDS FOR MINERAL DEVELOPMENT

**Priority:** Other Significant

**Legal Authority:** 25 USC 396

**CFR Citation:** 25 CFR 212

**Legal Deadline:** None

**Abstract:** This rule will amend administrative procedures for the development of individual Indian oil and gas, geothermal, and solid mineral resources.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE67

### 1657. • LEASING OF TRIBAL LANDS FOR MINERAL DEVELOPMENT

**Priority:** Other Significant

**Legal Authority:** 25 USC 396; 52 Stat 347; 70 Stat 774

**CFR Citation:** 25 CFR 211

**Legal Deadline:** None

**Abstract:** This rule will amend procedures utilized by the Secretary to ensure that Indian mineral owners desiring to have their resources developed are afforded the maximum protection of such resources enabling them to realize the best economic interest that minimizes adverse environmental and cultural impacts based on such development.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE68

### 1658. • TERMS AND CONDITIONS: COAL LEASES

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 25 CFR 200

**Legal Deadline:** None

**Abstract:** This rule will amend regulatory language to reference the applicability of the Surface Mining Control and Reclamation Act of 1977.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE69

### 1659. • LAND RECORDS AND TITLE DOCUMENTS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 34 Stat 137; 35 Stat 312; 64 Stat 1262

**CFR Citation:** 25 CFR 150

**Legal Deadline:** None

**Abstract:** This rule will amend procedures governing the recording, custody, maintenance, use, and certification of title documents and the issuance of title status reports on Indian lands.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE70

### 1660. • PROBATE OF INDIAN ESTATES—APPEALS TO THE OFFICE OF HEARINGS AND APPEALS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 36 Stat 855 to 856, as amended

**CFR Citation:** 25 CFR 4

**Legal Deadline:** None

**Abstract:** This rule will establish procedures to appeal Indian probate

matters to the Office of Hearings and Appeals

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE71

### 1661. • GENERAL FORESTRY REGULATIONS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 25 USC 13; 25 USC 2; 25 USC 406; 25 USC 407; 25 USC 413; 25 USC 415; 25 USC 466; 25 USC 5; 25 USC 9

**CFR Citation:** 25 CFR 163

**Legal Deadline:** None

**Abstract:** This rule will amend procedures to manage and improve timber productivity, grazing, wildlife, fisheries, recreation, aesthetics, cultural, and other traditional values of Indian Tribes as they may pertain to Indian forest land activities.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Local, Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE72

### 1662. • LEASES AND PERMITS

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 162

**Legal Deadline:** None

**Abstract:** This rule will establish procedures for entering into business leases on Indian and government lands.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michelle Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208–4866

**RIN:** 1076–AE73

## Department of the Interior (DOI)
## Bureau of Indian Affairs (BIA)

Final Rule Stage

### 1663. IRRIGATION PROJECTS AND SYSTEMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 385

**CFR Citation:** 25 CFR 171

**Legal Deadline:** None

**Abstract:** BIA is revising this rule to incorporate new procedures on billing and collection of Government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/05/96 | 61 FR 35167 |
| NPRM Comment Period End | 09/03/96 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** John Anevsky, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., MS 4655 MIB, Washington, DC 20240
Phone: 202 208–5480

**RIN:** 1076–AD44

### 1664. ALASKA RESUPPLY OPERATION

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

**Legal Authority:** R.S. 465

**CFR Citation:** 25 CFR 142

**Legal Deadline:** None

**Abstract:** This proposed rule makes technical revisions to reflect terms now in common usage, e.g., ''Regional Director'' and ''Traffic Manager.'' A new section refers to the application of Indian preference in hiring pursuant to the Indian Reorganization Act of 1934 (25 USC 479).

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/03/00 | 65 FR 47704 |
| NPRM Comment Period End | 10/02/00 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**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–AE04

### 1665. LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 635

**CFR Citation:** 25 CFR 162

**Legal Deadline:** None

**Abstract:** BIA plans to amend its regulations governing leasing of Indian trust and restricted lands by revising subpart A and by adding subpart C and D covering residential leases and business leases on trust and restricted land.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/10/04 | 69 FR 6500 |
| NPRM Comment Period End | 05/10/04 | |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Kayla Danks, Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW. MS 4639 – MIB, Washington, DC 20240
Phone: 202 208–3615
Fax: 202 219–1065

**RIN:** 1076–AE36

## 1666. REINDEER IN ALASKA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 500

**CFR Citation:** 25 CFR 243

**Legal Deadline:** None

**Abstract:** This rule will codify procedures for processing requests for reindeer by non-native Alaskans.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 03/11/04 | 69 FR 11784 |
| NPRM Comment Period End | 06/09/04 | |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Warren Eastland, Wildlife Biologist, Department of the Interior, Bureau of Indian Affairs, P.O. Box 25520, Juneau, AK 99802
Phone: 907 586–7321

**RIN:** 1076–AE37

## 1667. NAVAJO PARTITIONED LANDS GRAZING PERMITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 640d et seq

**CFR Citation:** 25 CFR 161

**Legal Deadline:** None

**Abstract:** This rule will govern the grazing of livestock on the Navajo Partitioned Lands (NPL) of the former Navajo-Hopi Joint Use Area of the 1982 Executive order reservation. The purpose of these regulations is to conserve the rangelands of the NPL in order to maximize future use of the land for grazing and other purposes.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 11/12/03 | 68 FR 64023 |
| NPRM Comment Period End | 02/10/04 | |
| Final Action | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Orwin, Soil Conservationist, Department of the Interior, Bureau of Indian Affairs, MS 3061 MIB 1849 C Street NW., Washington, DC 20240
Phone: 202 208–6464
Fax: 202 219–0006

**RIN:** 1076–AE46

## 1668. HOME–LIVING PROGRAMS AND SCHOOL CLOSURE AND CONSOLIDATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 107–110

**CFR Citation:** 25 CFR 36; 25 CFR 48

**Legal Deadline:** None

**Abstract:** As required by the No Child Left Behind Act of 2001, the Secretary of the Interior has developed proposed regulations using negotiated rulemaking that address home-living programs and school closure and consolidation. The provisions covering home-living situations address home-living staffing, programs, and privacy. The closure and consolidation portion of the rule contains procedures for closing, consolidating, or substantially curtailing a school.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/12/04 | 69 FR 41770 |
| NPRM Comment Period End | 11/09/04 | |
| Final Action | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Catherine Freels, Designated Federal Official, Department of the Interior, Bureau of Indian Affairs, 500 Gold Ave. SW. Room 7202, Albuquerque, NM 87102
Phone: 505 248–7240

**RIN:** 1076–AE51

## 1669. WINNEMUCCA COURT OF INDIAN OFFENSES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 13

**CFR Citation:** 25 CFR 11

**Legal Deadline:** None

**Abstract:** This rule would revise part 11 to add the Winnemucca Indian tribe to the list of Courts of Indian Offenses. The purpose of establishing a Court of Indian Offenses at the Winnemucca tribe is to protect the persons, land, lives, and property of tribal members until the tribe reassumes or creates a law and order program for the reservation.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Ralph Gonzales, Tribal Relations Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Ave. NW, Washington, DC 20240
Phone: 202 513–7629

**RIN:** 1076–AE52

## Department of the Interior (DOI)
## Bureau of Indian Affairs (BIA)

**Long-Term Actions**

### 1670. CERTIFICATES OF DEGREE OF INDIAN BLOOD

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 9

**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 | 04/18/00 | 65 FR 20775 |
| NPRM Comment Period Extended | 06/20/00 | 65 FR 38228 |
| NPRM Comment Period End | 07/17/00 | |
| NPRM Comment Period Extended | 08/16/00 | |
| NPRM Comment Period Extended | 06/25/01 | 66 FR 33654 |
| NPRM Comment Period End | 12/31/01 | |
| Final Action | 05/00/06 | |

**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 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 219–2327
Fax: 202 219–2327

**RIN:** 1076–AD97

## Department of the Interior (DOI)
## Bureau of Indian Affairs (BIA)

**Completed Actions**

### 1671. BUY INDIAN ACT REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 48 CFR 14 app A

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/01/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kim Romine
Phone: 703 390–6461
Fax: 703 390–6582

**RIN:** 1076–AE07

### 1672. INDIAN HIGHWAY SAFETY PROGRAM

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 181

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/01/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Charles L. Jaynes
Phone: 505 245–2100
Fax: 505 245–2106

**RIN:** 1076–AE47

### 1673. NO CHILD LEFT BEHIND ACT OF 2001

**Priority:** Other Significant

**CFR Citation:** 25 CFR 39; 25 CFR 42

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 04/28/05 | 70 FR 22177 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Organizations

**Government Levels Affected:** Tribal

**Federalism:** This action may have federalism implications as defined in EO 13132.

**Agency Contact:** Catherine Freels
Phone: 505 248–7240

**RIN:** 1076–AE49

### 1674. CONFORMING AMENDMENTS TO IMPLEMENT THE NO CHILD LEFT BEHIND ACT OF 2001

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 31; 25 CFR 36

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 04/28/05 | 70 FR 21950 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Catherine Freels
Phone: 505 248–7240

**RIN:** 1076–AE54

BILLING CODE 4310—02—S

## Department of the Interior (DOI)
## Minerals Management Service (MMS)

**Prerule Stage**

### 1675. REQUIREMENTS FOR MATERIAL, PERSONNEL AND PIPE HANDLING OPERATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 250.108

**Legal Deadline:** None

**Abstract:** MMS is seeking comments on various approaches to regulating operations involving the movement of material, personnel, and pipe on the Outer Continental Shelf (OCS) facilities. MMS is examining several regulatory approaches because material, personnel, and pipe handling incidents continue to occur on the OCS on a regular basis. Responses to this request will help MMS establish an appropriate regulatory approach for improving the safety of these operations.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, MS 4024, MS 4020 381 Eldon Street, Herndon, VA 20170–4817
Phone: 703 787–1032
Email: rules.comments@mms.gov

**RIN:** 1010–AD14

### 1676. SAFETY MANAGEMENT SYSTEMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is seeking comments on regulatory options for the development of safety and environmental management systems (SEMS) for operations conducted on the Outer Continental Shelf under MMS jurisdiction. The options range from voluntary implementation to establishment of a 12-element program. MMS believes that effective use of SEMS would improve safety and environmental performance on the OCS. Comments on the options will help MMS determine the best approach for integrating SEMS into its regulatory program.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local

**Agency Contact:** Bud Danenberger, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170
Phone: 703 787–1598

**RIN:** 1010–AD15

### 1677. ● COST RECOVERY FOR PLANS, PERMITS, AND INSPECTIONS FOR OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 31 USC 9701

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The Independent Office Appropriations Act of 1952 (31 U.S.C. 9701) established that government services should be self-sustaining to the extent possible. This Act authorized government agencies to charge fairly for these services, based on the costs to the Government, the value of the service to the recipient, public policy, and other relevant facts. MMS incurs costs for various services it provides to the oil and gas industry operating in the Outer Continental Shelf (OCS). This rule would enable MMS to recover these costs, which may include filing fees for geological and geophysical permits, exploration and development plans, deep water operations plans, well permits, facility permits, and structure permits. MMS currently does not charge for these services. Rulemaking is the only method available to impose these fees and comply with the intent of Congress to recover government costs.

This is a separate rulemaking from the proposed rule for cost recovery (RIN 1010-AD16), which proposes fees for different services.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

**Agency Contact:** Angela Mazzullo, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170
Phone: 703 787–1691

**RIN:** 1010–AD23

## Department of the Interior (DOI) Minerals Management Service (MMS) — Proposed Rule Stage

### 1678. LATE AND OVERPAYMENT INTEREST

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301 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 | 03/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
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Email: sharron.gebhardt@mms.gov

**RIN:** 1010–AC27

### 1679. TAKES VS. ENTITLEMENTS REPORTING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 5 USC 301 et seq

**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 | 10/00/05 | |

| Action | Date | FR Cite |
|---|---|---|
| NPRM Comment Period End | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local, State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
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**RIN:** 1010–AC29

## 1680. 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 | 01/00/06 | |
| NPRM Comment Period End | 03/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
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**RIN:** 1010–AC31

## 1681. 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 oil and gas leases and expands the eligibility criteria for leases to qualify for this program.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |
| NPRM Comment Period End | 07/00/05 | |

**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
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**RIN:** 1010–AC58

## 1682. DATA RELEASE AND DEFINITIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250 subpart A

**Legal Deadline:** None

**Abstract:** This rule will amend 30 CFR part 250 subpart A by adding a new definition revising the existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new section pertaining to notifying MMS on production status. We are reorganizing the forms data release table and adding entries for three new forms. We are expanding the requirements pertaining to submitting digital data. The proposed rule will provide additional time for exploration and development activities through the use of suspensions of operations for qualified leases in Alaska.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |
| NPRM Comment Period End | 06/00/05 | |

**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
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**RIN:** 1010–AC99

## 1683. VALUATION OF OIL FROM INDIAN LEASES

**Priority:** Other Significant

**Legal Authority:** 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1701 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 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.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 12/20/95 | 60 FR 65610 |
| NPRM | 02/12/98 | 63 FR 7089 |
| NPRM Comment Period Extended | 04/09/98 | |
| NPRM Comment Period End | 05/13/98 | |
| Comment Period Extended to 03/20/2000 | 02/28/00 | 65 FR 10436 |
| Supplemental NPRM | 08/00/05 | |
| Supplemental NPRM Comment Period End | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

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**Related RIN:** Previously reported as 1010–AC24

**RIN:** 1010–AD00

## 1684. REDUCTION TO ROYALTY RELIEF IN SPECIAL CIRCUMSTANCES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 203

**Legal Deadline:** None

**Abstract:** The recently published final rule 1010-AC71 created a process for certain leases (those that are inadequately helped by our formal relief systems) to seek special royalty relief. However overly restrictive eligibility criteria may exclude some leases that fulfill statutory purposes while redundant criteria may include other leases that do not fit statutory purposes. This rule will refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |
| NPRM Comment Period End | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1010–AD02

## 1685. LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF

**Priority:** Other Significant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rulemaking will rewrite the existing rules at 30 CFR part 256 to make them clearer. The rule has been reorganized and streamlined to better reflect the 5-year and lease sale processes as they have evolved since the last rewrite in the 1980's. There are few substantive changes to the rule.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |
| NPRM Comment Period End | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, MS 623, 381 Elden Street, Herndon, VA 22070
Phone: 703 787–1275

**RIN:** 1010–AD06

## 1686. PROTECTION OF MARINE MAMMALS AND ENDANGERED SPECIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would revise subpart B to require lessees to provide information on the requirements of the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). It identifies environmental, monitoring, and mitigation information that lessees must submit with exploration and development and production. The proposed rule would ensure that lessees conduct their activities in a manner consistent with the provisions of the ESA and MMPA.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |
| NPRM Comment Period End | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1010–AD10

## 1687. PIPELINE SAFETY RULE PHASE I

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1331 et seq

**CFR Citation:** 30 CFR 250; 43 USC 1331 et seq

**Legal Deadline:** None

**Abstract:** Subpart J Safety regulations are 20 years old and technically and administratively out of date with MMS policies, practices, and safety requirements issued elsewhere in regional notices to lessees (NTLs) and letters to lessees (LTLs). This proposed rule is the first phase of a planned two-phase update of the regulations. This phase I will incorporate the NTLs and LTLs and give the requirements the force and weight of law. Additionally, the rule will be rewritten and reformatted for added clarity and will incorporate several new pipeline design standards to technically update the design information included in the current regulation.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

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**RIN:** 1010–AD11

## 1688. OIL AND GAS PRODUCTION RATES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would amend provisions regarding oil and natural gas production. This is a complete rewrite of that section and addresses issues such as production rates and burning oil and flaring and venting natural gas. Currently there are restrictions on production rates that are no longer needed and the limits on flaring and venting natural gas are open to interpretation. The proposed rule will eliminate most restrictions on production rates and clarify flaring and venting limits.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |
| NPRM Comment Period End | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1010–AD12

### 1689. RIGHTS OF USE AND EASEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would extend existing bonding requirements of Rights of Use and Easement holders to cover decommissioning. Most Rights of Use and Easement holders need bonding to cover their obligations, so this will not increase the cost for them. This rule changes the length of time that the bond must be kept in place. The other changes clarify existing provisions.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |
| NPRM Comment Period End | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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**RIN:** 1010–AD13

### 1690. ADMINISTRATIVE COST RECOVERY FOR OCS OIL AND GAS OPERATIONS

**Priority:** Other Significant

**Legal Authority:** 31 USC 9701

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The FY 2005 budget request for MMS includes $1 million to be raised in cost recovery fees to offset the bureau's operating costs. The fees will be requested under the authority provided in title V of the Independent Offices Appropriations Act of 1952 (31 U.S.C. 9701), a Governmentwide authority that permits cost recovery. This regulation would change some existing fees and add several new fees.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Angela Mazzullo, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170
Phone: 703 787–1691

**RIN:** 1010–AD16

### 1691. OPEN AND NONDISCRIMINATORY MOVEMENT OF OIL AND GAS AS REQUIRED BY THE OUTER CONTINENTAL SHELF LANDS ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1863

**CFR Citation:** 30 CFR 270

**Legal Deadline:** None

**Abstract:** The Outer Continental Shelf Lands Act (OCSLA) requires pipelines to provide open and non-discriminatory access to shippers of production. The Federal Energy Regulatory Commission (FERC) has historically enforced this provision through its enforcement of the Natural Gas Act (NGA) and the Interstate Commerce Act. Beginning in the 1990s, FERC began relinquishing NGA jurisdiction over some of these pipelines. FERC contended it still maintained authority under OCSLA, however, the Courts have ruled otherwise. In order to provide shippers with a methodology to file complaints alleging denial of access or discriminatory access, MMS is proposing regulations to fill this regulatory gap.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Martin Grieshaber, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225
Phone: 303 231–3211

**RIN:** 1010–AD17

### 1692. • REVISIONS TO RULES GOVERNING PLATFORMS AND STRUCTURES AND PIPELINES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The proposed revisions are necessary because of aging OCS infrastructure and the movement of OCS facilities into deeper waters through the use of new technology. These proposed revisions would require lease operators and pipeline right-of-way holders to: (1) Submit information on the structural integrity of their OCS platforms; (2) submit an inspection program to MMS yearly; (3) provide additional information if they propose using unbonded flexible pipe or install pipeline risers on floating platforms. The proposed rule, at the request of industry, incorporates an industry-developed document into our regulations.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Larry Ake, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20070
Phone: 703 787–1567

**RIN:** 1010–AD18

### 1693. • OIL AND GAS WELL CEMENTING REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 250.198; 30 CFR 250.415

**Legal Deadline:** None

**Abstract:** MMS is proposing to incorporate by reference the First Edition of the American Petroleum

Institute's Recommended Practice for Cementing Shallow Water Flow Zones in Deep Water Wells (API RP 65) into its regulations. This action will establish a series of best cementing practices for lessees to evaluate when cementing wells in deep water areas of the OCS that are prone to shallow water flow.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, MS 4024, MS 4020 381 Eldon Street, Herndon, VA 20170–4817
Phone: 703 787–1032
Email: rules.comments@mms.gov

**RIN:** 1010–AD19

### 1694. • REPORTING AND COMPLIANCE WITH THE DEBT COLLECTION IMPROVEMENT AND PRIVACY ACTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189; 30 USC 190; 30 USC 359; 31 USC 3716; 43 USC 1334; 44 USC 3505(a); 5 USC 301 et seq

**CFR Citation:** 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218

**Legal Deadline:** None

**Abstract:** This rule would amend current reporting requirements to delete references to old reports, designations, systems, and codes; and add new ones as needed, including taxpayer identification number reporting required by the Debt Collection Improvement Act. It will also change the definition of individual in the Privacy Act regulations to be consistent with congressional intent. MMS faces substantial risk if it does not provide regulatory authority for the current reporting scheme and compliance with the Debt Collection Improvement and Privacy Acts.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
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**RIN:** 1010–AD20

### 1695. • FEDERAL SODIUM AND POTASSIUM VALUATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule will: (1) Create valuation rules for sodium and potassium minerals, which are currently subject to generic regulations governing solid minerals; (2) make existing rules more specific and clear. This rule would affect all lessees because they would have to comply when computing Federal production royalties.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
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**RIN:** 1010–AD21

## Department of the Interior (DOI) — Final Rule Stage

## Minerals Management Service (MMS)

### 1696. PLANS AND INFORMATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 25 CFR 250; 30 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 | 05/17/02 | 67 FR 35372 |
| Comment Period Extended | 12/13/02 | 67 FR 46616 |
| Final Action | 05/00/05 | |
| Final Action Effective | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1010–AC47

### 1697. INCIDENT REPORTING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** There continues to be rapid growth in offshore exploration and production activities in the Gulf of Mexico. 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 | 07/08/03 | 68 FR 40585 |
| NPRM Comment Period End | 12/05/03 | |
| Final Action | 07/00/05 | |
| Final Action Effective | 08/00/05 | |

**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
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**RIN:** 1010–AC57

## 1698. PROPRIETARY TERMS AND DATA DISCLOSURE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250; 30 CFR 251

**Legal Deadline:** None

**Abstract:** This rule would modify the proprietary terms for geophysical data and information and any of their derivatives that MMS acquires under 30 CFR part 251. We propose to change the beginning of the proprietary terms from the date of submission to MMS to the date MMS issues the permit. The rule would also allow selective disclosure of geological and geophysical data and information and allow selective disclosure of data and information generated on a lease to persons with a direct interest in issues concerning field determination and royalty relief eligibility.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 07/17/02 | 67 FR 46942 |
| NPRM Comment Period End | 09/18/02 | |
| Final Action | 06/00/05 | |
| Final Action Effective | 07/00/05 | |

**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
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**RIN:** 1010–AC81

## 1699. DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** We are proposing to amend our regulations to better address floating offshore platforms that, until now, have not been expressly covered. This will require a complete rewrite of subpart I to include floating production systems. These systems are variously described as column-stabilized units; floating production, storage, and offloading facilities; tension-leg platforms; spars; etc. We are also incorporating into our regulations a body of industry standards pertaining to floating productions systems, and this will save the public the costs of developing government standards.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/27/01 | 66 FR 66851 |
| NPRM Comment Period End | 02/12/02 | |
| Comment Period Extended | 03/28/02 | 67 FR 14902 |
| Final Action | 05/00/05 | |
| Final Action Effective | 06/00/05 | |

**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
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**RIN:** 1010–AC85

## 1700. BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The rule would upgrade blowout prevention requirements for well workover operations conducted using coiled tubing while the well-head production tree is in place.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/22/04 | 69 FR 34625 |
| NPRM Comment Period End | 08/23/04 | |
| Final Action | 07/00/05 | |
| Final Action Effective | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1010–AC96

## 1701. FEDERAL GAS VALUATION

**Priority:** Other Significant

**Legal Authority:** 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 43 USC 1331 et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule would amend the existing rules governing valuation for royalty purposes of natural gas produced from Federal leases. In evaluating these rules, MMS has identified several issues that warrant further public comment. MMS is therefore proposing these amendments in an effort to improve the current rule and to correct some technical problems.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Notice of Public Meetings | 04/10/03 | 68 FR 17565 |
| NPRM | 07/23/04 | 69 FR 43944 |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management

Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
Phone: 303 231–3211
Fax: 303 231–3385
Email: sharron.gebhardt@mms.gov

**RIN:** 1010–AD05

### 1702. SUSPENSION OF OPERATIONS FOR ULTRA–DEEP DRILLING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would allow suspension of operations for leases in less than 800 meters of water on geologic structures targeted by an ultra-deep well that has commenced drilling. The high cost and complexity of drilling an ultra-deep well discourage companies from drilling without sufficient expectation of using the information as part of a larger drilling program. This proposed rule allows companies that drill an ultra-deep well to use the information gained to analyze geologically related leases and provides additional time to drill those leases.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/14/05 | 70 FR 7451 |
| NPRM Comment Period End | 03/16/05 | |
| Final Rule | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** 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–AD09

### 1703. • PROVIDING CONTACT INFORMATION TO MMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 396; 30 USC 189; 31 USC 3176; 43 USC 1334; 44 USC 3506(a); 5 USC 301 et seq

**CFR Citation:** 30 CFR 290

**Legal Deadline:** None

**Abstract:** MMS needs to amend its current regulations to reflect updated procedures for businesses to use when supplying MMS with their contact information. Because the existing rule contains obsolete procedures, MMS is not receiving updated contact information that it needs to be able to send important correspondence to companies. This rule will put a small burden on industry to complete an address/contact form on an as-needed basis. The form will be made available to industry by request or via the MMS website.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Rule | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2 P.O. Box 25165, Denver, CO 80225–3211
Phone: 303 231–3211
Fax: 303 231–3385
Email: sharron.gebhardt@mms.gov

**RIN:** 1010–AD22

## Department of the Interior (DOI) — Completed Actions

## Minerals Management Service (MMS)

### 1704. DOCUMENT INCORPORATED BY REFERENCE—API 510—PRESSURE VESSEL INSPECTION CODE: MAINTENANCE INSPECTION, RATING, REPAIR, AND ALTERATION

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 250

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 02/14/05 | 70 FR 7401 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray
Phone: 703 787–1600
Fax: 703 787–1093
Email: kumkum.ray@mms.gov

**RIN:** 1010–AC95

### 1705. FEDERAL OIL VALUATION

**Priority:** Other Significant

**CFR Citation:** 30 CFR 206; 30 CFR 210

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 05/05/04 | 69 FR 24959 |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt
Phone: 303 231–3211
Fax: 303 231–3385
Email: sharron.gebhardt@mms.gov

**RIN:** 1010–AD04

BILLING CODE 4310—MR—S

## Department of the Interior (DOI) — Proposed Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

### 1706. ABANDONED COAL REFUSE SITES

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870; 30 CFR 701

**Legal Deadline:** None

**Abstract:** OSM intends to propose new rules governing permitting and performance standards for the recovery of coal from abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 08/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Art Abbs, Birmingham Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, AL 35209
Phone: 205 290–7282
Email: aabs@osmre.gov

**RIN:** 1029–AB70

### 1707. REVEGETATION

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 816

**Legal Deadline:** None

**Abstract:** This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jim Fulton, Chief, Denver Field Division, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3320, Denver, CO 80202
Phone: 303 844–1400
Email: jfulton@osmre.gov

**RIN:** 1029–AC02

### 1708. FINANCIAL ASSURANCES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800

**Legal Deadline:** None

**Abstract:** We are considering rulemaking to ensure adequate funding for the treatment of unanticipated long-term pollutant discharges including acid or toxic mine drainage, that develop as a result of surface coal mining operations.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 05/17/02 | 67 FR 35070 |
| ANPRM Comment Period End | 10/15/02 | 67 FR 46617 |
| NPRM | 09/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208–2829
Email: drice@osmre.gov

**RIN:** 1029–AC05

## Department of the Interior (DOI) — Final Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

### 1709. INDIAN LANDS

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750

**Legal Deadline:** None

**Abstract:** OSM regulates mining on Indian lands and the States regulate mining on non-Indian lands. OSM proposed revisions to its regulations to clarify that the definition of ''Indian lands'' at 30 CFR 700.5 includes individual Indian trust allotments located within an approved tribal land consolidation area. The proposed clarification was required under the terms of a settlement agreement between the Department of the Interior and the Navajo Nation and Hopi Tribe to settle the tribes' challenges to a May 1989 Indian lands rulemaking.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 02/19/99 | 64 FR 8464 |
| NPRM Comment Period End | 06/21/99 | 64 FR 18585 |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Stephen Sheffield, Chief, Division of Technical Support, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10 SIB 1849 C Street NW., Washington, DC 20240
Phone: 202 208–2883

**RIN:** 1029–AB83

### 1710. PROCESSING STATE PROGRAM AMENDMENTS

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 732

**Legal Deadline:** None

**Abstract:** We are revising our regulations governing the processing of State program amendments. The existing regulations require us to take over an approved State program when the State fails to amend its program in a timely manner. This can be disruptive to the mining industry, expensive for the Federal Government, and, in many instances, unwarranted by the nature of the outstanding amendment. This rule will allow OSM to take action that is more appropriate in situations where the outstanding amendment does not

impair the effectiveness of the approved State Program.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/03/03 | 68 FR 67776 |
| Final Action | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 210 SIB, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208–2701
Email: adevito@osmre.gov

**RIN:** 1029–AC06

## 1711. OWNERSHIP AND CONTROL SETTLEMENT RULE

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847

**Legal Deadline:** None

**Abstract:** We are proposing revisions to certain provisions of our December 19, 2000, final Ownership and Control rule in order to effectuate a settlement agreement that we entered into with the National Mining Association. Among other things, the rule would revise provisions of the 2000 final rule pertaining to the definitions of ownership and control, permit eligibility determinations, and challenges to ownership or control listings or findings.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/29/03 | 68 FR 75036 |
| Final Action | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 859 260–8427
Email: ebandy@osmre.gov

**RIN:** 1029–AC08

## 1712. FEE ALLOCATION RULE

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 870; 30 CFR 872

**Legal Deadline:** None

**Abstract:** This rule sets forth the criteria and procedures that we are proposing to use to establish fees under the abandoned mine reclamation program provisions of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The fixed-rate fees established under SMCRA expire September 30, 2004. However, the Act requires that, for coal produced after that date, fees be established to continue to provide for transfers from the Abandoned Mine Reclamation Fund to the Combined Benefit Fund. This proposed rule would implement that requirement. We are also proposing to revise our regulations governing allocation and disposition of the fees collected and of other AML Fund income.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 09/17/04 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208–2829
Email: drice@osmre.gov

**RIN:** 1029–AC47

## 1713. CIVIL PENALTY ADJUSTMENTS

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 774

**Legal Deadline:** None

**Abstract:** This rule would adjust the penalty amount of certain civil monetary penalties authorized by the Surface Mining Control and Reclamation Act of 1977. The rule implements the Federal Civil Penalties inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996. The law requires that civil monetary penalties be adjusted for inflation at least once every four years.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Direct FInal Rule | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 859 260–8427
Email: ebandy@osmre.gov

**RIN:** 1029–AC48

## 1714. ● TRANSFER, ASSIGNMENT, OR SALE OF PERMIT RIGHTS

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 774

**Legal Deadline:** None

**Abstract:** On February 15, 2001, the National Mining Association (NMA) filed a lawsuit in Federal district court seeking to overturn certain provisions adopted in our 2000 Ownership and Control final rule. Under the terms of the settlement, OSM agreed, among other things, to publish a proposed rule for public comment concerning the transfer, assignment, or sale of permit rights. The rule will clarify for all interested groups what constitutes a transfer, assignment, or sale of permit rights.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/26/05 | 70 FR 3840 |
| Final Rule | 11/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 859 260–8427
Email: ebandy@osmre.gov

**RIN:** 1029–AC49

## Department of the Interior (DOI) — Long-Term Actions
## Office of Surface Mining Reclamation and Enforcement (OSMRE)

### 1715. PLACEMENT OF EXCESS SPOIL

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 780; 30 CFR 781; 30 CFR 785; 30 CFR 816; 30 CFR 817

**Legal Deadline:** None

**Abstract:** This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil from surface coal mining operations into waters of the United States. In addition, it will modify the backfilling and grading regulations to minimize the creation of excess spoil and it will revise the regulations governing surface coal mining operations within 100 feet of a perennial or intermittent stream to more closely track the underlying statutory provisions.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 01/07/04 | 69 FR 1036 |
| Final Action | 05/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dave Hartos, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Pittsburgh, PA 15220
Phone: 412 937–2902
Email: dhartos@osmre.gov

**RIN:** 1029–AC04

BILLING CODE 4310—05—S

## Department of the Interior (DOI) — Proposed Rule Stage
## Bureau of Reclamation (RB)

### 1716. PUBLIC CONDUCT ON BUREAU OF RECLAMATION FACILITIES, LANDS AND WATERBODIES

**Priority:** Other Significant

**Legal Authority:** 16 USC 460 1–31; 43 USC 3736; . . .

**CFR Citation:** 43 CFR 423

**Legal Deadline:** None

**Abstract:** This proposed rule would establish regulations regarding public conduct on Reclamation lands and Reclamation projects, waters, and real property subject to the administration of Reclamation or in its custody. The rule is necessary to ensure the safety of the public, Reclamation employees, dams, facilities, and other resources in our jurisdiction. This proposed rule would replace an interim rule that we issued on April 17, 2002, and extended on April 3, 2003.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gary Anderson, Policy Analyst, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225–0007
Phone: 303 445–2891

**RIN:** 1006–AA45

### 1717. IMPLEMENATION OF THE TRUCKEE RIVER OPERATING AGREEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 104 Stat 3294

**CFR Citation:** 43 CFR 419

**Legal Deadline:** None

**Abstract:** This rule would implement the Truckee River Operating Agreement. The agreement was negotiated to cover water stored in, released from, and passed through Truckee River reservoirs to satisfy Orr Ditch Decree water rights. The rule would ensure that this water conforms with the Orr Ditch Decree and the Truckee River General Eclectic Decree except where the water rights are either: (1) Voluntarily relinquished or (2) transferred under State law.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth Parr, Manager, Special Projects, Department of the Interior, Bureau of Reclamation, Lahontan Basin Area Office 705 North Plaza Street Room 320, Carson City, NV 89701–4015
Phone: 775 882–3436

**RIN:** 1006–AA48

## Department of the Interior (DOI) — Long-Term Actions
## Bureau of Reclamation (RB)

### 1718. ● PUBLIC CONDUCT ON BUREAU OF RECLAMATION LANDS AND PROJECTS; EXTENSION OF EXPIRATION DATE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 460 1–31

**CFR Citation:** 43 CFR 423

**Legal Deadline:** None

**Abstract:** In 2002 the Bureau of Reclamation published a final rule governing public conduct on Bureau of Reclamation Lands (the 2002 rule). The 2002 rule will expire on April 17, 2005. We are developing a new rule to replace the 2002 rule, but the new rule will not be finalized by April 17. This rule extends the effective date of the 2002 rule to allow us time to develop and publish the new rule.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| Final Rule | To Be | Determined |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Gary Anderson, Policy Analyst, Department of the

Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225–0007

Phone: 303 445–2891

**RIN:** 1006–AA49

BILLING CODE 4310—09—S

## Department of the Interior (DOI)
## Bureau of Land Management (BLM)

**Prerule Stage**

### 1719. • MINING CLAIMS UNDER THE GENERAL MINING LAW; SURFACE MANAGEMENT

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 21 et seq; 43 USC 1701 et seq

**CFR Citation:** 43 CFR 3809

**Legal Deadline:** None

**Abstract:** This rulemaking will determine whether or to what degree the Department of the Interior will charge fair market value for the surface use of unclaimed lands and lands where claims have been determined to be invalid for mining activities involving locatable minerals under the Mining Law.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Scott Haight, Department of the Interior, Bureau of Land Management, P.O. Box 1160, Lewistown, MT 59547
Phone: 406 538–1930
Email: scott__haight@blm.gov

**RIN:** 1004–AD69

## Department of the Interior (DOI)
## Bureau of Land Management (BLM)

**Proposed Rule Stage**

### 1720. COST RECOVERY; MINERAL FILINGS AND OPERATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 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.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/15/00 | 65 FR 78440 |
| NPRM Comment Period End | 02/13/01 | |
| NPRM Comment Period Reopened | 04/16/01 | 66 FR 19413 |
| Second NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Energy Effects:** Statement of Energy Effects planned as required by Executive Order 13211.

**Agency Contact:** Cynthia Ellis, 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: cynthia__ellis@blm.gov

**RIN:** 1004–AC64

### 1721. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 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 nonmineral land entries.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 04/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Barbara Gauthier–Warinner, Mineral Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452–0398
Email: barbara__gauthier-warinner@blm.gov

**RIN:** 1004–AD32

### 1722. CONSERVATION; HELIUM LEASING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 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 |
|---|---|---|
| ANPRM | 12/19/00 | 65 FR 79325 |
| ANPRM Comment Period End | 03/26/01 | |
| NPRM | 04/00/06 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Joseph B. Peterson, Chief, Division of Helium Resources, Department of the Interior, Bureau of Land Management, Amarillo Field Office 801 S. Fillmore, Suite 500, Amarillo, TX 79101
Phone: 806 324–2614

**RIN:** 1004–AD35

## 1723. OIL AND GAS ONSHORE ORDER NO. 1

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1740

**CFR Citation:** 43 CFR 3164

**Legal Deadline:** None

**Abstract:** This proposed rule would clarify the schedule for submitting and processing applications, define terms used, and introduce concepts that will make filing and processing more efficient. BLM does not intend to add significant new requirements.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** James Burd, Natural Resource Specialist, Department of the Interior, Bureau of Land Management, MS 501 LS1849 C Street N.W., Washington, DC 20240
Phone: 202 452–5017

**RIN:** 1004–AD59

## 1724. ALASKA NATIVE VETERAN ALLOTMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 270–1 to 270–3

**CFR Citation:** 43 CFR 2568

**Legal Deadline:** None

**Abstract:** This proposed rule would delete the requirement at 43 CFR 2568.77 that a veteran applicant must have posted the corners of his or her claim prior to filing an application with BLM. Removal of this requirement would place veteran allotment applicants on the same footing as thousands of applicants who filed under the original 1906 Alaska Native Allotment Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Connie Van Horn, Native Allotment Coordinator, Department of the Interior, Bureau of Land Management, 222 W. 7th Avenue, No. 13, Anchorage, AK 99513
Phone: 907 271–3767

**RIN:** 1004–AD60

## 1725. MARGINAL OIL/GAS ROYALTY RATE REDUCTION PROGRAM

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

**Legal Authority:** 30 USC 181 et seq

**CFR Citation:** 43 CFR 3103.4–2

**Legal Deadline:** None

**Abstract:** This rulemaking will replace the existing stripper oil royalty reduction program. The new program will incorporate most of the Inspector General's concerns and recommendations from its three audits. In addition, the new program will expand Federal royalty relief to marginal gas production.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rudy Baier, Division of Fluid Mineral Lease and Reservoir Management, Department of the Interior, Bureau of Land Management, 1849 C Street NW, Washington, DC 20240
Phone: 202 653–2153

**RIN:** 1004–AD65

## 1726. ● PUBLIC LANDS AND RESOURCES; LAW ENFORCEMENT—CRIMINAL; RECREATION PROGRAMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1241 to 1249; 16 USC 460l–6a; 16 USC 670g to 670n; 43 USC 1733

**CFR Citation:** 43 CFR 9268

**Legal Deadline:** None

**Abstract:** This rule will remove outdated and superseded provisions in the law enforcement regulations pertaining to recreation management.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 12/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Keith Aller, Deputy Director, Office of Law Enforcement and Security, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 501–4819
Fax: 202 502–2582
Email: keith__aller@blm.gov

**RIN:** 1004–AD66

## 1727. ● HEAVY OIL ROYALTY REDUCTION PROGRAM

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 188

**CFR Citation:** 43 CFR 3103

**Legal Deadline:** None

**Abstract:** This rule will provide for a reduced royalty rate for producing a low gravity oil. It will determine what should be the threshold for what constitutes low gravity oil, and whether and/or how BLM will impose restrictions such as price thresholds, production caps, or other limitations.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 06/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

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

**Federalism:** Undetermined

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**RIN:** 1004–AD67

### 1728. • PERMITS FOR RECREATION ON PUBLIC LANDS

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 460l–6a; 43 USC 1740; Pub L 108–447

**CFR Citation:** 43 CFR 2930

**Legal Deadline:** None

**Abstract:** This rule will implement the Federal Lands Recreation Enhancement Act of 2004 (the Act), which replaced the permit fee authority of the Land and Water Conservation Fund Act, by changing the authority references in the regulations. The rule will also establish a $100 maximum penalty for a first offender's failure to pay a recreation fee, in accordance with the Act.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 1004–AD68

### 1729. • SALES OF FOREST PRODUCTS; PREPARATION FOR SALE

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 43 USC 1181e

**CFR Citation:** 43 CFR 5420

**Legal Deadline:** None

**Abstract:** This rule will make thinning timber sales more efficient by allowing third party scaling on any thinning timber sale that imposes an upper limit on the average diameer at breast height (DBH) of the trees to be harvested, such as 20 inches DBH. The rule will also establish procedures to minimize the potential for log theft.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| NPRM | 10/00/05 | |

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 1004–AD70

## Department of the Interior (DOI)
## Bureau of Land Management (BLM)

Final Rule Stage

### 1730. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA

**Priority:** Other Significant

**Legal Authority:** 43 USC 1181d; 43 USC 1740; 43 USC 315; 43 USC 315a to 315r

**CFR Citation:** 43 CFR 4100

**Legal Deadline:** None

**Abstract:** This rule will ensure that BLM documents its consideration of the social, cultural, environmental, and economic consequences of grazing changes; provide that changes in grazing use will be phased in under certain circumstances; allow BLM to share title with permittees and lessees to range improvements in certain circumstances; make clear how BLM will authorize grazing if a BLM decision affecting a grazing permit is stayed pending administrative appeal; remove provisions in the present regulations concerning conservation use grazing permits; ensure adequate time for developing and successfully implementing an appropriate management action when BLM finds that rangelands do not meet standards and guidelines for rangeland health and that authorized grazing is a significant factor in not achieving one or more land health standards or not conforming with guidelines for grazing administration; and revise some administrative service charges.

**Timetable:**

| Action | Date | FR Cite |
|---|---|---|
| ANPRM | 03/03/03 | 68 FR 9964 |
| NPRM | 12/08/03 | 68 FR 68452 |
| NPRM Comment Period End | 03/02/04 | |
| Final Action | 05/00/05 | |

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1004–AD42

## Department of the Interior (DOI) — Long-Term Actions
## Bureau of Land Management (BLM)

### 1731. APPEALS PROCEDURES; HEARINGS PROCEDURES

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

**Legal Authority:** 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 contested 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 |
| NPRM Comment Period End | 01/17/97 | 61 FR 58160 |
| Second NPRM | To Be Determined | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Cynthia Ellis, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
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**RIN:** 1004–AC99

## Department of the Interior (DOI) — Completed Actions
## Bureau of Land Management (BLM)

### 1732. DESERT LAND ENTRIES

**Priority:** Other Significant

**CFR Citation:** 43 CFR 2520

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/15/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Jeff O. Holdren
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**RIN:** 1004–AC56

### 1733. RIGHTS–OF–WAY, PRINCIPLES AND PROCEDURES; RIGHTS–OF–WAY UNDER THE MINERAL LEASING ACT

**Priority:** Other Significant

**CFR Citation:** 43 CFR 2800; 43 CFR 2880

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 04/22/05 | 70 FR 20970 |
| Final Action Effective | 06/21/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ron Montagna
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**RIN:** 1004–AC74

### 1734. OIL AND GAS LEASING OPERATIONS; BONDING

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 3100; 43 CFR 3104; 43 CFR 3154

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Withdrawn | 03/15/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ian Senio
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**RIN:** 1004–AD56

### 1735. LAND USE PLANNING

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 1600

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 03/23/05 | 70 FR 14561 |
| Final Action Effective | 04/22/05 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Ian Senio
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**RIN:** 1004–AD57

BILLING CODE 4310—84—S

## Department of the Interior (DOI) — Completed Actions
## Office of the Secretary (OS)

### 1736. PAYMENT IN LIEU OF TAXES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 44

**Completed:**

| Reason | Date | FR Cite |
|---|---|---|
| Final Action | 12/07/04 | 69 FR 70557 |
| Final Action Effective | 12/07/04 | |

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1093–AA09

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