



# Federal Register

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**Tuesday,  
May 27, 2003**

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**Part XI**

**Department of the  
Interior**

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**Semiannual Regulatory Agenda**

**DEPARTMENT OF THE INTERIOR (DOI)**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**25 CFR Ch. I**

**30 CFR Chs. II and VII**

**36 CFR Ch. I**

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

**48 CFR Ch. 14**

**50 CFR Chs. I and IV**

**Semiannual Regulatory Agenda**

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

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This notice provides the semiannual agenda of rules scheduled for review or development between April 2003 and October 2003. 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.

**Date:** April 10, 2003.

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

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

Sequence Number	Title	Regulation Identification Number
1352	Natural Resource Damage Assessments: Type B Procedures .....	1090-AA29
1353	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals .....	1090-AA68
1354	Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division .....	1090-AA73
1355	Nonprocurement Suspension and Debarment; Drug-Free Workplace Grant Requirements .....	1090-AA79
1356	Amendment of Authority to Grant Stays of BLM Grazing Decisions .....	1090-AA84

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

Sequence Number	Title	Regulation Identification Number
1357	Nondiscrimination in Federally Assisted Programs of the Department of the Interior on the Basis of Race, Color, National Origin, Handicap, or Age .....	1090-AA77
1358	Amendment of Authority To Grant Stays of Grazing Decisions .....	1090-AA83

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

Sequence Number	Title	Regulation Identification Number
1359	Records and Testimony; Freedom of Information Act .....	1090-AA61
1360	Department Hearings and Appeals Procedures; Procedures Applicable in Indian Probate Hearings .....	1090-AA81

**United States Fish and Wildlife Service—Prerule Stage**

Sequence Number	Title	Regulation Identification Number
1361	Partners for Fish and Wildlife Program .....	1018-AH98
1362	Release of Captive-Reared Mallards .....	1018-AI05

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

Sequence Number	Title	Regulation Identification Number
1363	North American Wetlands Conservation Act Grant Administration Policies .....	1018-AI13
1364	Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21 .....	1018-AI66
1365	Fiscal Year 2004 Private Stewardship Grants Program; Program Implementation .....	1018-AJ01

## United States Fish and Wildlife Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1366	General Provisions and General Permit Procedures—50 CFR Part 13 .....	1018-AC57
1367	Seizure and Forfeiture Procedures — 50 CFR Part 12 .....	1018-AC89
1368	U.S. Proposals for CITES Appendix III; American Eel .....	1018-AF09
1369	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States .....	1018-AF27
1370	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14 .....	1018-AF46
1371	Endangered and Threatened Wildlife and Plants; Tibetan Antelope .....	1018-AF49
1372	Injurious Wildlife; Addition of the Asian Swamp Eel .....	1018-AF53
1373	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
1374	Federal Falconry Standards and Falconry Permitting .....	1018-AG11
1375	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
1376	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species .....	1018-AG64
1377	Injurious Wildlife — Addition of Black Carp .....	1018-AG70
1378	Endangered and Threatened Wildlife and Plants; Listing of the Miami Blue Butterfly .....	1018-AH30
1379	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Boulder Darter and the Spottin Chub in Shoal Creek, Alabama and Tennessee .....	1018-AH44
1380	Endangered and Threatened Wildlife; Removal of the San Marcos Gambusia From the List of Endangered and Threatened Species .....	1018-AH52
1381	Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species .....	1018-AH53
1382	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Gila Trout From Endangered to Threatened .....	1018-AH57
1383	Endangered and Threatened Plants; Reclassification of the Missouri Bladderpod From Endangered to Threatened .....	1018-AH59
1384	Export of Live Alligators .....	1018-AH65
1385	Audit Resolution Policy .....	1018-AH69
1386	Eagle Permits: New Definitions, Permits for Incidental Taking of Bald Eagles Necessary To Protect Other Interests in Any Particular Locality .....	1018-AH74
1387	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
1388	Marine Mammals: Incidental Take During Specified Activities (Beaufort Sea Polar Bear and Walrus) .....	1018-AH92
1389	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act .....	1018-AH93
1390	Civil Procedures; 50 CFR Part 11 .....	1018-AH97
1391	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species .....	1018-AI04
1392	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations .....	1018-AI32
1393	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the American Crocodile From Endangered to Threatened .....	1018-AI41
1394	Endangered and Threatened Wildlife and Plants; Listing the Southwest Alaskan Distinct Population Segment of the Northern Sea Otter .....	1018-AI44
1395	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl .....	1018-AI48
1396	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout .....	1018-AI52
1397	2003-2004 Refuge Specific Hunting and Sport Fishing Regulations .....	1018-AI63
1398	Migratory Bird Permits; Eiderdown From Iceland .....	1018-AI64
1399	Import of Polar Bear Trophies From Canada; Finding for the Gulf of Boothia Population .....	1018-AI65
1400	Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species .....	1018-AI67

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

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1401	Endangered and Threatened Wildlife and Plants; Listing the California Tiger Salamander (Rangewide) .....	1018-AI68
1402	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Desert Yellowhead .....	1018-AI69
1403	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp ....	1018-AI71
1404	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher .....	1018-AI72
1405	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 11 Mobile River Basin Fresh-water Mussels .....	1018-AI73
1406	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Braun's Rockcress .....	1018-AI74
1407	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Appalachian Mussels .....	1018-AI76
1408	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Pierson's Milkvetch .....	1018-AI77
1409	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milkvetch .....	1018-AI78
1410	Endangered and Threatened Wildlife and Plants; Delisting of a Plant, the Arizona Agave .....	1018-AI79
1411	Endangered and Threatened Wildlife and Plants; Endangered Status for the Dugong in the Republic of Palau .....	1018-AI81
1412	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle .....	1018-AI82
1413	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened ....	1018-AI83
1414	Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Revisions to the Regulations	1018-AI85
1415	U.S. Proposals for CITES Appendix III; Black Cohosh .....	1018-AI91
1416	Migratory Bird Permits; Military Readiness Exemption .....	1018-AI92
1417	Migratory Bird Hunting; Proposed 2003-2004 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals .....	1018-AI93
1418	Endangered and Threatened Wildlife and Plants; Removal of the Water Howellia (Howellia aquatilis) From the List of Endangered and Threatened Species .....	1018-AI94
1419	Endangered Species and Pesticide Regulation .....	1018-AI95
1420	Revision of Migratory Bird Hunting Regulations .....	1018-AI98
1421	Revision of Airborne Hunting Regulations .....	1018-AI99
1422	Revision of the Regulations Governing the Transport of Eagle Feathers .....	1018-AJ00
1423	Endangered Species Act Counterpart Section 7 Consultation Regulations for Implementing the National Fire Plan	1018-AJ02
1424	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf .....	1018-AJ03
1425	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf .....	1018-AJ04
1426	Endangered and Threatened Wildlife and Plants; Reclassification of the Cui-ui From the List of Endangered and Threatened Species and Establishment of a 4(d) Rule .....	1018-AJ05
1427	Endangered and Threatened Wildlife and Plants; Designation of Additional Manatee Protection Areas in Florida ....	1018-AJ06
1428	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Colorado Butterfly Plant ....	1018-AJ07
1429	Endangered and Threatened Wildlife and Plants; Prudency Determination and Designation of Critical Habitat for Eggert's Sunflower .....	1018-AJ08
1430	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk Vetch .....	1018-AJ09
1431	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia and the San Jacinto Valley Crownscale .....	1018-AJ11
1432	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
1433	Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle .....	1018-AJ13
1434	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl .....	1018-AJ15
1435	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-legged Frog	1018-AJ16
1436	Endangered and Threatened Wildlife and Plants; Removal of the Eggert's Sunflower From the List of Endangered and Threatened Species .....	1018-AJ17
1437	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-Footed Ferret in Wyoming .....	1018-AJ18
1438	Endangered and Threatened Wildlife and Plants; Reclassification of the Uncompahgre Fritillary Butterfly From Endangered to Threatened .....	1018-AJ19
1439	Endangered and Threatened Wildlife and Plants; Removal of Arctic Russian Population of Spectacled Eiders From the List of Endangered and Threatened Species; Classification of U.S. Popul. as Threatened .....	1018-AJ20

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## United States Fish and Wildlife Service—Final Rule Stage

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1441	Convention on International Trade in Endangered Species (CITES) .....	1018-AD87
1442	Endangered and Threatened Wildlife and Plants; Removal of the Bald Eagle Throughout the Lower 48 States From the List of Endangered and Threatened Species .....	1018-AF21
1443	Endangered and Threatened Wildlife and Plants; Removal of the Douglas County, Oregon, Population of the Columbia White-Tailed Deer From the List of Endangered and Threatened Species .....	1018-AF43
1444	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries .....	1018-AF44
1445	Policy on General Conservation Permits .....	1018-AF63
1446	U.S. Proposals for CITES Appendix III; Certain Turtle Species .....	1018-AF69
1447	Endangered and Threatened Wildlife and Plants; Delisting the Hoover's Woolly-Star From the List of Endangered and Threatened Species .....	1018-AG41
1448	National Wildlife Refuge System; Mission, Goals, and Purposes .....	1018-AG46
1449	Endangered and Threatened Wildlife and Plants; Critical Habitat for Three Coastal California Plants .....	1018-AG88
1450	Endangered and Threatened Wildlife and Plants; Critical Habitat for 47 Plants in Hawaii .....	1018-AH02
1451	Endangered and Threatened Wildlife and Plants; Critical Habitat for Plants of the Northwest Islands, Hawaii .....	1018-AH09
1452	Endangered and Threatened Wildlife and Plants; Removal of the Truckee Barberry From the List of Endangered and Threatened Species .....	1018-AH47
1453	Endangered and Threatened Wildlife and Plants; Removal of the Guam Broadbill and Mariana Mallard From the List of Endangered and Threatened Species .....	1018-AH50
1454	Addition of the Great White Shark and the Cape Stag Beetle to Appendix III Under CITES .....	1018-AH66
1455	Endangered and Threatened Wildlife and Plants: Reproposed Determinations of Prudency and Proposed Designations of Critical Habitat for Plants From Maui and Kahoolawe, Hawaii .....	1018-AH70
1456	Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on the Threatened Status of the Sacramento Splittail ( <i>Pogonichthys Macrolepidotis</i> ) .....	1018-AH73
1457	Migratory Bird Permits; Regulations Governing Rehabilitation Activities .....	1018-AH87
1458	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Blackburn's Sphinx Moth .....	1018-AH94
1459	Public Notice for CITES Appendix III Listing of Spanish Cedar and Bigleaf Mahogany by the Government of Peru .....	1018-AH99
1460	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations .....	1018-AI07
1461	Addition by Indonesia of Ramin to Appendix III Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora .....	1018-AI08
1462	Endangered and Threatened Wildlife and Plants; Beluga Sturgeon .....	1018-AI11
1463	Endangered and Threatened Wildlife and Plants; Removal of the Tinian Monarch Flycatcher From the List of Endangered and Threatened Species .....	1018-AI14
1464	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Topeka Shiner .....	1018-AI20
1465	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Ventura Marsh Milkvetch .....	1018-AI21
1466	Endangered and Threatened Wildlife and Plants; Critical Habitat for 103 Oahu, Hawaii, Plants .....	1018-AI24
1467	Endangered and Threatened Wildlife and Plants; Critical Habitat for 6 Guam Species .....	1018-AI25
1468	Endangered and Threatened Wildlife and Plants; Critical Habitat for Four Fairy Shrimp and 11 Plants in California .....	1018-AI26
1469	Migratory Bird Permits; Regulations for Managing Double-Crested Cormorant Damages .....	1018-AI39
1470	Endangered and Threatened Wildlife and Plants; Listing the Mountain Plover With a Special Rule .....	1018-AI45
1471	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Preble's Meadow Jumping Mouse .....	1018-AI46
1472	Endangered and Threatened Wildlife and Plants; Listing the Slickspot Peppergrass .....	1018-AI50
1473	Tribal Wildlife Grants Program Implementation Guidelines for Fiscal Year (FY) 2002 .....	1018-AI58
1474	Tribal Landowner Incentive Program (T-LIP) Implementation Guidelines for Fiscal Year (FY) 2002 .....	1018-AI59
1475	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Black-Footed Ferret in South-Central South Dakota .....	1018-AI60
1476	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2003-2004 Subsistence Taking of Wildlife Regulations .....	1018-AI62
1477	Migratory Bird Subsistence Harvest in Alaska; Regulations for the Spring and Summer 2003 Season .....	1018-AI84
1478	Subsistence Management Regulations for Public Lands in Alaska, Subparts C and D; 2004-2005 Subsistence Taking of Fish and Shellfish .....	1018-AI89
1479	Changes in List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora .....	1018-AI90

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

Sequence Number	Title	Regulation Identification Number
1480	Migratory Bird Permits: Scientific Collecting Permits .....	1018-AE63
1481	Implementation of the 1994 Amendments to the Marine Mammal Protection Act .....	1018-AE72
1482	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
1483	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Plants From the Mariana Islands and Guam .....	1018-AG09
1484	Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub .....	1018-AG16
1485	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands .....	1018-AG23
1486	Endangered and Threatened Wildlife and Plants; Listing of the Sacramento Mountains Checkerspot Butterfly and Proposed Designation of Critical Habitat .....	1018-AH40
1487	Interagency Guidance for the Prescription of Fishways Pursuant to Section 18 of the Federal Power Act .....	1018-AH42
1488	Endangered and Threatened Wildlife; Reclassification of the Marianna Fruit Bat on Guam From Endangered to Threatened .....	1018-AH55
1489	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
1490	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana; Removal of Regulations .....	1018-AI03
1491	Corrections to Rights-of-Way Regulations .....	1018-AI12
1492	Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod .....	1018-AI15
1493	Endangered and Threatened Wildlife and Plants; Listing of the Rota Bridled White-Eye .....	1018-AI16
1494	Endangered and Threatened Wildlife and Plants; Listing of the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox .....	1018-AI28
1495	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations .....	1018-AI38
1496	Endangered and Threatened Wildlife and Plants; Reclassification of the Gray Bat From Endangered to Threatened .....	1018-AI40
1497	Endangered and Threatened Wildlife and Plants; Proposed Nonessential Experimental Population of the Northern Aplomado Falcon .....	1018-AI80
1498	Migratory Bird Permits; Revisions to General Exceptions .....	1018-AI96
1499	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes .....	1018-AI97
1500	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion .....	1018-AJ10

## United States Fish and Wildlife Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1501	Endangered and Threatened Wildlife and Plants; Final Reclassification of the Gray Wolf in Certain Parts of Its Range .....	1018-AF20
1502	Policy for Evaluation of Conservation Efforts in Endangered Species Decisionmaking .....	1018-AF55
1503	Endangered and Threatened Wildlife and Plants; Final Designation or Nondesignation of Critical Habitat for 95 Plant Species From the Islands of Kauai and Niihau, HI .....	1018-AG71
1504	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Purple Amole .....	1018-AG75
1505	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Keck's Checkermallow .....	1018-AG93
1506	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Baker's Larkspur and the Yellow Larkspur .....	1018-AG96
1507	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Otay Tarplant .....	1018-AH00
1508	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Two Cave Invertebrates From Kauai .....	1018-AH01
1509	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 20 Plants and Re-Proposed Designations for 32 Plants From Molokai, Hawaii .....	1018-AH08
1510	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 8 Plants and Reproposed Designations for 18 Plants From Lanai, Hawaii .....	1018-AH10
1511	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Polygonum Hickmanii (Scotts Valley Polygonum) .....	1018-AH76
1512	Endangered and Threatened Wildlife and Plants; Amendment to Manatee Protection Areas in Florida .....	1018-AH80
1513	Marine Mammals: Incidental Take During Specified Activities (Manatees) .....	1018-AH86
1514	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Rio Grande Silvery Minnow .....	1018-AH91

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

Sequence Number	Title	Regulation Identification Number
1515	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2003 Subsistence Taking of Fish and Shellfish Regulations .....	1018-AI09
1516	Endangered and Threatened Wildlife and Plants; Emergency Listing of the Pygmy Rabbit .....	1018-AI17
1517	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Gulf Sturgeon .....	1018-AI23
1518	Endangered and Threatened Wildlife and Plants; Critical Habitat for Five Carbonate Plants in California .....	1018-AI27
1519	Subsistence Management Regulations for Public Lands in Alaska, Subpart D; Subsistence Taking of Fish, Customary Trade .....	1018-AI31
1520	Migratory Bird Hunting; Approval of Tungsten-Iron-Nickel-Tin Shot as Nontoxic for Hunting Waterfowl and Coots ...	1018-AI33
1521	Endangered and Threatened Wildlife and Plants; Listing of Cook's Lomatium and Large-Flowered Woolly Meadowfoam .....	1018-AI43
1522	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 7 Invertebrate Species in Bexar County, Texas .....	1018-AI47
1523	Implementation Guidelines for Fiscal Year (FY) 2002 Landowner Incentive Program (Non-Tribal Portion) for States, Territories, and the District of Columbia .....	1018-AI55
1524	Fiscal Year 2002 Private Stewardship Grants Program; Program Implementation .....	1018-AI56
1525	Endangered and Threatened Wildlife and Plants; Listing the Sonoma County Distinct Population Segment of the California Tiger Salamander as Endangered .....	1018-AI61
1526	Subsistence Management Regulations for Public Lands in Alaska .....	1018-AI88

## United States Fish and Wildlife Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1018-AE17	Revisions to the Federal Aid Administrative Requirements	03/06/2003	Withdrawn
1018-AE64	Migratory Bird Permits; Introduction, General Requirements and Exceptions	03/13/2003	Withdrawn
1018-AF08	Consideration of Listing the Green Iguana (Iguana Iguana) as Injurious, Pursuant to the Lacey Act	03/28/2003	Withdrawn
1018-AF40	Endangered and Threatened Wildlife and Plants; Establishment of a Special Rule for the Canada Lynx	03/13/2003	Withdrawn
1018-AF67	Endangered and Threatened Wildlife and Plants; Delisting the Northern Population of the Tidewater Goby	11/07/2002	Withdrawn
1018-AG56	Migratory Bird Permits; Take of Migratory Birds by Federal Agencies	03/13/2003	Withdrawn
1018-AH35	Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Scaleshell Mussel	03/06/2003	Withdrawn
1018-AH49	Endangered and Threatened Wildlife; Removal of Four Ash Meadow Species From the List of Endangered and Threatened Wildlife and Plants	03/13/2003	Withdrawn
1018-AH51	Endangered and Threatened Wildlife and Plants; Reclassification of the Papyrus Whitlow-Wort, Wireweed, and Sandlace From Endangered to Threatened	03/13/2003	Withdrawn
1018-AH71	Migratory Bird Permits; Regulations Governing Education; 50 CFR 21	03/06/2003	Withdrawn
1018-AI37	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2004 Subsistence Taking of Fish and Shellfish Regulations	03/04/2003	Withdrawn
1018-AI49	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southwestern Willow Flycatcher	03/13/2003	Withdrawn
1018-AI51	Endangered and Threatened Wildlife and Plants; Listing the Flat-Tailed Horned Lizard	01/03/2003	Withdrawn
1018-AI54	Endangered and Threatened Wildlife and Plants; Proposed Establishment of a Nonessential Experimental Population for 16 Mussels, 1 Snail, and 5 Fishes in Tennessee	03/14/2003	Withdrawn
1018-AI70	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southwestern Willow Flycatcher	03/07/2003	Withdrawn
1018-AI75	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cumberland Elktoe	03/07/2003	Withdrawn
1018-AJ14	Endangered and Threatened Wildlife and Plants; Listing the Contiguous United States Distinct Population Segment of the Canada Lynx	03/18/2003	Withdrawn

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National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1527	Big Thicket National Preserve; Personal Watercraft .....	1024-AC92
1528	Pictured Rocks National Lakeshore; Personal Watercraft .....	1024-AC93
1529	Fire Island National Seashore; Personal Watercraft .....	1024-AC94
1530	Gateway National Recreation Area; Personal Watercraft .....	1024-AC95
1531	Bighorn Canyon National Recreation Area; Personal Watercraft .....	1024-AC96
1532	Lake Meredith Recreation Area; Personal Watercraft .....	1024-AC97
1533	Chickasaw Recreation Area; Personal Watercraft .....	1024-AC98
1534	Curecanti Recreation Area; Personal Watercraft .....	1024-AC99
1535	Amistad Recreation Area; Personal Watercraft .....	1024-AD00
1536	Lake Roosevelt Recreation Area; Personal Watercraft .....	1024-AD01
1537	Native American Graves Protection and Repatriation Act; Future Applicability .....	1024-AD05
1538	Boating and Water Use Activities .....	1024-AD07
1539	Saguaro National Monument Mountain Bike Special Regulations .....	1024-AD10
1540	Snowmobile Regulations for Yellowstone and Grand Teton National Parks and JDR Parkway .....	1024-AD11

National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1541	Vehicles and Traffic Safety; Operating Under the Influence of Alcohol or Drugs .....	1024-AC69
1542	Procedures for State, Tribal, and Local Government Historic Preservation Programs .....	1024-AC79
1543	Native American Graves Protection and Repatriation Act Regulations; Civil Penalties .....	1024-AC84
1544	Commercial Use Authorizations .....	1024-AC85
1545	Virgin Islands Coral Reef National Monument; Special Regulations .....	1024-AC89
1546	Glen Canyon National Recreation Area; Personal Watercraft .....	1024-AC90
1547	Assateague Island National Seashore; Personal Watercraft .....	1024-AD02

National Park Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1548	Special Regulations of the National Park System; Religious Ceremonial Collection of Golden Eaglets in Wupatki National Monument .....	1024-AC86
1549	Golden Gate National Recreation Area; Special Regulations .....	1024-AD03

National Park Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1550	Lake Mead National Recreation Area; Personal Watercraft .....	1024-AC91
1551	Yellowstone National Park, Grand Teton National Park, John D. Rockefeller Memorial Parkway Winter Use Regulations .....	1024-AD06

National Park Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1024-AD08 1024-AD09	Disposition of Culturally Unidentifiable Human Remains Snowmobile Regulations; Yellowstone and Grand Teton National Parks and John D. Rockefeller Memorial Parkway	03/01/2003 03/01/2003	Withdrawn Withdrawn



## DOI

## Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1552	Indian Electric Power Utilities .....	1076-AD45
1553	Buy Indian Act Regulations .....	1076-AE07
1554	Tribal Revenue Allocation Plans .....	1076-AE24
1555	Leases and Permits on Indian Trust and Restricted Lands .....	1076-AE36

## Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1556	Irrigation Projects and Systems .....	1076-AD44
1557	Certificates of Degree of Indian Blood .....	1076-AD97
1558	Alaska Resupply Operation .....	1076-AE04
1559	Protection of Products of Indian Art and Craftsmanship .....	1076-AE16
1560	Indian Reservation Roads Program .....	1076-AE17

## Bureau of Indian Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1561	Indian Country Law Enforcement .....	1076-AE35

## Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identification Number
1562	Arrangement With States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians .....	1076-AD98
1563	Trust Management Reform: Repeal of Outdated Rules .....	1076-AE20
1564	Technical Amendments to Housing Improvement Program Regulations .....	1076-AE31
1565	Indian Reservation Roads — FY 2003 Funds Distribution .....	1076-AE34

## Bureau of Indian Affairs—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1076-AD70	Indian Business Development Program	02/11/2003	Withdrawn - No further action scheduled.

## Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1566	Late and Overpayment Interest .....	1010-AC27
1567	Takes vs. Entitlements Reporting .....	1010-AC29
1568	Accounting Relief for Marginal Properties .....	1010-AC30
1569	Prepayment of Royalties .....	1010-AC31
1570	Incident Reporting .....	1010-AC57
1571	Royalty Relief Terms .....	1010-AC58
1572	Appeals of Minerals Management Service Orders .....	1010-AC80
1573	Definition of Control .....	1010-AC88

DOI

Minerals Management Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1574	Reporting Amendments .....	1010-AC90
1575	Rights-of-Use and Easements and Pipeline Rights-of-Way .....	1010-AC91
1576	Blowout Prevention for Production Tree Coiled Tubing Workover Operations .....	1010-AC96
1577	Data Release and Definitions .....	1010-AC99
1578	Relief or Reduction in Royalty Rates — Deep Gas Provisions .....	1010-AD01
1579	Reduction to Royalty Relief in Special Circumstances .....	1010-AD02
1580	Federal Oil Valuation .....	1010-AD04
1581	Federal Gas Valuation .....	1010-AD05

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1582	Plans and Information .....	1010-AC47
1583	Proprietary Terms and Data Disclosure .....	1010-AC81
1584	Dealing With Sustained Casing Pressure .....	1010-AC83
1585	Documents Incorporated by Reference for Offshore Floating Production Facilities .....	1010-AC85
1586	Documents Incorporated by Reference — API RP 14F and API 510 .....	1010-AC89
1587	Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration .....	1010-AC95
1588	Valuation of Oil From Indian Leases .....	1010-AD00
1589	Fixed Platforms — Documents Incorporated by Reference .....	1010-AD03

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1590	Oil and Gas Drilling Operations .....	1010-AC43
1591	Oil and Gas Sulphur Operations in the Outer Continental Shelf — Safety Measures and Procedures for Pipeline Modifications and Repairs .....	1010-AC75
1592	Documents Incorporated by Reference — API Specification 2C .....	1010-AC82
1593	Outer Continental Shelf Oil and Gas Leasing — Clarifying Amendments .....	1010-AC94

Minerals Management Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1010-AC79	MMS Hearings and Investigations	03/03/2003	Withdrawn - No further action will be taken at this time.

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1594	Abandoned Coal Refuse Sites—Title I .....	1029-AB70
1595	Revegetation .....	1029-AC02
1596	Placement of Excess Spoil .....	1029-AC04
1597	Financial Assurances .....	1029-AC05
1598	Processing State Program Amendments .....	1029-AC06
1599	Ownership and Control Settlement Rule .....	1029-AC08

## DOI

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

Sequence Number	Title	Regulation Identification Number
1600	Indian Lands .....	1029-AB83
1601	Financing Abandoned Mine Land Reclamation .....	1029-AC07

## Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identification Number
1602	Abandoned Mine Land Reclamation Notices .....	1029-AB99

## Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1603	Public Conduct on Reclamation Lands and Projects .....	1006-AA45

## Bureau of Reclamation—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1604	Public Conduct on Bureau of Reclamation Lands and Projects; Removal of Expiration Date .....	1006-AA46

## Bureau of Reclamation—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1605	Trespass on Reclamation Lands and Facilities .....	1006-AA44

## Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identification Number
1606	Authorization of Law Enforcement Officers at Reclamation Facilities .....	1006-AA42
1607	Acreage Limitation .....	1006-AA43

## Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1608	Sales—Federal Land Policy and Management Act .....	1004-AB77
1609	Desert Land Entries .....	1004-AC56
1610	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts .....	1004-AD32
1611	Conservation; Helium Leasing .....	1004-AD35
1612	Hazardous Materials Compliance .....	1004-AD38
1613	Grazing Administration—Exclusive of Alaska .....	1004-AD42
1614	Wilderness Management .....	1004-AD54

DOI

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1615	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act .....	1004-AC74
1616	Indian Allotments .....	1004-AC77
1617	Location Recording and Maintenance of Mining Claims and Sites .....	1004-AD31
1618	Permits for Recreation on Public Lands .....	1004-AD45
1619	Wilderness Management .....	1004-AD46
1620	Oil and Gas Leasing Operations; Bonding .....	1004-AD56

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1621	Leases, Permits, and Easements .....	1004-AB51
1622	Coalbed Methane Development .....	1004-AC27
1623	Disposal of Reserved Minerals Under the Stock Raising Homestead Act .....	1004-AC59
1624	Cost Recovery; Mineral Filings and Operations .....	1004-AC64
1625	Carey Act Grants .....	1004-AC80
1626	Oil and Gas Leasing and Operations .....	1004-AC94
1627	Appeals Procedures; Hearings Procedures .....	1004-AC99
1628	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument .....	1004-AD40
1629	Surface Management; Segregated or Withdrawn Lands .....	1004-AD51
1630	Mining Claims Under the General Mining Laws; Surface Management .....	1004-AD53

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
1631	Use Authorizations (Recreation) .....	1004-AD25
1632	Coal Management: Noncompetitive Leases; Management Provisions and Limitations .....	1004-AD43
1633	Disclaimers of Interest .....	1004-AD50
1634	Rights-of-Way Under the Mineral Leasing Act; Timing of Approvals .....	1004-AD55

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1635	Wild and Scenic Rivers .....	1093-AA08

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

**1352. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES**

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

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

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two

years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v.

## DOI—ASPMB

## Proposed Rule Stage

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
ANPRM	07/16/96 61 FR 37031
ANPRM Comment Period End	09/16/96
NPRM	05/00/03
NPRM Comment Period End	07/00/03

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**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 N.W., Washington, DC 20240

Phone: 202 208-4143

**RIN:** 1090-AA29

### 1353. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1201

**CFR Citation:** 43 CFR 4.401(c)(2); 43 CFR 4.403 to 4.408; 43 CFR 4.414; 43 CFR 4.415; 43 CFR 4.422(c)(2); 43 CFR 4.450-5

**Legal Deadline:** None

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

**Timetable:**

Action	Date
NPRM	11/00/03
NPRM Comment Period End	01/00/04

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 801 N. Quincy Street, Suite 300, Arlington, VA 22203

Phone: 703 235-3750

**RIN:** 1090-AA68

### 1354. DEPARTMENT HEARINGS AND APPEALS; PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 372; 25 USC 373; 25 USC 373a; 25 USC 373b; 25 USC 374; 30 USC 1201 et seq; 43 USC 1201; 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
NPRM	08/00/03
NPRM Comment Period End	10/00/03

**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

### 1355. NONPROCUREMENT SUSPENSION AND DEBARMENT; DRUG-FREE WORKPLACE GRANT REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 31 USC 6101; 41 USC 252a; 41 USC 701 et seq; EO 12549; EO 12689; PL 103-355

**CFR Citation:** 43 CFR 42; 43 CFR 43

**Legal Deadline:** None

**Abstract:** This proposed rule would implement a common Governmentwide rule for debarment and suspension and a common Governmentwide rule for the Drug-Free Workplace Act of 1988, including several specific provisions that apply to the Department of the Interior.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis**

**Required:** No

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

**Agency Contact:** Debra E. Sonderman, Property Management, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240

Phone: 202 208-6431

**RIN:** 1090-AA79

### 1356. • AMENDMENT OF AUTHORITY TO GRANT STAYS OF BLM GRAZING DECISIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 315a; 43 USC 1201

**CFR Citation:** 43 CFR 4.21; 43 CFR 4.470; 43 CFR 4.472; 43 CFR 4.476; 43 CFR 4.477

**Legal Deadline:** None

**Abstract:** The Office of Hearings and Appeals is proposing to amend its existing regulations to authorize OHA administrative law judges to decide petitions for a stay of grazing decisions issued by the Bureau of Land Management and requests to place such decisions into immediate effect. The proposal is designed to expedite administrative review by eliminating an inefficient bifurcation of authority.

**Timetable:**

Action	Date
NPRM	05/00/03
NPRM Comment Period End	07/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 801 N.

## DOI—ASPMB

## Proposed Rule Stage

Quincy Street, Suite 300, Arlington, VA 22203 Phone: 703 235-3750

RIN: 1090-AA84

## Department of the Interior (DOI)

## Final Rule Stage

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

**1357. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF THE INTERIOR ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, OR AGE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 29 USC 794; 42 USC 2000d-1; 42 USC 6101 et seq

**CFR Citation:** 43 CFR 17

**Legal Deadline:** None

**Abstract:** This proposed joint rule will incorporate the broadened definitions of the terms program and program or activity as contained in the Civil Rights Restoration Act of 1987 (CRRRA). The CRRRA broadened the definitions of those terms so that all operations of an entity that receives Federal financial assistance are covered, not just the particular part receiving the Federal assistance.

**Timetable:**

Action	Date
NPRM	12/06/00 65 FR 76460
NPRM Comment Period End	01/05/01
Final Action	09/00/03
Final Action Effective	10/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Melvin C. Fowler, Civil Rights Staff Assistant, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240 Phone: 202 208-3455

**RIN:** 1090-AA77

**1358. AMENDMENT OF AUTHORITY TO GRANT STAYS OF GRAZING DECISIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1201; 43 USC 315; 43 USC 315a to 315e; 43 USC 1181d; 43 USC 1740

**CFR Citation:** 43 CFR 4.401; 43 CFR 4.410; 43 CFR 4.416; 43 CFR 4.422; 43 CFR 4.450-5; 43 CFR 4190; 43 CFR 5003.1

**Legal Deadline:** None

**Abstract:** This rule will amend existing regulations governing hearings and appeals to simplify proof of service, to codify who has a right of appeal, and

to expedite review of wildfire management decisions made by the Bureau of Land Management. BLM is adding regulations to make its wildfire management decisions effective immediately and to expedite review of those decisions.

**Timetable:**

Action	Date
NPRM	12/16/02 67 FR 77011
NPRM Comment Period End	02/14/03
Final Action	05/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Michael H. Schwartz, Group Manager, Regulatory Affairs, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240 Phone: 202 452-5198

Email: michael\_schwartz@blm.gov

**RIN:** 1090-AA83

## Department of the Interior (DOI)

## Completed Actions

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

**1359. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT**

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

**CFR Citation:** 43 CFR 2

**Completed:**

Reason	Date
Final Action	10/21/02 67 FR 64527
Final Action Effective	11/20/02

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Alexandra Mallus

Phone: 202 208-5342

**RIN:** 1090-AA61

**1360. DEPARTMENT HEARINGS AND APPEALS PROCEDURES; PROCEDURES APPLICABLE IN INDIAN PROBATE HEARINGS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 4

**Completed:**

Reason	Date
Withdrawn Awaiting new policies concerning Indian probate.	02/28/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Charles E. Breece  
Phone: 703 235-3810

**RIN:** 1090-AA81

**BILLING CODE** 4310-RK-S

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

Prerule Stage

**1361. PARTNERS FOR FISH AND WILDLIFE PROGRAM**

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

**Legal Authority:** 16 USC 742(a) to 754

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** Portions of the U.S. Fish and Wildlife Service manual are being revised to update policy on the implementation of the Partners for Fish and Wildlife Program. This program provides private landowners with cost-sharing and restoration expertise to restore fish and wildlife habitat. The program does not acquire lands and is a voluntary incentive program. The revisions update policy, incorporate Office of Inspector General recommendations, and clarify technical assistance and cost-sharing in light of changes in U.S. Department of Agriculture conservation programs.

**Timetable:**

Action	Date
Notice of Availability	05/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Hannibal Bolton, Chief, Division of Fish and Wildlife Management and Habitat Restoration, Department of the Interior, United States Fish and Wildlife Service, Room 840, 4401 North Fairfax Drive, Arlington, VA 22203  
 Phone: 703 358-1718

**RIN:** 1018-AH98

**1362. 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:** This notice announces our intent to resume review of all aspects of regulations pertaining to the release and harvest of captive-reared mallards.

**Timetable:**

Action	Date
Notice of Intent	08/28/01 66 FR 45274
Notice of Availability	06/00/03

**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

**1363. NORTH AMERICAN WETLANDS CONSERVATION ACT GRANT ADMINISTRATION POLICIES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** Grant Administration Policies are being published as an interim measure to guide the North American Wetlands Conservation Act (NAWCA) grants process and to provide advance notice of rulemaking; the Service intends to engage in rulemaking to set out its own regulations for NAWCA grants administration that will supersede the Grant Administration Policies.

**Timetable:**

Action	Date
ANPRM	06/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** David A Smith, Chief, Division of Bird Habitat Conservation, Department of the Interior, United States Fish and Wildlife Service, MS MBSP 4075, 4401 North Fairfax Drive, Arlington, VA 22203  
 Phone: 703 358-1784  
 Fax: 703 358-2282

**RIN:** 1018-AI13

**1364. 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
ANPRM	10/00/03

**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

**1365. • FISCAL YEAR 2004 PRIVATE STEWARDSHIP GRANTS PROGRAM; PROGRAM IMPLEMENTATION**

**Priority:** Other Significant

**Legal Authority:** Not Yet Determined

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** We are soliciting proposals for Federal assistance under the Private Stewardship Grants Program (PSGP). This action describes how to apply for funding under the PSGP and how we will determine which proposals will be funded.

**Timetable:**

Action	Date
Policy	11/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior,

## DOI—FWS

## Prerule Stage

United States Fish and Wildlife  
Service, Room 420, 4401 North Fairfax  
Drive, Arlington, VA 22203

Phone: 703 358-2171  
**Related RIN:** Related To 1018-AI56  
**RIN:** 1018-AJ01

## Department of the Interior (DOI)

## Proposed Rule Stage

## United States Fish and Wildlife Service (FWS)

**1366. GENERAL PROVISIONS AND GENERAL PERMIT PROCEDURES—50 CFR PART 13**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668a; 16 USC 704; 16 USC 712; 16 USC 742j-1; 16 USC 1382; 16 USC 1538(d); 16 USC 1539; 16 USC 1540(f); 16 USC 3374; 16 USC 4901 to 4916; 18 USC 42; 19 USC 1202; 31 USC 9701; EO 11911

**CFR Citation:** 50 CFR 13

**Legal Deadline:** None

**Abstract:** The Service proposes to amend 50 CFR part 13, which provides uniform permit procedures relating to the general administration of Service permits, to update the permit application fee schedule. Permit fees have not been revised since 1982. This change is necessary in order to recover a larger percentage of the cost of processing the permits.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**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-AC57

**1367. 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, appraisal, administrative proceeding petition for remission, and disposal of items subject to forfeiture. Also, these revisions are intended to provide for greater consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service. In August 2000, the Civil Asset Forfeiture Reform Act became law. CAFRA mandated many changes to 50 CFR 12 that are incorporated in this proposed rule.

**Timetable:**

Action	Date
NPRM	11/27/95 60 FR 58468
Second NPRM	06/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Federal

**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service  
Phone: 703 358-1949  
Fax: 703 358-1947  
Email: kevin\_adams@fws.gov

**RIN:** 1018-AC89

**1368. 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:** Listing of native U.S. species in appendix III to CITES for more effective monitoring of trade, to ensure that traded specimens are legally acquired in their State(s) of origin, and to obtain the cooperation of other countries that are parties to CITES, in controlling the trade in such specimens.

**Timetable:**

Action	Date
NPRM	06/00/03

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**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

**1369. 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
NPRM	05/00/03

**Regulatory Flexibility Analysis**

**Required:** 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



## DOI—FWS

## Proposed Rule Stage

**1370. 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
ANPRM	07/15/98 63 FR 38143
NPRM	06/00/03

**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

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin\_adams@fws.gov

**RIN:** 1018-AF46**1371. 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:** Other, Statutory, 12 month finding.**Abstract:** We received a petition to list the Tibetan antelope as endangered. We must determine if status review shows that the petitioned action is warranted. If so, we will propose endangered status for the Tibetan antelope, or chiru (*Pantholops hodgsoni*). The antelope is a wild ungulate native to Tibet, Kashmir, and north-central China. It is threatened by illegal trade in its wool, known as shahtoosh, which is exceptionally fine. The wool and shawls made from it are in great demand on the black market, resulting in the slaughter of thousands of these animals annually. The species has

experienced dramatic declines in recent years despite efforts by range countries to control poaching, as well as a prohibition on international commercial trade through listing in appendix I of CITES.

**Timetable:**

Action	Date
Notice	04/25/00 65 FR 24171
NPRM	05/00/03

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Kurt Johnson, 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: kurt\_johnson@fws.gov**RIN:** 1018-AF49**1372. INJURIOUS WILDLIFE; ADDITION OF THE ASIAN SWAMP EEL****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None**Abstract:** We will review economic and biologic information on the 17 species in the swamp eel family, Synbranchidae, for possible addition to the list of injurious wildlife under the Lacey Act.**Timetable:**

Action	Date
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Agency Contact:** Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2464

Email: kari\_duncan@fws.gov

**RIN:** 1018-AF53**1373. 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:** Other, Statutory, 12 month finding.**Abstract:** We received a petition to reclassify a certain population of the straight-horned markhor from endangered to threatened. We must determine if a status review shows that the petitioned action is warranted and if so, we will propose to change the classification of the straight-horned markhor population of the Torgar 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
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Kurt Johnson, 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: kurt\_johnson@fws.gov

**RIN:** 1018-AG00**1374. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712**CFR Citation:** 50 CFR 21.28; 50 CFR 21.29**Legal Deadline:** None**Abstract:** We will propose changes in the regulations governing the practice

## DOI—FWS

## Proposed Rule Stage

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
NPRM	09/00/03

**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

**1375. 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 propose to remove the Gulf Coast population of the brown pelican (Texas, Louisiana, Mississippi) from the List of Threatened and Endangered Species.

**Timetable:**

Action	Date
NPRM	08/00/03

**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

**RIN:** 1018-AG40

**1376. 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
Notice	05/29/01 66 FR 29072
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Michael Kreger, 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: michael\_kreger@fws.gov

**RIN:** 1018-AG64

**1377. 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
NPRM	07/30/02 67 FR 49280

Action	Date
NPRM Comment	05/00/03
Period To Be Reopened	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2464  
Email: kari\_duncan@fws.gov

**RIN:** 1018-AG70

**1378. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE MIAMI BLUE BUTTERFLY**

**Priority:** Substantive, Nonsignificant

**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:** We will complete a 12-month finding regarding whether the Miami blue butterfly in Florida should be added to the List of Threatened and Endangered Wildlife.

**Timetable:**

Action	Date
Notice of Petition Finding	01/03/02 67 FR 280
NPRM	10/00/03

**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-AH30

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## Proposed Rule Stage

**1379. 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**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to propose the establishment of nonessential experimental populations, the Boulder darter and Spotfin chub, in Shoal Creek, Alabama, and Tennessee.**Timetable:**

Action	Date
NPRM	07/00/03

**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**RIN:** 1018-AH44**1380. ENDANGERED AND THREATENED WILDLIFE; REMOVAL OF THE SAN MARCOS GAMBUSIA 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 propose to remove the San Marcos gambusia from the List of Endangered and Threatened Species. This action is taken on the basis of a December 1999 report; the species is apparently extinct.**Timetable:**

Action	Date
NPRM	09/00/03

**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**RIN:** 1018-AH52**1381. 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 propose to remove the Johnston's frankenia from the List of Endangered and Threatened Plants. This action is based on new information.**Timetable:**

Action	Date
NPRM	05/00/03

**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**RIN:** 1018-AH53**1382. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE GILA TROUT 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 propose to reclassify the Gila trout from

endangered to threatened. This action is based on recovery.

**Timetable:**

Action	Date
NPRM	09/00/03

**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**RIN:** 1018-AH57**1383. ENDANGERED AND THREATENED PLANTS; RECLASSIFICATION OF THE MISSOURI BLADDERPOD 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 propose to reclassify the Missouri bladderpod from endangered to threatened. This action is based on significant progress in finding additional populations and protecting and enhancing known populations.**Timetable:**

Action	Date
NPRM	05/00/03

**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**RIN:** 1018-AH59**1384. EXPORT OF LIVE ALLIGATORS****Priority:** Substantive, Nonsignificant**Legal Authority:** EO 13112

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**CFR Citation:** 50 CFR 13; 50 CFR 17; 50 CFR 23

**Legal Deadline:** None

**Abstract:** This policy will prohibit the export of live American alligators because of invasive species concerns in the countries of destination of the animals.

**Timetable:**

Action	Date
NPRM	12/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Tribal, 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-AH65

**1385. AUDIT RESOLUTION POLICY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** OMB Circular A-133

**CFR Citation:** 50 CFR 80; 43 CFR 12

**Legal Deadline:** None

**Abstract:** We will publish six USFWS Manual chapters regarding Federal Government auditing standards as they pertain to State grantees.

**Timetable:**

Action	Date
Policy	12/14/01 66 FR 64845
Policy-Request for Comments	05/00/03
Policy-Final Chapters	09/00/03

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Federal

**Agency Contact:** Kim Galvan, Management Analyst, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS 140, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1851  
Email: kim\_galvan@fws.gov

**RIN:** 1018-AH69

**1386. EAGLE PERMITS: NEW DEFINITIONS, PERMITS FOR INCIDENTAL TAKING OF BALD EAGLES NECESSARY TO PROTECT OTHER INTERESTS IN ANY PARTICULAR LOCALITY**

**Priority:** Other Significant

**Legal Authority:** 16 USC 668a

**CFR Citation:** 50 CFR 22

**Legal Deadline:** None

**Abstract:** This rule would allow take of bald eagles under the Eagle Protection Act incidental to otherwise lawful activities, in the event the species is removed from the U.S. Endangered Species List.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Tribal, 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-AH74

**1387. 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:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 15

**Legal Deadline:** None

**Abstract:** This rule would allow the import 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
NPRM	05/00/03

**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-AH89

**1388. MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES (BEAUFORT SEA POLAR BEAR AND WALRUS)**

**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 regulations would authorize incidental take of polar bears and walrus in the Beaufort Sea during oil and gas energy activities for 1 year, after current regulations expire on March 31, 2003.

**Timetable:**

Action	Date
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**Agency Contact:** Dr. Benjamin Tuggle, Chief, Division of Federal Program Activities, Department of the Interior, United States Fish and Wildlife Service, Room 400, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2161  
Fax: 703 358-1869

**RIN:** 1018-AH92

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**1389. 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 permissible 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
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, State, Local, 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-AH93**1390. CIVIL PROCEDURES; 50 CFR PART 11****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3371 et seq.**CFR Citation:** 50 CFR 11**Legal Deadline:** None

**Abstract:** These regulations will contain uniform rules and procedures for the assessment of civil penalties in connection with violations of certain laws and regulations enforced by the Service.

**Timetable:**

Action	Date
NPRM	10/00/03

**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  
Phone: 703 358-1949  
Fax: 703 358-1947  
Email: kevin\_adams@fws.gov

**RIN:** 1018-AH97**1391. 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 these two species of Australian parakeets so that their listing under the Endangered Species Act accurately reflects their current status.

**Timetable:**

Action	Date
NPRM	06/00/03

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

**Agency Contact:** Michael Kreger, 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: michael\_kreger@fws.gov

**RIN:** 1018-AI04**1392. 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 conterminous United States.

**Timetable:**

Action	Date
NPRM	05/00/03

**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**1393. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED 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 propose 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.

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**Timetable:**

Action	Date
NPRM	06/00/03

**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

**RIN:** 1018–AI41

**1394. 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 may propose 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
NPRM	09/00/03

**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

**1395. 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:** NPRM, Judicial, July 13, 2002.

**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
NPRM	11/27/02 67 FR 71031
NPRM Comment	02/25/03 68 FR 8730
Period Reopened	
NPRM Comment	04/25/03
Period End	
NPRM Comment	04/28/03 68 FR 22353
Period Reopened	
NPRM Comment	06/27/03
Period End	
Final Action	09/00/03

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Federal**URL For More Information:**<http://arizonaes.fws.gov/cactus.htm>

**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–AI48

**1396. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLUMBIA-KLAMATH DISTINCT POPULATION SEGMENT OF THE BULL TROUT**

**Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, September 1, 2002.

**Abstract:** We propose to designate critical habitat for the Columbia-Klamath distinct population segment of the Bull trout.

**Timetable:**

Action	Date
NPRM	11/29/02 67 FR 71235
NPRM Comment	02/11/03 68 FR 6863
Period Reopened	
NPRM Comment	05/12/03
Period End	
Final Action	10/00/03

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

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

**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–AI52

**1397. 2003-2004 REFUGE SPECIFIC HUNTING AND SPORT FISHING REGULATIONS**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 16 USC 460; 16 USC 664; 16 USC 668(dd) to 668(ee); 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 National Wildlife Refuges in furtherance of the implementation of the National Wildlife Refuge System Improvement Act of 1997 directives to facilitate compatible priority wildlife-dependant recreational opportunities.

**Timetable:**

Action	Date
NPRM	07/00/03

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State

## DOI—FWS

## Proposed Rule Stage

**Agency Contact:** Leslie Marler, Management Analyst, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, Room 670, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2397

**RIN:** 1018-AI63

### 1398. 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
NPRM	05/00/03

**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

### 1399. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDING FOR THE GULF OF BOOTHIA POPULATION

**Priority:** Substantive, Nonsignificant

**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
NPRM	09/00/03

### 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

### 1400. 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 proposed rule to clarify the process used for issuing Endangered Species Act permits for foreign listed species.

**Timetable:**

Action	Date
NPRM	10/00/03

**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

### 1401. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE CALIFORNIA TIGER SALAMANDER (RANGEWIDE)

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, May 15, 2003.

**Abstract:** We will propose to list the California tiger salamander throughout

its range, to include areas where it is not already listed, under the Endangered Species Act.

**Timetable:**

Action	Date
NPRM	05/00/03

**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-AI68

### 1402. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE DESERT YELLOWHEAD

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, March 8, 2003, Settlement agreement.

**Abstract:** We propose to designate critical habitat for the Desert yellowhead, a threatened plant found in Wyoming.

**Timetable:**

Action	Date
NPRM	03/14/03 68 FR 12326
NPRM Comment Period End	05/13/03
Final Action	09/00/03

**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-AI69

## DOI—FWS

## Proposed Rule Stage

**1403. 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:** NPRM, Judicial, April 11, 2003, Court order.**Abstract:** We will propose designation of critical habitat for the endangered San Diego Fairy shrimp, a freshwater crustacean found in southern California.**Timetable:**

Action	Date
NPRM	04/22/03 68 FR 19888
NPRM Comment Period End	06/06/03

**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-AI71**1404. 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 will propose to designate critical habitat for the Coastal California gnatcatcher, a threatened bird found in southern California.**Timetable:**

Action	Date
NPRM	04/24/03 68 FR 20228
NPRM Comment Period End	06/23/03

**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-AI72**1405. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR 11 MOBILE RIVER BASIN FRESHWATER MUSSELS****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, March 17, 2003, Court order.**Abstract:** We will propose to designate critical habitat, if prudent, for three threatened and eight endangered species of Mobile River Basin freshwater mussels.**Timetable:**

Action	Date
NPRM	03/26/03 68 FR 14752
NPRM Comment Period End	06/24/03

**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-AI73**1406. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BRAUN'S ROCKCRESS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 19, 2003, Court order.**Abstract:** We will propose designation of critical habitat for Braun's rockcress, an endangered plant found in Kentucky and Tennessee.**Timetable:**

Action	Date
NPRM	06/00/03

**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-AI74**1407. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR FIVE APPALACHIAN MUSSELS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 19, 2003, Court order.**Abstract:** We will propose designation of critical habitat, if prudent, for five species of Appalachian bivalves, or freshwater mussels (Cumberland elktoe, Cumberland combshell, oyster mussel, rough rabbitsfoot, and purple bean).**Timetable:**

Action	Date
NPRM	06/00/03

**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



## DOI—FWS

## Proposed Rule Stage

Email: chris\_nolin@fws.gov

RIN: 1018–AI76

**1408. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE PIERSON'S MILKVETCH**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, July 28, 2003, Court order.

**Abstract:** We will propose designation of critical habitat for Pierson's milkvetch, a threatened plant found in California.

**Timetable:**

Action	Date
NPRM	07/00/03

**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–AI77

**1409. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE LANE MOUNTAIN MILKVETCH**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 15, 2003, Court order.

**Abstract:** We will propose designation of critical habitat for the Lane Mountain milkvetch, an endangered plant found in California.

**Timetable:**

Action	Date
NPRM	09/00/03

**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–AI78

**1410. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF A PLANT, 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 propose to remove the Arizona agave (*Agave arizonica*) from the list of threatened and endangered species.

**Timetable:**

Action	Date
NPRM	09/00/03

**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

RIN: 1018–AI79

**1411. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE DUGONG IN THE REPUBLIC OF PALAU**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to reopen the comment period on the proposed listing, as endangered, of the dugong in the Republic of Palau. The proposed rule was published in the Federal

Register on August 5, 1993 (58 FR 41688).

**Timetable:**

Action	Date
NPRM	06/00/03

**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–AI81

**1412. 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:** We plan to reopen the comment period on the proposed listing of the Scimitar-Horned oryx, addax and the Dama gazelle as endangered. The proposed rule was published in the Federal Register on November 5, 1991.

**Timetable:**

Action	Date
NPRM	12/00/03

**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  
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RIN: 1018–AI82

## DOI—FWS

## Proposed Rule Stage

**1413. 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 due to progress in the recovery of this species.

**Timetable:**

Action	Date
NPRM	09/00/03

**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**1414. SAFE HARBOR AGREEMENTS AND CANDIDATE CONSERVATION AGREEMENTS WITH ASSURANCES; REVISIONS TO THE REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531**CFR Citation:** 50 CFR 13.25; 50 CFR 17.22; 50 CFR 17.32**Legal Deadline:** None

**Abstract:** FWS is proposing to revise the implementing regulations for permits issued under Safe Harbor Agreements and Candidate Conservation Agreements With Assurances. These minor regulatory revisions will make SHAs and CCAAs easier to understand and implement. After practical application of the policy and regulations, we see some inconsistencies and a need to refine/define some terminology.

**Timetable:**

Action	Date
NPRM	09/00/03

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

**Agency Contact:** Jody Elizabeth Brown, Biologist, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 N. Fairfax Dr., Arlington, VA 22203  
Phone: 703 358-2105  
Fax: 703 358-2324  
Email: jody\_brown@fws.gov

**RIN:** 1018-AI85**1415. • 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
NPRM	06/00/03

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Patricia De Angelis, 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**1416. • MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION****Priority:** Other Significant**Legal Authority:** PL 107-314**CFR Citation:** 50 CFR 21**Legal Deadline:** Final, Statutory, December 2, 2003.

**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 within one year regulations that exempt the Armed Forces from incidental take of migratory birds during authorized military readiness.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

**Agency Contact:** Marie Strassburger, Department of the Interior, United States Fish and Wildlife Service, MS MBSP-4107, Division of Migratory Bird Management, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1813

**RIN:** 1018-AI92**1417. • MIGRATORY BIRD HUNTING; PROPOSED 2003-2004 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUESTS FOR INDIAN TRIBAL PROPOSALS****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 20**Legal Deadline:** None

**Abstract:** This rule would establish annual hunting regulations for certain migratory game birds for the 2003-2004 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
NPRM	05/06/03 68 FR 24324

## DOI—FWS

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** None**Agency Contact:** Ronald Kokel, Wildlife Biologist, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, MS MBSP-4107, 4401 North Fairfax Dr, Arlington, VA 22203  
Phone: 703 358-1714  
Email: ronald\_kokel@fws.gov**RIN:** 1018-AI93**1418. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE WATER HOWELLIA (HOWELLIA AQUATILUS) 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:** This rule would remove the water howellia (*Howellia aquatilis*), a plant, from the List of Endangered and Threatened Species. This action is based on new information.**Timetable:**

Action	Date
NPRM	12/00/03

**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**RIN:** 1018-AI94**1419. ● ENDANGERED SPECIES AND PESTICIDE REGULATION****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This advance notice of proposed rulemaking announces the

intention of the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and the U.S. Environmental Protection Agency to conduct rulemaking to promulgate “counterpart regulations” under the Endangered Species Act (ESA) for completing ESA section 7 consultation on EPA pesticide registration actions.

**Timetable:**

Action	Date
ANPRM	01/24/03 68 FR 3786
NPRM	05/00/03

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Federal**Federalism:** Undetermined**Agency Contact:** Richard E Sayers Jr., Chief, Branch of Consultation and HCPs, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 1849 C Street NW, Washington, DC 20240  
Phone: 703 358-1735  
Fax: 703 358-1735  
Email: rick\_sayers@fws.gov**RIN:** 1018-AI95**1420. ● REVISION OF MIGRATORY BIRD HUNTING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703-712; 16 USC 742 a-j; 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:**

Action	Date
NPRM	03/00/04

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** State, Federal**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service  
Phone: 703 358-1949  
Fax: 703 358-1947  
Email: kevin\_adams@fws.gov**RIN:** 1018-AI98**1421. ● REVISION OF AIRBORNE HUNTING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 742 a-l; 85 Stat. 480 as amended; 86 Stat. 905**CFR Citation:** 50 CFR 19**Legal Deadline:** None**Abstract:** We will revise the regulations that implement the Airborne Hunting Act to make them more consistent with the provisions of the Act.**Timetable:**

Action	Date
NPRM	10/00/03

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Federal**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service  
Phone: 703 358-1949  
Fax: 703 358-1947  
Email: kevin\_adams@fws.gov**RIN:** 1018-AI99**1422. ● REVISION OF THE REGULATIONS GOVERNING THE TRANSPORT OF EAGLE FEATHERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668a; 16 USC 703-712; 16 USC 1531-1544**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:**

Action	Date
NPRM	03/00/04

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal, Federal**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department

## DOI—FWS

## Proposed Rule Stage

of the Interior, United States Fish and Wildlife Service

Phone: 703 358-1949

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Email: kevin\_adams@fws.gov

RIN: 1018-AJ00

**1423. ● ENDANGERED SPECIES ACT COUNTERPART SECTION 7 CONSULTATION REGULATIONS FOR IMPLEMENTING THE NATIONAL FIRE PLAN**

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

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

**CFR Citation:** 50 CFR 402.02; 50 CFR 418 to 423

**Legal Deadline:** None

**Abstract:** These counterpart regulations will revise the existing Endangered Species Act consultation procedures by allowing agencies implementing the National Fire Plan to make determinations that proposed actions are “not likely to adversely affect” threatened or endangered species or designated critical without the need to obtain written concurrence from the Fish and Wildlife Service or the National Marine Fisheries Service. The regulation will streamline the consultation process for National Fire Plan projects and is expected to achieve the same protections presently afforded to species protected under the Endangered Species Act.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Richard E Sayers Jr., Chief, Branch of Consultation and HCPs, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 1849 C Street NW, Washington, DC 20240  
Phone: 703 358-2106  
Fax: 703 358-1735  
Email: rick\_sayers@fws.gov

RIN: 1018-AJ02

**1424. ● 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
ANPRM	04/01/03 68 FR 15876
NPRM	11/00/03

**Regulatory Flexibility Analysis Required:** Undetermined

**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  
Phone: 703 358-2171

**Related RIN:** Related To 1018-AF20

RIN: 1018-AJ03

**1425. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE WESTERN 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 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
ANPRM	04/01/03 68 FR 15879
NPRM	09/00/03

**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  
Phone: 703 358-2171

**Related RIN:** Related To 1018-AF20

RIN: 1018-AJ04

**1426. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE CUI-UI FROM THE LIST OF ENDANGERED AND THREATENED SPECIES AND ESTABLISHMENT OF A 4(D) 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 Cui-UI, a fish, from endangered to threatened. We also plan a special rule under Section 4(d) of the Endangered Species Act to allow for incidental take of the Cui-UI from tribal harvesting.

**Timetable:**

Action	Date
NPRM	09/00/03

**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

## DOI—FWS

## Proposed Rule Stage

Phone: 703 358-2171

RIN: 1018-AJ05

**1427. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF ADDITIONAL MANATEE PROTECTION AREAS IN FLORIDA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, March 31, 2003, 1/23/03—stipulated court order signed.

Final, Judicial, July 31, 2003.

**Abstract:** We will propose additional manatee refuge areas and/or sanctuaries in the Caloosahatchee River (Lee County), St. Johns River (Duval County), Halifax River (Volusia County), and Tomoka River (Volusia County) in Florida.**Timetable:**

Action	Date
NPRM	04/04/03 68 FR 16602
NPRM Comment Period End	06/03/03
Final Action	07/00/03

**Regulatory Flexibility Analysis****Required:** Undetermined**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  
Phone: 703 358-2171**Related RIN:** Related To 1018-AH80

RIN: 1018-AJ06

**1428. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLORADO BUTTERFLY PLANT****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, December 30, 2003, Internal deadline to meet settlement agreement for final rulemaking.

Final, Judicial, December 30, 2004, Settlement agreement.

**Abstract:** We will designate critical habitat for the Colorado butterfly plant. A short-lived perennial, the Colorado butterfly plant is endemic to moist soils in mesic or wet meadows of floodplain areas in northcentral Colorado, extreme western Nebraska, and southeastern Wyoming.**Timetable:**

Action	Date
NPRM	12/00/03

**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-AJ07

**1429. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PRUDENCY DETERMINATION AND DESIGNATION OF CRITICAL HABITAT FOR EGGERT'S SUNFLOWER****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, December 29, 2003.**Abstract:** We will determine the prudence of proposing the designation of critical habitat for the Eggert's sunflower. 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
NPRM	12/00/03

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation andClassification, 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-AJ08

**1430. ● 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:** NPRM, Judicial, November 15, 2003.**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
NPRM	11/00/03

**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-AJ09

**1431. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SPREADING NAVARRETTIA AND THE SAN JACINTO VALLEY CROWNSCALE****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, January 30, 2004.**Abstract:** We will designate critical habitat for the spreading navarettia and

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San Jacinto Valley crownscale. On October 13, 1998, the spreading navarretia, a plant species native to California and Mexico, was listed as a threatened species, and the San Jacinto Valley crownscale, a plant species endemic to California, was listed as endangered.

**Timetable:**

Action	Date
NPRM	01/00/04

**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-AJ11

**1432. ● 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:** NPRM, Judicial, October 1, 2003, Settlement Agreement.

**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
NPRM	10/00/03

**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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Email: chris\_nolin@fws.gov

**RIN:** 1018-AJ12

**1433. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SALT CREEK TIGER BEETLE**

**Priority:** Other Significant

**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.

**Timetable:**

Action	Date
NPRM	09/00/03

**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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Email: chris\_nolin@fws.gov

**RIN:** 1018-AJ13

**1434. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MEXICAN SPOTTED OWL**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, October 13, 2003, Court order.

**Abstract:** We will re-propose the designation of critical habitat for the Mexican spotted owl. The owl inhabits canyon and montane forest habitats across a range that extends from southern Utah and Colorado, through Arizona, New Mexico, and west Texas, to the mountains of central Mexico.

**Timetable:**

Action	Date
NPRM	10/00/03

**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-AJ15

**1435. ● 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.

**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
NPRM	03/00/04

**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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Phone: 703 358-2171  
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 Email: chris\_nolin@fws.gov  
**RIN:** 1018-AJ16

**1436. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE EGGERT'S SUNFLOWER 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:** This rule would 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.

**Timetable:**

Action	Date
NPRM	09/00/03

**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

**RIN:** 1018-AJ17

**1437. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF BLACK-FOOTED FERRET IN WYOMING**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** This rule would establish a nonessential experimental population of endangered black-footed ferrets in Campbell, Converse, Niobrara, and Weston Counties, Wyoming.

**Timetable:**

Action	Date
NPRM	12/00/03

**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

**Related RIN:** Related To 1018-AI60

**RIN:** 1018-AJ18

**1438. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE UNCOMPAGRE FRITILLARY BUTTERFLY FROM ENDANGERED TO THREATENED**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** This rule would reclassify the Uncompahgre fritillary butterfly from endangered to threatened. This action is based on achievement of recovery criteria.

**Timetable:**

Action	Date
NPRM	11/00/03

**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

**RIN:** 1018-AJ19

**1439. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF ARCTIC RUSSIAN POPULATION OF SPECTACLED EIDERS FROM THE LIST OF ENDANGERED AND THREATENED SPECIES; CLASSIFICATION OF U.S. POPUL. AS THREATENED**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** This rule would remove the arctic Russian population of spectacled eiders from the List of Endangered and Threatened Species and list the U.S. population of spectacled eiders as threatened. This action is based on information that the arctic Russian population of spectacled eiders no longer meets the regulatory definition of a threatened species.

**Timetable:**

Action	Date
NPRM	11/00/03

**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  
 Phone: 703 358-2171

**RIN:** 1018-AJ20

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

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**1440. LIST OF MIGRATORY BIRDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 704; 16 USC 712**CFR Citation:** 50 CFR 10.13**Legal Deadline:** None

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

**Timetable:**

Action	Date
NPRM	05/09/95 60 FR 24686
Second NPRM	10/12/01 66 FR 52281
Final Action	06/00/03

**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**1441. 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 nine conferences of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

**Timetable:**

Action	Date
NPRM	05/08/00 65 FR 26663
Correction	06/29/00 65 FR 40167
Final Rule	06/00/03

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, 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-AD87**1442. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE BALD EAGLE THROUGHOUT THE LOWER 48 STATES FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Other Significant**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 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
NPRM	07/06/99 64 FR 36454
Final Action	06/00/03

**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

**RIN:** 1018-AF21**1443. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE DOUGLAS COUNTY, OREGON, POPULATION OF THE COLUMBIA WHITE-TAILED DEER 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 re-proposed rule to remove the Douglas County, Oregon, population of the Columbia white-tailed deer from the List of Endangered and Threatened Wildlife. This action is based on new information indicating a robust population growth, and indicating that adequate protections are in place.

**Timetable:**

Action	Date
NPRM	05/11/99 64 FR 25263
NPRM Comment Period Reopened	11/03/99 64 FR 59729
NPRM Comment Period Reopened	12/29/99 64 FR 72992
Second NPRM	06/21/02 67 FR 42217
Final Action	08/00/03

**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

**RIN:** 1018-AF43**1444. 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 15.41; 50 CFR 15.42**Legal Deadline:** None

**Abstract:** We will establish the information requirements and approval criteria for the import of captive-bred wild exotic birds from overseas breeding facilities. This rule applies



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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
NPRM	03/17/94 59 FR 12784
Final Action	05/00/03

**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  
Phone: 703 358-1708  
Fax: 703 358-2276  
Email: roddy\_gabel@fws.gov

**RIN:** 1018-AF44**1445. POLICY ON GENERAL CONSERVATION PERMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 1361 et seq; 16 USC 703 et seq**CFR Citation:** None**Legal Deadline:** None

**Abstract:** This policy will contain provisions to issue permits to qualified organizations to conduct general conservation activities over a specified period of time instead of issuing multiple permits for each activity.

**Timetable:**

Action	Date
Notice of Proposed Policy	10/28/99 64 FR 58086
Final Action	07/00/03

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses, Organizations**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-AF63**1446. 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
NPRM	01/26/00 65 FR 4217
Final Action	05/00/03

**Regulatory Flexibility Analysis****Required:** 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**1447. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE HOOVER'S WOOLY-STAR 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 Hoover's Woolly-Star from the list of Endangered and Threatened Plants because of recovery. This action is based on information that indicates this plant is more widespread and abundant than previously thought, more resilient and less vulnerable to certain activities than previously thought, and adequately protected on public lands.

**Timetable:**

Action	Date
NPRM	03/06/01 66 FR 13474
Final Action	05/00/03

**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

**RIN:** 1018-AG41**1448. NATIONAL WILDLIFE REFUGE SYSTEM; MISSION, GOALS, AND PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668(dd) to 668(ee)**CFR Citation:** None**Legal Deadline:** None

**Abstract:** This proposed policy (FWS Manual) will address the mission, goals and purposes of the National Wildlife Refuge System in the context of the National Wildlife Refuge System Improvement Act of 1997. This RIN also reflects Wildlife-Dependent Recreation Uses, Appropriate Refuge Uses, and Wilderness Stewardship.

**Timetable:**

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

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**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Federal**Agency Contact:** James W. Kurth, Deputy Chief, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240  
Phone: 703 358-1744**RIN:** 1018-AG46**1449. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THREE COASTAL CALIFORNIA PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 to 1544; 16 USC 1361 to 1407; 16 USC 4201 to 4245; PL 99-625 100 Stat 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, September 30, 2001, Court order.**Abstract:** We designate critical habitat for three coastal plants in California: LaGraciosa thistle, Lompac Yerba Santa, and Gaviota tarplant.**Timetable:**

Action	Date
NPRM	11/15/01 66 FR 57559
NPRM Comment Period Reopened	05/07/02 67 FR 30641
Final Action for 2 plants	11/07/02 67 FR 67967
Final Action for 1 plant	11/00/03

**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-AG88**1450. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 47 PLANTS IN HAWAII****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, April 30, 2002, 145 plants final by 04/30/02.**Abstract:** We propose to determine critical habitat for 47 plants on the island of Hawaii. This action is part of litigation involving 245 Hawaiian plants.**Timetable:**

Action	Date
NPRM	05/28/02 67 FR 36967
NPRM Comment Period Reopened	08/26/02 67 FR 54766
NPRM Comment Period Reopened	09/24/02 67 FR 59811
NPRM Comment Period Extended	12/18/02 67 FR 77464
Final Action	06/00/03

**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-AH02**1451. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR PLANTS OF THE NORTHWEST ISLANDS, HAWAII****Priority:** Substantive, Nonsignificant**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, November 30, 2000.  
Final, Judicial, November 30, 2001.**Abstract:** We will determine critical habitat for 8 plants on the Northwest Islands of Hawaii, as a result of litigation.**Timetable:**

Action	Date
NPRM	05/14/02 67 FR 34521
NPRM Comment Period Reopened	08/26/02 67 FR 54766
NPRM Comment Period Extended	09/12/02 67 FR 57784
Final Action	05/00/03

**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-AH09**1452. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE TRUCKEE BARBERRY 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 Truckee barberry from the List of Endangered and Threatened Species. This action is based on new information.**Timetable:**

Action	Date
NPRM	09/03/02 67 FR 56254
Final Action	09/00/03

**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**RIN:** 1018-AH47

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**1453. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE GUAM BROADBILL AND MARIANA MALLARD 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 Guam broadbill and the Mariana mallard from the List of Endangered and Threatened Wildlife because of extinction.**Timetable:**

Action	Date
NPRM	01/25/02 67 FR 3675
Final Action	05/00/03

**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**RIN:** 1018-AH50**1454. ADDITION OF THE GREAT WHITE SHARK AND THE CAPE STAG BEETLE 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 the cape stag beetle to appendix III under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).**Timetable:**

Action	Date
Direct Final Rule	05/00/03

**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-AH66**1455. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: REPROPOSED DETERMINATIONS OF PRUDENCY AND PROPOSED DESIGNATIONS OF CRITICAL HABITAT FOR PLANTS FROM MAUI AND KAHOO LAWE, HAWAII****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, November 30, 2000, 100 Hawaii plants. Final, Judicial, November 30, 2001, 100 Hawaii plants.**Abstract:** We will determine critical habitat for approximately 63 plants from Maui and Kahoolawe, Hawaii.**Timetable:**

Action	Date
NPRM	12/18/00 65 FR 79191
NPRM Comment Period Reopened	02/22/01 66 FR 11131
Second NPRM	04/03/02 67 FR 15855
NPRM Comment Period Reopened	08/26/02 67 FR 54764
NPRM Comment Period Reopened	10/02/02 67 FR 61845
Final Action	05/00/03

**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-AH70**1456. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REOPENING OF COMMENT PERIOD ON THE THREATENED STATUS OF THE SACRAMENTO SPLITTAIL (POGONICHTHYS MACROLEPIDOTIS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, Settlement agreement.**Abstract:** We were ordered by a court to reanalyze the information concerning the listing decision for the Sacramento splittail. Therefore, we have reopened the comment period for this issue. The previous regulatory action that finalized the listing decision for the Sacramento splittail was assigned RIN 1018-AC26, and was completed with the publication of the final rule designating the Sacramento splittail as a threatened species, effective March 10, 1999 (64 FR 5963). Since RIN 1018-AC26 has been completed, we are considering the reopening of the comment period on this issue to be a new regulatory action, which has been assigned this current RIN.**Timetable:**

Action	Date
Comment Period Extended	01/12/01 66 FR 2828
Comment Period Reopened	05/08/01 66 FR 23181
Comment Period Reopened	08/17/01 66 FR 43145
Comment Period Reopened	03/21/02 67 FR 13095
Correction; Comment Period Reopened	04/01/02 67 FR 15337
Comment Period Reopened	10/31/02 67 FR 66344
Final Action	06/00/03

**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-AH73

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**1457. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING REHABILITATION ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 712(2)**CFR Citation:** 50 CFR 21**Legal Deadline:** None

**Abstract:** The Service will amend the Migratory Bird Permit regulations authorizing permits to take, possess, transport, sell, purchase, barter, import, and export migratory birds. The Service will establish a new section to authorize rehabilitation permits, which currently are authorized under 50 CFR 21.27, Special Purpose Permits.

**Timetable:**

Action	Date
NPRM	12/06/01 66 FR 63349
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal, State, Local, 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-AH87**1458. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BLACKBURN'S SPHINX MOTH****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, November 2001, Court order.

**Abstract:** We propose to designate critical habitat for the Blackburn's sphinx moth.

**Timetable:**

Action	Date
NPRM	06/13/02 67 FR 40633
NPRM Comment Period Extended	08/26/02 67 FR 54763
NPRM; Public Hearing announcement	10/10/02 67 FR 63064
NPRM; supplemental information	11/15/02 67 FR 69179

Action	Date
NPRM Comment Period End	12/30/02
Final Action	06/00/03

**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-AH94**1459. PUBLIC NOTICE FOR CITES APPENDIX III LISTING OF SPANISH CEDAR AND BIGLEAF MAHOGANY 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 and bigleaf mahogany in CITES appendix III. This listing invokes certain permitting requirements to assist Peru in controlling trade in these species.

**Timetable:**

Action	Date
Direct Final Rule	05/00/03

**Regulatory Flexibility Analysis Required:** 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**1460. 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
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	06/00/03

**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**1461. 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**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 Indonesia

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has listed the tree species, Ramin, in CITES appendix III. This listing invokes certain permitting requirements to assist Indonesia in controlling trade in this species.

**Timetable:**

Action	Date
Direct Final Rule	05/00/03

**Regulatory Flexibility Analysis Required:** 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-AI08

**1462. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; BELUGA STURGEON****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 17**Legal Deadline:** Other, Statutory, Notice of 90-day finding.

We must determine if petitioned action is warranted within 90 days or as soon as possible after receipt of petition.

**Abstract:** Based upon a review of the species in response to a petition, we may propose to list the Beluga sturgeon (*Huso huso*) as endangered. This species historically inhabited the Caspian, Black, Azov and Adriatic Seas and all rivers flowing into them. The Adriatic Sea population has been extirpated, and no wild Beluga sturgeon has been found in the Sea of Azov since the mid 1980s. This species has declined due to fishing pressure. This species is highly valued for its caviar and is subject to both legal and substantial levels of illegal fishing. The Beluga sturgeon has also been impacted by dam building and other forms of habitat modification.

**Timetable:**

Action	Date
Notice	06/20/02 67 FR 41918
NPRM	07/31/02 67 FR 49657
NPRM Comment Period Reopened	11/06/02 67 FR 67586
Final Action	07/00/03

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**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-AI11

**1463. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE TINIAN MONARCH FLYCATCHER 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 make a final determination on the proposed rule to delist the Tinian monarch flycatcher from the list of endangered and threatened species, due to apparent increases in population numbers and likely improvement of habitat quality. This bird occurs on Tinian Island in the Marianas. The proposed rule was published in the Federal Register on February 22, 1999, page 8533, under RIN 1018-AE40.

**Timetable:**

Action	Date
NPRM	02/22/99 64 FR 8533
Final Action	05/00/03

**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

**Related RIN:** Related To 1018-AE40

RIN: 1018-AI14

**1464. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE TOPEKA SHINER****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, August 13, 2002, Settlement agreement.

**Abstract:** We propose to designate critical habitat for the fish, the Topeka shiner, which occurs in Iowa, Kansas, Minnesota, Missouri, and South Dakota.

**Timetable:**

Action	Date
NPRM	08/21/02 67 FR 54261
Final Action	08/00/03

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

**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-AI20

**1465. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE VENTURA MARSH MILKVETCH****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, October 1, 2002, Settlement agreement.

**Abstract:** This rule designates critical habitat for the plant, the Ventura Marsh milkvetch, which occurs in California.

**Timetable:**

Action	Date
NPRM	10/09/02 67 FR 62926
NPRM Comment Period Reopened	03/20/03 68 FR 13663
Final Rule	10/00/03

**Regulatory Flexibility Analysis Required:** No

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

**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-AI21

**1466. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 103 OAHU, HAWAII, PLANTS**

**Priority:** Substantive, Nonsignificant

**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, April 30, 2002, Settlement agreement.

**Abstract:** We propose to designate critical habitat for 103 Oahu, Hawaii, plants.

**Timetable:**

Action	Date
NPRM	05/28/02 67 FR 37107
NPRM Comment Period Reopened	08/26/02 67 FR 54766
NPRM Comment Period Reopened	10/10/02 67 FR 63066
NPRM Comment Period Reopened	12/26/02 67 FR 78763
Final Action	05/00/03

**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-AI24

**1467. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 6 GUAM SPECIES**

**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, June 1, 2002, Settlement agreement.

**Abstract:** We propose to designate critical habitat for 6 Guam species. These include two mammals, the Little Mariana fruit bat and the Mariana fruit bat, and four birds, the Guam broadbill, the Mariana crow, the Guam Micronesian kingfisher and the Guam bridled white-eye.

**Timetable:**

Action	Date
NPRM	10/15/02 67 FR 63737
NPRM Comment Period Extended	12/05/02 67 FR 72407
NPRM Comment Period Reopened	01/28/03 68 FR 4159
NPRM Comment Period End	02/18/03
Final Rule	06/00/03

**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-AI25

**1468. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR FOUR FAIRY SHRIMP AND 11 PLANTS IN CALIFORNIA**

**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, November 30, 2001, Settlement agreement.

**Abstract:** We propose to designate critical habitat for four vernal pool

crustaceans and 11 vernal pool plants in California. The four vernal pool crustaceans are the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool fairy shrimp (*Branchinecta lynchi*), and vernal pool tadpole shrimp (*Lepidurus packardii*). The eleven vernal pool plant species are Butte County meadowfoam (*Limnanthes floccosa* ssp. *californica*), Contra Costa goldfields (*Lasthenia conjugens*), Hoover's spurge (*Chamaesyce hooveri*), succulent (or fleshy) owl's-clover (*Castilleja campestris* ssp. *succulenta*), Colusa grass (*Neostapfia colusana*), Greene's tuctoria (*Tuctoria greenei*), hairy Orcutt grass (*Orcuttia pilosa*), Sacramento Orcutt grass (*Orcuttia viscida*), San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*), slender Orcutt grass (*Orcuttia tenuis*), and Solano grass (*Tuctoria mucronata*).

**Timetable:**

Action	Date
NPRM	09/24/02 67 FR 59883
NPRM; Public Hearings	10/10/02 67 FR 63067
NPRM Comment Period Extended	11/21/02 67 FR 70201
NPRM Comment Period Reopened	03/14/03 68 FR 12336
Final Rule	08/00/03

**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-AI26

**1469. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING DOUBLE-CRESTED CORMORANT DAMAGES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** We are proposing to establish, in cooperation with State wildlife agencies and USDA-APHIS-Wildlife Services, a cormorant damage

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management program. This program is designed to provide a biologically sound, cost-effective, and flexible method for the control of damages associated with cormorants.

**Timetable:**

Action	Date
NPRM	03/17/03 68 FR 12653
NPRM Comment Period End	04/16/03
Final Action	08/00/03

**Regulatory Flexibility Analysis**

**Required:** No

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

**Government Levels Affected:** Federal, State, Local, 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-AI39

#### 1470. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE MOUNTAIN PLOVER WITH A SPECIAL RULE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory, February 16, 2000.

**Abstract:** We will amend our proposed listing of the Mountain plover based on new information. We will also publish a proposed Special Rule under section 4(d) of the Endangered Species Act.

**Timetable:**

Action	Date
NPRM	02/16/99 64 FR 7587
NPRM Comment Period Extended	04/19/99 64 FR 19108
NPRM Comment Period Reopened	12/05/02 67 FR 72396
NPRM Comment Period Reopened	02/21/03 68 FR 8487
Final Action	09/00/03

**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-AI45

#### 1471. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE PREBLE'S MEADOW JUMPING MOUSE

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 4, 2002.

**Abstract:** We will propose critical habitat for the Preble's Meadow jumping mouse, which is found in Colorado and Wyoming.

**Timetable:**

Action	Date
NPRM	07/17/02 67 FR 47153
NPRM Comment Period Reopened	11/21/02 67 FR 70202
NPRM Comment Period Extended	01/28/03 68 FR 4160
Final Action	06/00/03

**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-AI46

#### 1472. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SLICKSPOT PEPPERGRASS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, Settlement agreement.

**Abstract:** We will propose listing the slickspot peppergrass, a plant found in Idaho, under the Endangered Species Act.

**Timetable:**

Action	Date
NPRM	07/15/02 67 FR 46441
NPRM Comment Period Reopened	09/25/02 67 FR 60206
Final Action	07/00/03

**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-AI50

#### 1473. TRIBAL WILDLIFE GRANTS PROGRAM IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002

**Priority:** Other Significant

**Legal Authority:** PL 107-63

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The Service is providing draft implementation guidance for this program, which derives from the State Wildlife Grant Program. Proposed guidelines, ranking criteria, and additional information are presented for public comment.

**Timetable:**

Action	Date
Program Implementation Guidelines	12/27/02 67 FR 79136
Comment Period End	01/27/03
Final Action	05/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Patrick Durham, Native American Liaison, Department of the Interior, United States Fish and Wildlife Service, Room 3012, 1849 C Street, Washington, DC 20240  
Phone: 202 208-4133

**RIN:** 1018-AI58

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**1474. TRIBAL LANDOWNER INCENTIVE PROGRAM (T-LIP) IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002****Priority:** Other Significant**Legal Authority:** PL 88-578**CFR Citation:** None**Legal Deadline:** None

**Abstract:** The Service is providing draft implementation guidance for the tribal component of the Landowner Incentive Program. Proposed guidelines, ranking criteria, and additional information are presented for public comment.

**Timetable:**

Action	Date
Program Implementation Guidelines	12/27/02 67 FR 79131
Comment Period End	01/27/03
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

**Agency Contact:** Patrick Durham, Native American Liaison, Department of the Interior, United States Fish and Wildlife Service, Room 3012, 1849 C Street, Washington, DC 20240  
Phone: 202 208-4133

**RIN:** 1018-AI59**1475. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF THE BLACK-FOOTED FERRET IN SOUTH-CENTRAL SOUTH DAKOTA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** In cooperation with the Rosebud Sioux Tribe, the U.S. Forest Service, and the U.S. Bureau of Indian Affairs, the U.S. Fish and Wildlife Service plans to make a final determination on the proposal to reintroduce endangered Black-footed ferrets into south-central South Dakota, on the Rosebud Sioux Reservation.

**Timetable:**

Action	Date
NPRM	09/11/02 67 FR 57558

Action	Date
NPRM Comment	10/11/02
Period End	
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**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  
Phone: 703 358-2171

**RIN:** 1018-AI60**1476. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D — 2003-2004 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

**Abstract:** This rule will revise the regulations for seasons, harvest limits, methods and means for the subsistence taking of wildlife during the 2003 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review cycle.

**Timetable:**

Action	Date
NPRM	08/05/02 67 FR 50619
Final Action	06/00/03

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

**RIN:** 1018-AI62**1477. MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; REGULATIONS FOR THE SPRING AND SUMMER 2003 SEASON****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742a to 742j**CFR Citation:** 50 CFR 92**Legal Deadline:** None

**Abstract:** This is the first of annual regulations that will prescribe frameworks for harvest dates, species that can be taken, and methods and means for subsistence harvest of migratory birds during the spring and summer in Alaska. These regulations were developed under a new process involving the Service, the Alaska Department of Fish and Game, and Alaska Native representatives. A 1916 treaty with Canada established a closed season for the taking of migratory birds between March 10 and September 1. The governments of Canada, Mexico, and the United States recently amended the 1916 treaty and a subsequent 1936 treaty to provide for the legal subsistence harvest of migratory birds and their eggs in Alaska and Canada during the closed season.

**Timetable:**

Action	Date
NPRM	02/10/03 68 FR 6697
Final Action	05/00/03

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

**Agency Contact:** Donna Dewhurst, Department of the Interior, United States Fish and Wildlife Service, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3499  
Email: donna\_dewhurst@fws.gov

**RIN:** 1018-AI84**1478. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS C AND D; 2004-2005 SUBSISTENCE TAKING OF FISH AND SHELLFISH****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

**Abstract:** This rulemaking will revise the regulations for seasons, harvest



## DOI—FWS

## Final Rule Stage

limits, methods, and means related to taking of fish and shellfish in Alaska for subsistence uses during the 2004 regulatory year. This rulemaking is necessary because subpart D of the subsistence management regulations is subject to an annual review cycle. In the Fall 2002 Unified Agenda, this rulemaking appeared under the RIN 1018-AI37, which has been withdrawn.

**Timetable:**

Action	Date
NPRM	02/12/03 68 FR 7294
NPRM Comment Period End	03/28/03
Final Action	02/00/04

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United

States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

**Related RIN:** Previously reported as 1018-AI37

**RIN:** 1018-AI89

**1479. • CHANGES IN LIST OF SPECIES IN APPENDICES TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA**

**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:** We will announce the decisions made by the 12th Meeting of the Conference of the Parties (COP12) to the Convention on International Trade in Endangered Species of Wild

Fauna and Flora (CITES) in November 2002 on amendments to appendices I and II, and incorporate those decisions into 50 CFR 23.23.

**Timetable:**

Action	Date
Final Action	05/00/03

**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-AI90

## Department of the Interior (DOI)

## United States Fish and Wildlife Service (FWS)

## Long-Term Actions

**1480. MIGRATORY BIRD PERMITS: SCIENTIFIC COLLECTING PERMITS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** This rule would amend the regulations for scientific collecting permits to establish criteria for issuance and standard conditions.

**Timetable:**

Action	Date
NPRM	To Be Determined

**Regulatory Flexibility Analysis**

Required: No

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

**Government Levels Affected:** State, Local, Tribal, 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-AE63

**1481. 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
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

**1482. 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
NPRM	To Be Determined

## DOI—FWS

## Long-Term Actions

**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

**1483. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THREE PLANTS FROM THE MARIANA ISLANDS AND GUAM**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory, June 1, 2001.

**Abstract:** We, the U.S. Fish and Wildlife Service (Service), propose endangered status pursuant to the Endangered Species Act of 1973, as amended (Act), for three plants (no common names): *Nesogenes rotensis*, *Osmoxylon mariannense*, and *Tabernaemontana rotensis*. *Nesogenes rotensis* and *O. mariannense* are found only on the island of Rota in the U.S. Commonwealth of the Northern Mariana Islands (CNMI). *Tabernaemontana rotensis* occurs on both Rota and the United States Territory of Guam.

**Timetable:**

Action	Date
NPRM	06/01/00 65 FR 35025
NPRM Comment Period Reopened	10/30/00 65 FR 64649
Final Action	05/00/04

**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-AG09

**1484. 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:** Final, Statutory, Section 4(b)(6)(A) of the Endangered Species Act generally requires a final determination within 1 year of the proposed listing.

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

**Timetable:**

Action	Date
NPRM	08/09/02 67 FR 51947
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-AG16

**1485. 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:** Final, Statutory, Section 4(b)(6)(A) of the Endangered Species Act generally requires a final determination within 1 year of the proposed listing.

**Abstract:** We propose endangered status pursuant to the Endangered Species Act of 1973, as amended (Act), 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
NPRM	01/17/01 66 FR 3964
Final Action	05/00/04

**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

**1486. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE SACRAMENTO MOUNTAINS CHECKERSPOT BUTTERFLY AND PROPOSED DESIGNATION OF CRITICAL HABITAT**

**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, August 31, 2001, Court order.

**Abstract:** We will make a final listing determination for the Sacramento Mountains checkerspot butterfly as endangered, including a critical habitat determination in New Mexico. This will extend the protection of the Endangered Species Act to this species.

**Timetable:**

Action	Date
NPRM	09/06/01 66 FR 46575
NPRM Comment Period Extended	09/26/01 66 FR 49158
Final Action	To Be Determined

**Regulatory Flexibility Analysis****Required:** No

## DOI—FWS

## Long-Term Actions

**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-AH40

**1487. 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
Notice	12/22/00 65 FR 80898
Notice of Availability	12/00/04

**Regulatory Flexibility Analysis**

**Required:** No

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

**Agency Contact:** Dr. Benjamin Tuggle, Chief, Division of Federal Program Activities, Department of the Interior, United States Fish and Wildlife Service, Room 400, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2161  
Fax: 703 358-1869

**RIN:** 1018-AH42

**1488. ENDANGERED AND THREATENED WILDLIFE; RECLASSIFICATION OF THE MARIANNA FRUIT BAT ON GUAM 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 Marianna fruit bat on Guam from endangered to threatened.

**Timetable:** Next Action Undetermined

**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

**RIN:** 1018-AH55

**1489. 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
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

**1490. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF GRIZZLY BEARS IN THE BITTERROOT AREA OF IDAHO AND MONTANA; REMOVAL OF REGULATIONS**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service plans to make a final determination on the proposal to select the no-action alternative, as analyzed in the Bitterroot Final Environmental Impact Statement, as the preferred alternative.

**Timetable:**

Action	Date
NPRM	06/22/01 66 FR 33620
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State

**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

**RIN:** 1018-AI03

**1491. 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-

## DOI—FWS

## Long-Term Actions

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
NPRM	06/00/04

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Barbara Ann Wyman, Program Manager, Division of Realty, Department of the Interior, United States Fish and Wildlife Service, Room 622, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1811  
Fax: 703 358-2223  
Email: barbara\_wyman@fws.gov

**RIN:** 1018-AI12

#### 1492. 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 propose to list and designate critical habitat for Koster's tyronia, Noel's amphipod, Pecos assimineia and the Roswell springsnail in New Mexico and Texas.

**Timetable:**

Action	Date
NPRM	02/12/02 67 FR 6459
NPRM Comment Period Reopened	05/31/02 67 FR 38059
Final Action	05/00/04

**Regulatory Flexibility Analysis Required:** No

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

#### 1493. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE ROTA BRIDLED WHITE-EYE

**Priority:** Substantive, Nonsignificant

**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, September 29, 2001, Settlement agreement.

**Abstract:** We propose to list a bird, the Rota bridled white-eye, which occurs in the Mariana Islands.

**Timetable:**

Action	Date
NPRM	10/03/01 66 FR 50383
Final Action	05/00/04

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State, Local, 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-AI16

#### 1494. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE SAN MIGUEL ISLAND FOX, SANTA ROSA ISLAND FOX, SANTA CRUZ ISLAND FOX, AND SANTA CATALINA ISLAND FOX

**Priority:** Substantive, Nonsignificant

**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, November 30, 2001, Settlement agreement.

**Abstract:** We have proposed to list four island fox species, which occur on the Channel Islands off California, as endangered.

**Timetable:**

Action	Date
NPRM	12/10/01 66 FR 63654
Final Action	To Be Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State, Local, 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-AI28

#### 1495. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date
NPRM	To Be Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

**RIN:** 1018-AI38

## DOI—FWS

## Long-Term Actions

**1496. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GRAY BAT 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 propose to reclassify the gray bat from endangered to threatened.**Timetable:**

Action	Date
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**RIN:** 1018-AI40**1497. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED 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 establish a nonessential experimental population for the Northern aplomado falcon (*Falco femoralis septentrionalis*), to facilitate the recovery of this endangered species and to ensure that its reintroduction will not impose new restrictions.**Timetable:**

Action	Date
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, HabitatConservation 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**RIN:** 1018-AI80**1498. • 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
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**1499. • 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:** We propose 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. Prior to this rule, this activity has been authorized by a miscellaneous permit category.

**Timetable:**

Action	Date
NPRM	To Be Determined

**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**1500. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MUNZ'S ONION****Priority:** Other Significant**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
NPRM	05/00/04

**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-AJ10

## Department of the Interior (DOI)

## Completed Actions

## United States Fish and Wildlife Service (FWS)

**1501. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; FINAL RECLASSIFICATION OF THE GRAY WOLF IN CERTAIN PARTS OF ITS RANGE**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	04/01/03 68 FR 15804
Correction to Final Action	04/09/03 68 FR 17428

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Patrick Leonard  
Phone: 703 358-2171

RIN: 1018-AF20

**1502. POLICY FOR EVALUATION OF CONSERVATION EFFORTS IN ENDANGERED SPECIES DECISIONMAKING**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	03/28/03 68 FR 15100

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

RIN: 1018-AF55

**1503. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; FINAL DESIGNATION OR NONDESIGNATION OF CRITICAL HABITAT FOR 95 PLANT SPECIES FROM THE ISLANDS OF KAUAI AND NIIHAU, HI**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	02/27/03 68 FR 9115

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171  
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Email: chris\_nolin@fws.gov  
RIN: 1018-AG71**1504. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE PURPLE AMOLE**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	10/24/02 67 FR 65413
Final Rule Correction	04/24/03 68 FR 20083

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov  
RIN: 1018-AG75**1505. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE KECK'S CHECKERMALLOW**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	03/18/03 68 FR 12863

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov  
RIN: 1018-AG93**1506. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE BAKER'S LARKSPUR AND THE YELLOW LARKSPUR**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	03/18/03 68 FR 12834

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

RIN: 1018-AG96

**1507. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE OTAY TARPLANT**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	12/10/02 67 FR 76029

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin  
Phone: 703 358-2171  
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Email: chris\_nolin@fws.gov

RIN: 1018-AH00

**1508. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR TWO CAVE INVERTEBRATES FROM KAUAI**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date
Final Action	04/09/03 68 FR 17430

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

RIN: 1018-AH01

**1509. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATIONS OF WHETHER DESIGNATION OF CRITICAL HABITAT IS PRUDENT FOR 20 PLANTS AND RE-PROPOSED DESIGNATIONS FOR 32 PLANTS FROM MOLOKAI, HAWAII**

Priority: Other Significant

CFR Citation: 50 CFR 17

## DOI—FWS

## Completed Actions

**Completed:**

Reason	Date
Final Action	03/18/03 68 FR 12981

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

**RIN:** 1018-AH08

**1510. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATIONS OF WHETHER DESIGNATION OF CRITICAL HABITAT IS PRUDENT FOR 8 PLANTS AND REPROPOSED DESIGNATIONS FOR 18 PLANTS FROM LANAI, HAWAII**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date
Final Action	01/09/03 68 FR 1219

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

**RIN:** 1018-AH10

**1511. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR POLYGONUM HICKMANII (SCOTTS VALLEY POLYGONUM)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date
Final Action	04/08/03 68 FR 16970

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

**RIN:** 1018-AH76

**1512. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO MANATEE PROTECTION AREAS IN FLORIDA**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date
Final Rule	11/08/02 67 FR 68449

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Patrick Leonard  
Phone: 703 358-2171

**RIN:** 1018-AH80

**1513. MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES (MANATEES)**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 18

**Completed:**

Reason	Date
NPRM	11/14/02 67 FR 69077
Notice of Public Hearings	11/29/02 67 FR 71127
Federal Environmental Impact Statement	04/04/03 68 FR 16544
Withdrawal; Record of Decision	05/08/03 68 FR 24700

**Regulatory Flexibility Analysis Required:** Undetermined

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

**Agency Contact:** Benjamin Tuggle  
Phone: 703 358-2161  
Fax: 703 358-1869

**RIN:** 1018-AH86

**1514. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE RIO GRANDE SILVERY MINNOW**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date
Final Action	02/19/03 68 FR 8087

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin

Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

**RIN:** 1018-AH91

**1515. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2003 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS**

**Priority:** Substantive, Nonsignificant

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

**Completed:**

Reason	Date
Final Action	02/12/03 68 FR 7275

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer  
Phone: 907 786-3888

**RIN:** 1018-AI09

**1516. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY LISTING OF THE PYGMY RABBIT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date
Final Action	03/05/03 68 FR 10388

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Chris Nolin  
Phone: 703 358-2171  
Fax: 703 358-1735  
Email: chris\_nolin@fws.gov

**RIN:** 1018-AI17

**1517. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE GULF STURGEON**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date
Final Action	03/19/03 68 FR 13370

**Regulatory Flexibility Analysis Required:** No

## DOI—FWS

## Completed Actions

**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris\_nolin@fws.gov

RIN: 1018-AI23

**1518. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR FIVE CARBONATE PLANTS IN CALIFORNIA****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date
Final Action	12/24/02 67 FR 78569

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris\_nolin@fws.gov

RIN: 1018-AI27

**1519. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART D; SUBSISTENCE TAKING OF FISH, CUSTOMARY TRADE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 100; 36 CFR 242**Completed:**

Reason	Date
Final Action	04/28/03 68 FR 22308

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** William Knauer

Phone: 907 786-3888

RIN: 1018-AI31

**1520. MIGRATORY BIRD HUNTING; APPROVAL OF TUNGSTEN-IRON-NICKEL-TIN SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 20**Completed:**

Reason	Date
Final Action	01/10/03 68 FR 1388

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Brian Millsap

Phone: 703 358-1714

Email: brian\_millsap@fws.gov

RIN: 1018-AI33

**1521. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF COOK'S LOMATIUM AND LARGE-FLOWERED WOOLLY MEADOWFOAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date
Final Action	11/07/02 67 FR 68003

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Energy Effects:** Statement of Energy Effects planned as required by Executive Order 13211.**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris\_nolin@fws.gov

**Related RIN:** Previously reported as 1018-AF84

RIN: 1018-AI43

**1522. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR 7 INVERTEBRATE SPECIES IN BEXAR COUNTY, TEXAS****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date
Final Action	04/08/03 68 FR 17156

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris\_nolin@fws.gov

RIN: 1018-AI47

**1523. IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002 LANDOWNER INCENTIVE PROGRAM (NON-TRIBAL PORTION) FOR STATES, TERRITORIES, AND THE DISTRICT OF COLUMBIA****Priority:** Other Significant**CFR Citation:** None**Completed:**

Reason	Date
Final Policy	10/01/02 67 FR 61640

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Kim Galvan

Phone: 703 358-1851

Email: kim\_galvan@fws.gov

RIN: 1018-AI55

**1524. FISCAL YEAR 2002 PRIVATE STEWARDSHIP GRANTS PROGRAM; PROGRAM IMPLEMENTATION****Priority:** Other Significant**CFR Citation:** None**Completed:**

Reason	Date
Final Action	11/19/02 67 FR 69757

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Patrick Leonard

Phone: 703 358-2171

RIN: 1018-AI56

**1525. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SONOMA COUNTY DISTINCT POPULATION SEGMENT OF THE CALIFORNIA TIGER SALAMANDER AS ENDANGERED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date
Final Action	03/19/03 68 FR 13498

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735



## DOI—FWS

## Completed Actions

Email: chris\_nolin@fws.gov

**Related RIN:** Previously reported as 1018-AH40

**RIN:** 1018-AI61

**1526. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA**

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

**Abstract:** The U.S. Forest Service and U.S. Fish and Wildlife Service are amending the regulations governing

subsistence use of wildlife in Alaska by clarifying how old a person must be to receive a Federal Subsistence Registration Permit or Federal Designated Harvester Permit and by removing the requirement that Regional Councils must have an odd number of members. These changes are noncontroversial and are designed to ensure that the regulations for the Federal Subsistence Management Program in Alaska are easy for the public to understand and reflect current policies.

**Timetable:**

Action	Date
NPRM	02/18/03 68 FR 7734

Action	Date
Direct Final Rule	02/18/03 68 FR 7703
NPRM Withdrawn	04/30/03 68 FR 23091
Direct Final Rule Affirmed	04/30/03 68 FR 23035

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

**RIN:** 1018-AI88  
**BILLING CODE** 4310-55-S

**Department of the Interior (DOI)  
National Park Service (NPS)**

**Proposed Rule Stage**

**1527. BIG THICKET NATIONAL PRESERVE; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.85

**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
NPRM	08/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC92

**1528. PICTURED ROCKS NATIONAL LAKESHORE; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 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
NPRM	11/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC93

**1529. FIRE ISLAND NATIONAL SEASHORE; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 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
NPRM	05/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC94

## DOI—NPS

## Proposed Rule Stage

**1530. GATEWAY NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 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
NPRM	05/00/03

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

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
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Email: kym\_hall@nps.gov

**RIN:** 1024-AC95**1531. BIGHORN CANYON NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 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
NPRM	12/00/03

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

**Agency Contact:** Kym A. Hall, Regulations Program Manager,

Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC96**1532. LAKE MEREDITH RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.57**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
NPRM	07/00/03

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

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC97**1533. CHICKASAW RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.50**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
NPRM	01/00/04

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

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
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**RIN:** 1024-AC98**1534. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 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
NPRM	02/00/04

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

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
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Email: kym\_hall@nps.gov

**RIN:** 1024-AC99**1535. AMISTAD RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.79**Legal Deadline:** None

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## Proposed Rule Stage

**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 areas of the National Park System expired on April 22, 2002.

**Timetable:**

Action	Date
NPRM	12/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD00

**1536. LAKE ROOSEVELT RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.55

**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 areas of the National Park System expired on April 22, 2002.

**Timetable:**

Action	Date
NPRM	08/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
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**RIN:** 1024-AD01

**1537. 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. 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
NPRM	12/00/03

**Regulatory Flexibility Analysis Required:** 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

**1538. BOATING AND WATER USE ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 1a-2(h); 16 USC 3

**CFR Citation:** 36 CFR 3

**Legal Deadline:** None

**Abstract:** This part was last updated comprehensively in the early 1980's. 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
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD07

**1539. • SAGUARO NATIONAL MONUMENT MOUNTAIN BIKE SPECIAL REGULATIONS**

**Priority:** Other Significant

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

**CFR Citation:** 36 CFR 7.11

**Legal Deadline:** None

**Abstract:** This rule is required to allow mountain bike use on the Cactus Forest Trail.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
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**RIN:** 1024-AD10

**1540. • SNOWMOBILE REGULATIONS FOR YELLOWSTONE AND GRAND TETON NATIONAL PARKS AND JDR PARKWAY**

**Priority:** Other Significant

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

**CFR Citation:** 36 CFR 7.13; 36 CFR 7.21; 36 CFR 7.22

**Legal Deadline:** None

**Abstract:** This rule will implement the Record of Decision for Winter Use Management for yellowstone and Grand Teton National Parks and JDR Parkway that was signed in March 2003. The

## DOI—NPS

## Proposed Rule Stage

rule addresses issues of Best Available Technology (BAT) for snowmobiles, requirements for guided groups, adaptive management, and other issues addressed in the final SELs and record of decision.

**Timetable:**

Action	Date
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD11

**Department of the Interior (DOI)  
National Park Service (NPS)**

## Final Rule Stage

**1541. VEHICLES AND TRAFFIC SAFETY; OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 4.23

**Legal Deadline:** None

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

**Timetable:**

Action	Date
NPRM	01/31/03 68 FR 4975
Final Action	07/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC69

**1542. PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 61

**Legal Deadline:** None

**Abstract:** The NPS proposes to establish the requirements and procedures by which those Indian tribes that choose to do so can assume State Historic Preservation Officer duties with regard to tribal lands and become eligible for grants-in-aid to carry out those duties.

**Timetable:**

Action	Date
NPRM	08/12/02 67 FR 52532
NPRM Comment Period End	12/10/02
Final Action	06/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Bryan Mitchell, Division, Department of the Interior, National Park Service, NC330, 1849 C Street NW., Washington, DC 20240  
Phone: 202 343-9558  
Fax: 202 343-3921  
Email: bryan\_mitchell@nps.gov

**RIN:** 1024-AC79

**1543. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS; CIVIL PENALTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 3001 et seq

**CFR Citation:** 43 CFR 10

**Legal Deadline:** None

**Abstract:** This final rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act of 1990. This section outlines procedures for assessing civil penalties upon museums that fail to comply with applicable provisions of the Act.

**Timetable:**

Action	Date
Interim Final Rule	01/13/97 62 FR 1820
Interim Final Rule Effective	02/12/97
Interim Final Rule Comment Period End	04/14/97
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** 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-AC84

**1544. 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

## DOI—NPS

## Final Rule Stage

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
NPRM	11/27/02 67 FR 70899
NPRM Comment Period End	01/27/03
Final Action	01/00/04

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Cynthia Orlando, Chief of Concessions, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 565-1211  
Fax: 202 565-1224  
Email: cindy\_orlando@nps.gov

**RIN:** 1024-AC85

**1545. VIRGIN ISLANDS CORAL REEF NATIONAL MONUMENT; SPECIAL REGULATIONS**

**Priority:** Other Significant

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

**CFR Citation:** 36 CFR 7.103; 36 CFR 7.73

**Legal Deadline:** None

**Abstract:** This is an interim regulation to implement Presidential Proclamation No. 7932, which established the Virgin Islands Coral Reef National Monument. This regulation prohibits extractive uses, with some exceptions, and anchoring within the monument, and expands the boundaries of Buck Island Reef National Monument. The regulation also implements Presidential Proclamation No. 7399, which prohibits all extractive uses and boat anchoring, except in deep sand areas (all other anchoring is subject to permit) at Buck Island. Both proclamations require NPS to prepare management plans for each park within three years. We are

soliciting comments on this interim rule and will take them into account in developing the final rule once we have completed the general management plans.

**Timetable:**

Action	Date
Interim Final Rule	04/04/03 68 FR 16432
Interim Final Rule Effective	05/05/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Federal

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC89

**1546. GLEN CANYON NATIONAL RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.70

**Legal Deadline:** None

**Abstract:** This proposed rule would allow personal watercraft use in designated areas of the park. This 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
NPRM	01/17/03 68 FR 2466
NPRM Comment Period End	03/18/03
Final Action	06/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC90

**1547. ASSATEAGUE ISLAND NATIONAL SEASHORE; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.65

**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 areas of the National Park System expired on April 22, 2002.

**Timetable:**

Action	Date
NPRM	05/06/02 67 FR 30339
NPRM Comment Period End	07/05/02
Final Action	06/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-4684  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD02

**Department of the Interior (DOI)**  
**National Park Service (NPS)**
**Long-Term Actions**
**1548. SPECIAL REGULATIONS OF THE NATIONAL PARK SYSTEM; RELIGIOUS CEREMONIAL COLLECTION OF GOLDEN EAGLETS IN WUPATKI NATIONAL MONUMENT**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1; 16 USC 3; 42 USC 1996; 42 USC 2000bb  
**CFR Citation:** 36 CFR 7.101  
**Legal Deadline:** None

**Abstract:** The NPS has preliminarily determined that under certain circumstances it is appropriate to allow the Hopi Tribe to collect golden eaglets within Wupatki National Monument for religious ceremonial purposes. This rule would authorize this activity upon terms and conditions sufficient to protect park resources against impairment, and consistent with the Bald and Golden Eagle Protection Act.

**Timetable:**

Action	Date
NPRM	01/22/01 66 FR 6516
NPRM Comment Period End	03/23/01
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Patricia L. Parker, Chief, American Indian Liaison Office, Department of the Interior, National Park Service, 1849 C Street N.W., Room 3410, Washington, DC 20240  
 Phone: 202 208-5475  
 Fax: 202 273-0870  
 Email: pat\_parker@nps.gov

**RIN:** 1024-AC86

**1549. GOLDEN GATE NATIONAL RECREATION AREA; SPECIAL REGULATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a  
**CFR Citation:** 36 CFR 7.97  
**Legal Deadline:** None

**Abstract:** This advance notice of proposed rulemaking will seek public comment on a range of potential management options for addressing appropriate pet management within the

Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety.

**Timetable:**

Action	Date
ANPRM	01/11/02 67 FR 1424
ANPRM Comment Period End	03/12/02
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Brian O'Neill, Superintendent, Department of the Interior, National Park Service, Golden Gate National Recreation Area, Fort Mason, Building 201, San Francisco, CA 94123-0022  
 Phone: 415 561-4739  
 Fax: 415 561-4710  
 Email: brian\_o\_neill@nps.gov

**RIN:** 1024-AD03

**Department of the Interior (DOI)**  
**National Park Service (NPS)**
**Completed Actions**
**1550. LAKE MEAD NATIONAL RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 36 CFR 7.48

**Completed:**

Reason	Date
Final Action	04/09/03 68 FR 17292
Final Action Effective	04/09/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall  
 Phone: 202 208-4206  
 Fax: 202 208-4684  
 Email: kym\_hall@nps.gov  
**RIN:** 1024-AC91

**1551. YELLOWSTONE NATIONAL PARK, GRAND TETON NATIONAL PARK, JOHN D. ROCKEFELLER MEMORIAL PARKWAY WINTER USE REGULATIONS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 36 CFR 7.13; 36 CFR 7.22

**Completed:**

Reason	Date
Final Action	11/18/02 67 FR 69473
Final Action Effective	12/18/02

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall  
 Phone: 202 208-4206  
 Fax: 202 208-4684  
 Email: kym\_hall@nps.gov

**RIN:** 1024-AD06  
**BILLING CODE** 4310-70-S

**Department of the Interior (DOI)**  
**Bureau of Indian Affairs (BIA)**
**Proposed Rule Stage**
**1552. INDIAN ELECTRIC POWER UTILITIES**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.  
**Legal Authority:** 25 USC 385  
**CFR Citation:** 25 CFR 175

**Legal Deadline:** None

**Abstract:** This rule contains procedures governing the operation of BIA-owned power utilities. 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
NPRM	06/07/96 61 FR 29040

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## Proposed Rule Stage

Action	Date
NPRM Comment Period End	08/06/96
NPRM	10/00/03

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

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

RIN: 1076-AD45

**1553. BUY INDIAN ACT REGULATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 47; 36 Stat 861; 41 USC 253(c)(5)**CFR Citation:** 48 CFR 14 app A**Legal Deadline:** None

**Abstract:** This rule will regulate the implementation of BIA's longstanding policy of contracting with Indian-owned firms on a preferential basis and will regulate the determination of eligibility and availability of Indian firms to perform a specific requirement for products, services, and road construction outside the State of Oklahoma and regulate the authority to deviate from the general policy and will regulate the determination of eligibility throughout contractual performance.

**Timetable:**

Action	Date
NPRM	09/00/03

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

**Agency Contact:** Kim Romine, Management, Department of the Interior, Bureau of Indian Affairs, 2051 Mercator Drive, Reston, VA 20191  
Phone: 703 390-6461  
Fax: 703 390-6582

RIN: 1076-AE07

**1554. TRIBAL REVENUE ALLOCATION PLANS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 2; 25 USC 2710; 25 USC 9; 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
NPRM	09/00/03

**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

**1555. • LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 380; 25 USC 403; 25 USC 403c; 25 USC 415 to 415d; 25 USC 477; 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
NPRM	06/00/03

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

**Agency Contact:** Kayla Danks, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4512 - MIB, Washington, DC 20240  
Phone: 202 208-5954  
Fax: 202 219-1065

RIN: 1076-AE36

**Department of the Interior (DOI)  
Bureau of Indian Affairs (BIA)****Final Rule Stage****1556. IRRIGATION PROJECTS AND SYSTEMS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 385**CFR Citation:** 25 CFR 171**Legal Deadline:** None

**Abstract:** 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
NPRM	07/05/96 61 FR 35167
NPRM Comment Period End	09/03/96
Final Action	09/00/03

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

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

RIN: 1076-AD44

## DOI—BIA

## Final Rule Stage

**1557. CERTIFICATES OF DEGREE OF INDIAN BLOOD****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 13; 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
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	12/00/03

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Duane Bird Bear, Department of the Interior, Bureau of Indian Affairs, Tribal Government Services, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 513-7641  
Fax: 202 513-0679**RIN:** 1076-AD97**1558. ALASKA RESUPPLY OPERATION****Priority:** Info./Admin./Other**Legal Authority:** 25 USC 13; 25 USC 9; 38 Stat. 486; 42 Stat. 208; 5 USC 301; R.S. 463; 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
NPRM	08/03/00 65 FR 47704
NPRM Comment Period End	10/02/00
Final Action	06/00/03

**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**1559. PROTECTION OF PRODUCTS OF INDIAN ART AND CRAFTSMANSHIP****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 1159; 25 USC 305 et seq**CFR Citation:** 25 CFR 309**Legal Deadline:** None**Abstract:** This rule establishes regulations to provide guidance to persons who produce, market, or purchase products marketed as Indian arts and crafts, as defined under the Indian Arts and Crafts Act of 1990, PL 101-644. The proposed regulations further clarify the definition of "Indian product" by including specific examples of "Indian product," as well as examples of what is not an "Indian product," in the regulations implementing the Indian Arts and Crafts Enforcement Act of 2000, Public Law 101-497, an amendment to the Indian Arts and Crafts Act of 1990, Public Law 101-644.**Timetable:**

Action	Date
NPRM	05/21/01 66 FR 27915
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Duncan Brown, Regulatory Analyst, Department of the

Interior, Bureau of Indian Affairs, Room 7229 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-4582

Fax: 202 219-2100

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**RIN:** 1076-AE16**1560. INDIAN RESERVATION ROADS PROGRAM****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 2; 25 USC 202; 5 USC 301**CFR Citation:** 25 CFR 170**Legal Deadline:** None**Abstract:** This establishes policies and procedures governing the Indian Reservation Roads (IRR) Program. It expands transportation activities available to tribes and tribal organizations and provides guidance to tribes and tribal organizations for planning, designing, constructing, and maintaining transportation facilities. This rule also includes a funding formula for allocating IRR Program funds based upon the relative needs of Indian tribes, and reservation or tribal communities, for transportation assistance, and the relative administrative capacities of various tribes.**Timetable:**

Action	Date
NPRM	08/07/02 67 FR 51328
NPRM Comment Period End	10/07/02
Final Action	09/00/03

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Tribal**Agency Contact:** LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4359**RIN:** 1076-AE17



**Department of the Interior (DOI)**  
**Bureau of Indian Affairs (BIA)**
**Long-Term Actions****1561. INDIAN COUNTRY LAW ENFORCEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 25 USC 2; 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:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local, Tribal, Federal**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
**Department of the Interior (DOI)**  
**Bureau of Indian Affairs (BIA)**
**Completed Actions****1562. ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR RELIEF OF DISTRESS AND SOCIAL WELFARE OF INDIANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 21**Completed:**

Reason	Date
Final Action	12/19/02 67 FR 77677

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Larry R. Blair  
Phone: 202 208-2721**RIN:** 1076-AD98**Government Levels Affected:** Tribal**Agency Contact:** Duncan Brown  
Phone: 202 208-4582  
Fax: 202 219-2100  
Email: duncan\_l\_brown@ios.doi.gov  
**RIN:** 1076-AE20**1564. TECHNICAL AMENDMENTS TO HOUSING IMPROVEMENT PROGRAM REGULATIONS****Priority:** Info./Admin./Other**CFR Citation:** 25 CFR 256**Completed:**

Reason	Date
Final Action	12/20/02 67 FR 77919

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** June Henkel  
Phone: 202 208-3667**RIN:** 1076-AE31**Legal Deadline:** None**Abstract:** BIA issued this rule so that \$25 million of FY 2003 Indian Reservation Roads funds could be distributed to projects on or near Indian reservations using the relative need formula. This partial distribution reflects funds that the Federal Highway Administration has allocated to the Department of the Interior and is based on funding appropriated by a continuing resolution for the Department of the Interior that is in effect until September 30, 2003.**Timetable:**

Action	Date
Final Action	01/08/03 68 FR 1003

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4359**RIN:** 1076-AE34**BILLING CODE** 4310-02-S**1563. TRUST MANAGEMENT REFORM: REPEAL OF OUTDATED RULES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 112; 25 CFR 116; 25 CFR 121; 25 CFR 123; 25 CFR 125; 25 CFR 154; 25 CFR 156; 25 CFR 178; 25 CFR 243**Completed:**

Reason	Date
Final Action	08/26/02 67 FR 54733

**Regulatory Flexibility Analysis Required:** No**1565. • INDIAN RESERVATION ROADS — FY 2003 FUNDS DISTRIBUTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 202; 25 USC 2; 25 USC 9; 25 USC 301**CFR Citation:** 25 CFR 170
**Department of the Interior (DOI)**  
**Minerals Management Service (MMS)**
**Proposed Rule Stage****1566. LATE AND OVERPAYMENT INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 1001 et seq; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1701 et seq; 25 USC 1735;

25 USC 1801 et seq; 25 USC 181 et seq; 25 USC 2101 et seq; 25 USC 351 et seq; 25 USC 3716; 25 USC 3720a; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 9701; 5 USC 301 et seq

**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

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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
NPRM	04/00/04
NPRM Comment	06/00/04
Period End	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC27

**1567. TAKES VS. ENTITLEMENTS REPORTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 205

**Legal Deadline:** None

**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
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Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC29

**1568. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows reporters to seek accounting, reporting, and auditing relief for their marginal properties in accordance with section 117(c) of the Federal Oil and Gas Royalty Management Act of 1982 as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

**Timetable:**

Action	Date
NPRM	01/21/99 64 FR 3360
NPRM Comment	03/22/99
Period End	
Supplementary NPRM	05/00/03
NPRM Comment	07/00/03
Period End	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC30

**1569. 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
NPRM	04/00/04
NPRM Comment	06/00/04
Period End	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC31

**1570. 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
NPRM	06/00/03
NPRM Comment	08/00/03
Period End	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC57

**1571. 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

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## Proposed Rule Stage

and gas leases and also introduces a categorical royalty relief program for deep gas drilling on existing shallow water tracts.

**Timetable:**

Action	Date
NPRM	12/00/03
NPRM Comment	02/00/04
Period End	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC58

**1572. APPEALS OF MINERALS MANAGEMENT SERVICE ORDERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 242; 30 CFR 290; 43 CFR 4

**Legal Deadline:** None

**Abstract:** This rule streamlines the appeals process to facilitate processing appeals within the 33-month deadline required by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA). It also implements the requirements of OMB Circular A-25, which establishes guidelines for Federal agencies to assess fees to cover the costs of Government-provided services or benefits beyond those accruing to the general public.

**Timetable:**

Action	Date
NPRM	07/00/03
NPRM Comment	09/00/03
Period End	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC80

**1573. DEFINITION OF CONTROL**

**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; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 2101 et seq; 5 USC 301 et seq; 5 USC 396 et seq; 5 USC 396a et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** MMS is amending the definition of "control" in 30 CFR part 206 based upon the relevance to MMS regulations of the decision National Mining Association v. Department of the Interior, 177 F.3rd 1 (DC Cir., May 28, 1999).

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC88

**1574. REPORTING AMENDMENTS**

**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; 31 USC 9701; 43 USC 1334; 43 USC 1801; 44 USC 3506(a); 5 USC 301 et seq

**CFR Citation:** 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218

**Legal Deadline:** None

**Abstract:** MMS is amending its regulations to: (1) update reporting instructions; (2) eliminate unnecessary report forms; (3) add approved information collections previously omitted; (4) remove the extended due date for production reports submitted electronically; (5) require production reporting on leases and agreements until all production has ceased and all

inventory has been disposed of; and (6) eliminate certain reporting assessments and electronic reporting options.

**Timetable:**

Action	Date
NPRM	01/00/04
NPRM Comment	03/00/04
Period End	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AC90

**1575. RIGHTS-OF-USE AND EASEMENTS AND PIPELINE RIGHTS-OF-WAY**

**Priority:** Other Significant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is proposing to modify requirements governing rights-of-use and easement and pipeline rights-of-way in the Outer Continental Shelf. These changes will increase rental rates for pipeline rights-of-way and establish rentals for rights-of-use and easements. The proposed rule will also allow MMS to charge additional payment when the right-of-use and easement or the pipeline right-of-way prevents MMS from making the area available to other companies for exploration and possible development and production. This change is needed because of requests by lessees and pipeline right-of-way holders to use large areas outside of the area covered by their lease and pipeline right-of-way for accessory structures.

**Timetable:**

Action	Date
NPRM	05/00/03
NPRM Comment	07/00/03
Period End	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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## DOI—MMS

## Proposed Rule Stage

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**RIN:** 1010–AC91

### 1576. 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
NPRM	09/00/03
NPRM Comment Period End	11/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1010–AC96

### 1577. 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 by adding a new definition revising the existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new definition for the term “production in paying quantities” to enable us to determine how much production qualifies as lease holding production. We are specifying the submission of progress reports and final reports for suspensions of production and suspensions of operations to ensure

that the lessee/operator is diligent in pursuing performance of their lease. 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.

**Timetable:**

Action	Date
NPRM	06/00/03
NPRM Comment Period End	08/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1010–AC99

### 1578. RELIEF OR REDUCTION IN ROYALTY RATES — DEEP GAS PROVISIONS

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

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 203

**Legal Deadline:** None

**Abstract:** Declines in outer continental shelf production from existing fields need to be offset by new sources to keep up with growing demand. Very little of the deep gas potential in shallow water areas of the Gulf of Mexico has yet been explored. Extensive infrastructure already exists in shallow water, unlike in deep water, so new production could reach market quickly. Because the most prospective tracts in shallow water are already under lease, most of the deep gas potential in shallow water may already have been acquired. This rule proposes temporary incentives in the form of royalty suspension volumes for deep wells (at least 15,000 feet below significant energy action level) on existing leases that explore for or produce gas.

**Statement of Need:** Very little of the deep gas potential in shallow water areas of the Gulf of Mexico has yet been explored. Extensive infrastructure

already exists in shallow water, unlike in deep water, so new production could reach market quickly. Because the most productive tracts in shallow water are already under lease, most of the deep gas potential in shallow water may already have been acquired. This rule would accelerate exploration and production of deep gas by providing temporary incentives in the form of royalty suspension volumes for deep wells on existing leases that explore for or produce gas.

**Summary of Legal Basis:** The OCS Lands Act is the basis for our regulations on suspending or lowering royalties on “producing” OCS leases. The Deep Water Royalty Relief Act, which amended the OCS Lands Act, is the basis for regulations to reduce or eliminate royalty on “non-producing” leases in the Gulf of Mexico west of 87 degrees, 30 minutes West longitude. It gives the Secretary of the Interior this authority to (1) promote development or increased production on producing and non-producing leases, or (2) encourage production of marginal resources on producing and non-producing leases.

**Alternatives:** There are two alternatives — providing incentives only through the lease sale process, or through an application process. Reserving the deep gas incentive only for new leases issued in future sales will not encourage exploration and production of much of the deep gas potential that underlies existing leases. Many of the best blocks have not been through a sale in decades. Also, new leases would be less able to use the existing infrastructure than existing leases so additional gas production would be delayed. Granting royalty relief on a case-by-case basis to existing leases would better protect against unnecessary royalty relief but is unlikely to encourage much additional production. The unavoidable complexity and delays in a system like we use in the discretionary deep water royalty relief program would discourage many lessees and delay the desired activity by those that would apply.

**Risks:** The risk of not offering royalty relief provided in this rulemaking; action is that some deep gas resources in shallow water will not be developed, at least not during a period when growing demand and declines in traditional sources for natural gas will lead to volatile prices.

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## Proposed Rule Stage

**Timetable:**

Action	Date
NPRM	03/26/03 68 FR 14867
NPRM Comment Period End	05/27/03
Final Action	03/00/04

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

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**RIN:** 1010-AD01**1579. 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. The revision will also disallow a royalty relief request by a lease or project that does not promote wider program goals or is only temporarily unable to benefit from a formal royalty relief program.

**Timetable:**

Action	Date
NPRM	12/00/03
NPRM Comment Period End	02/00/04

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

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**RIN:** 1010-AD02**1580. • FEDERAL OIL VALUATION****Priority:** Other Significant**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 181 et seq; 30 USC 1001 et seq**CFR Citation:** 30 CFR 206; 30 CFR 210**Legal Deadline:** None

**Abstract:** This rule would amend the existing rule governing valuation for royalty purposes of crude oil produced from Federal leases. These changes would refine several technical aspects of this rule relating to which published market prices are most appropriate to value crude oil not sold at arm's length and what transportation deductions should be allowed.

**Timetable:**

Action	Date
NPRM	05/00/03

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

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**RIN:** 1010-AD04**1581. • FEDERAL GAS VALUATION****Priority:** Other Significant**Legal Authority:** 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2102 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
NPRM	06/00/03

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

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**RIN:** 1010-AD05
**Department of the Interior (DOI)  
Minerals Management Service (MMS)**
**Final Rule Stage****1582. PLANS AND INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 25 CFR 250**Legal Deadline:** None

**Abstract:** MMS requires companies to submit for approval their exploration

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

**Timetable:**

Action	Date
NPRM	05/17/02 67 FR 35372
Comment Period Extended	12/13/02 67 FR 46616
Final Action	10/00/03
Final Action Effective	11/00/03

## DOI—MMS

## Final Rule Stage

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

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**RIN:** 1010-AC47**1583. 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
NPRM	07/17/02 67 FR 46942
NPRM Comment Period End	09/18/02
Final Action	07/00/03
Final Action Effective	08/00/03

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

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**RIN:** 1010-AC81**1584. DEALING WITH SUSTAINED CASING PRESSURE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule amends subpart E (Oil and Gas Well- Completion Operations) of MMS operating regulations. It describes procedures for dealing with sustained casing pressure in oil and gas wells on the Outer Continental Shelf. Currently lessees must request a departure from MMS regulations to operate a well that has sustained casing pressure. When granting a departure, MMS requires that lessees perform periodic checks and evaluations to ensure that the pressure is not a danger to personnel, equipment, or the environment. This rule will codify these procedures and ensure uniform regulatory practices among MMS regional offices. The changes will also help ensure that lessees will continue to conduct operations in a safe manner.

**Timetable:**

Action	Date
NPRM	11/09/01 66 FR 56620
Comment Period Extended 3/9/2002	01/03/02 67 FR 275
Final Action	11/00/03
Final Action Effective	01/00/04

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

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**RIN:** 1010-AC83**1585. 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
NPRM	12/27/01 66 FR 66851
Comment Period Extended to 3/27/2002	02/12/02 67 FR 6453
Comment Period Extended 5/28/2002	03/28/02 67 FR 14902
Final Action	11/00/03
Final Action Effective	12/00/03

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

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**RIN:** 1010-AC85**1586. DOCUMENTS INCORPORATED BY REFERENCE — API RP 14F AND API 510****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule will update a document incorporated by reference and incorporate by reference a new document. Incorporation by reference makes a widely available technical document part of our regulations. The updated reference, API RP 14F, is the fourth edition of the American Petroleum Institute's (API) "Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Class 1, Division 1, and Division 2 Locations." The new document, API RP 14 FZ, is titled "Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Unclassified and Class 1, Zone 0, Zone 1 and Zone 2 Locations."

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## Final Rule Stage

**Timetable:**

Action	Date
NPRM	01/14/03 68 FR 1808
NPRM Comment Period End	03/17/03
Final Action	03/00/04
Final Action Effective	04/00/04

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

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**RIN:** 1010-AC89

**1587. DOCUMENT INCORPORATED BY REFERENCE—API 510—PRESSURE VESSEL INSPECTION CODE: MAINTENANCE INSPECTION, RATING, REPAIR, AND ALTERATION**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule proposes adding a document to be incorporated by reference into MMS's regulations governing oil and gas and sulphur operations in the outer continental shelf (OCS). This revision will ensure that lessees use the best available and safest technologies while operating in the OCS. The new document, API 510, is titled "Pressure Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration."

**Timetable:**

Action	Date
NPRM	12/27/01 66 FR 66848
NPRM Comment Period End	02/25/02
Final Action	10/00/03
Final Action Effective	11/00/03

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

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**RIN:** 1010-AC95

**1588. 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 1001 et seq; 30 USC 1701 et seq; 30 USC 351 et seq; 30 USC 181 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.

**Statement of Need:** Current oil valuation regulations rely on posted prices and prices under arm's-length sales to value oil that is not sold at arm's-length. Over time, posted prices have become increasingly suspect as a fair measure of market value. This rulemaking would modify valuation regulations to place substantial reliance on the higher of crude oil spot prices, major portion prices, or gross proceeds, and eliminate any direct reliance on posted prices. This rulemaking would also add more certainty to valuation of oil produced from Indian leases.

**Summary of Legal Basis:** The primary legal basis for this rulemaking is the Federal Oil and Gas Royalty Management Act of 1982, as amended, which defines the Secretary of the Interior's (1) authority to implement and maintain a royalty management system for oil and gas leases on Indian lands, and (2) trust responsibility to administer Indian oil and gas resources.

**Alternatives:** We considered a range of valuation alternatives such as making minor adjustments to the current gross proceeds valuation method, using futures prices, using index-based prices with fixed adjustments for production from specific geographic zones, relying on some type of field pricing other than posted prices, and taking oil in-kind. We chose the higher of the average of the high daily applicable spot prices for the month, major portion prices in the field or area, or gross proceeds received by the lessee or its affiliate. We chose spot prices as one of the three value measures because (1) they represent actual trading activity in the market, (2)

they mirror New York Mercantile Exchange futures prices, and (3) they permit use of an index price for the market center nearest the lease for oil most similar in quality to that of the lease production.

**Anticipated Cost and Benefits:** We estimate compliance with this rulemaking would cost the oil industry approximately \$5.4 million the first year and \$4.9 million each year thereafter. These estimates include the up-front computer programming and other administrative costs associated with processing the new form. The monetary benefits of this rulemaking are an estimated \$4.7 million increase in annual royalties collected on oil produced from Indian leases. Additional benefits include simplification and increased certainty of oil pricing, reduced audit efforts, and reduced valuation determinations and associated litigation.

**Risks:** The risk of not modifying current oil valuation regulations is that Indian recipients may not receive royalties based on the highest price paid or offered for the major portion of oil produced—a common requirement in most Indian leases. These modifications ensure that the Department fulfills its trust responsibilities for administering Indian oil and gas leases under governing mineral leasing laws, treaties, and lease terms.

**Timetable:**

Action	Date
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
Supplementary Proposed Rule	01/05/00 65 FR 10436
ANPRM Comment Period End	03/19/00
NPRM Comment Period Extended	03/20/00
Final Action	10/00/03
Final Action Effective	01/00/04

**Regulatory Flexibility Analysis Required:** Yes

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

**Government Levels Affected:** Tribal

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## DOI—MMS

## Final Rule Stage

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**Related RIN:** Previously reported as  
1010-AC24  
**RIN:** 1010-AD00

**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule updates the incorporation by reference of the 21st edition of American Petroleum Institute Recommended Practice 2A (API RP 2A). The updated document will replace the 19th and 20th editions of API RP 2A. This change was published as a proposed rule under RIN 1010-AC85 on December 27, 2001.

**Timetable:**

Action	Date
Final Action	05/00/03

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

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**RIN:** 1010-AD03**1589. • FIXED PLATFORMS — DOCUMENTS INCORPORATED BY REFERENCE****Priority:** Info./Admin./Other**Legal Authority:** 43 USC 1331 et seq

## Department of the Interior (DOI)

## Completed Actions

## Minerals Management Service (MMS)

**1590. OIL AND GAS DRILLING OPERATIONS****Priority:** Other Significant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date
Final Action	02/20/03 68 FR 8402
Final Action Effective	03/24/03

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

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**RIN:** 1010-AC43**Completed:**

Reason	Date
Withdrawn To be addressed in another action.	02/21/03 68 FR 8480

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

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**RIN:** 1010-AC75**1592. DOCUMENTS INCORPORATED BY REFERENCE — API SPECIFICATION 2C****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date
Final Action	02/14/03 68 FR 7421
Final Action Effective	03/14/03

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

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**RIN:** 1010-AC82**1593. OUTER CONTINENTAL SHELF OIL AND GAS LEASING — CLARIFYING AMENDMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 260**Completed:**

Reason	Date
Final Action	09/12/02 67 FR 57737
Final Action Effective	10/15/02

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

**Agency Contact:** Kumkum Ray  
Phone: 703 787-1600  
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**RIN:** 1010-AC94

BILLING CODE 4310-MR-S

**1591. OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF — SAFETY MEASURES AND PROCEDURES FOR PIPELINE MODIFICATIONS AND REPAIRS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250

## Department of the Interior (DOI)

## Proposed Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1594. ABANDONED COAL REFUSE SITES—TITLE I****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** None

**Abstract:** OSM 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.



## DOI—OSMRE

## Proposed Rule Stage

**Timetable:**

Action	Date
NPRM	12/00/03

**Regulatory Flexibility Analysis****Required:** Undetermined**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

**RIN:** 1029-AB70**1595. REVEGETATION****Priority:** Substantive, Nonsignificant**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
NPRM	11/00/03

**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

**RIN:** 1029-AC02**1596. PLACEMENT OF EXCESS SPOIL****Priority:** Substantive, Nonsignificant**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
NPRM	11/00/03

**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

**RIN:** 1029-AC04**1597. 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 mining operations.

**Timetable:**

Action	Date
ANPRM	05/17/02 67 FR 35070
ANPRM Comment	10/15/02 67 FR 46617
Period End	
NPRM	12/00/03

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State

**Agency Contact:** Ruth Stokes, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 252 SIB, 1951 Constitution Avenue NW, Washington, DC 20240

Phone: 202 208-2611

**RIN:** 1029-AC05**1598. ● PROCESSING STATE PROGRAM AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 732**Legal Deadline:** None

**Abstract:** We are proposing revisions to our regulations governing the processing of State Program Amendments to provide additional assurances that the amendments are processed in a timely manner. An approved State Program Amendment allows a State to regulate surface coal mining operations within its borders. 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 integrity of the approved State Program.

**Timetable:**

Action	Date
NPRM	06/00/03

**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 10 SIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-2701

**RIN:** 1029-AC06**1599. ● 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:** The National Mining Association (NMA) challenged the final

## DOI—OSMRE

## Proposed Rule Stage

ownership and control rule that we published on December 19, 2000. Under the Federal District Court's supervision, we are conducting settlement discussions with NMA on 23 issues identified for potential litigation. OSM has agreed to publish a proposed rule for public comment that addresses the issues agreed to as result of the negotiations. In addition, the rule will

address transfer, assignments, or sale of permit rights and procedures for improvidently issued State permits.

**Timetable:**

Action	Date
NPRM	06/00/03

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503  
Phone: 303 233-2796

**RIN:** 1029-AC08

## Department of the Interior (DOI)

## Final Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1600. INDIAN LANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750

**Legal Deadline:** None

**Abstract:** OSM regulates mining on Indian lands and the State regulates mining on non-Indian lands. OSM proposes to amend 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. OSM has developed a preliminary draft rule that specifies that allotted lands would qualify as Indian lands for purposes of the Surface Mining Control and Reclamation Act when OSM determines, on a case-by-case basis, that the allotments are supervised by an Indian tribe.

**Timetable:**

Action	Date
NPRM	02/19/99 64 FR 8464
NPRM Comment Period End	06/21/99 64 FR 18585
Final Action	08/00/03

**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

**1601. • FINANCING ABANDONED MINE LAND RECLAMATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 874

**Legal Deadline:** None

**Abstract:** We published a final rule in February 1999 that would conserve abandoned mine land (AML) funds by

allowing incidental coal recovered in AML construction projects to be sold to offset the cost of reclamation. This reduced the amount of money needed from the AML fund. The rule was challenged in court. The court upheld the rule but directed us to clarify what types of expenses could be considered in determining what qualifies as a Government-financed AML project. This rule will clarify the ambiguity created by the discussion in the preamble to the 1999 final rule.

**Timetable:**

Action	Date
Final Action	07/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Federal

**Agency Contact:** Danny Lytton, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
Phone: 202 208-2788

**RIN:** 1029-AC07

## Department of the Interior (DOI)

## Completed Actions

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1602. ABANDONED MINE LAND RECLAMATION NOTICES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 875

**Completed:**

Reason	Date
Final Action	02/27/03 68 FR 9500

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Danny Lytton  
Phone: 202 208-2788

**RIN:** 1029-AB99  
BILLING CODE 4310-05-S

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**
**Proposed Rule Stage**
**1603. PUBLIC CONDUCT ON RECLAMATION LANDS AND PROJECTS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 460 1-31; 43 USC 373b; PL 107-69

**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.

**Timetable:**

Action	Date
NPRM	05/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Gary L. Anderson, Policy Analyst, Department of the Interior, Bureau of Reclamation, D-5500, Building 67, PO Box 25007, Denver, CO 80225  
 Phone: 303 445-2891  
 Fax: 720 544-4131  
 Email: ganderson@do.usbr.gov

**RIN:** 1006-AA45

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**
**Final Rule Stage**
**1604. PUBLIC CONDUCT ON BUREAU OF RECLAMATION LANDS AND PROJECTS; REMOVAL OF EXPIRATION DATE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 107-69; 43 USC 373b; 16 USC 4601-31

**CFR Citation:** 43 CFR 423

**Legal Deadline:** None

**Abstract:** This rule removes the expiration date of the existing part 23, which was published on April 17, 2002.

**Timetable:**

Action	Date
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gary Anderson, Chief, Reclamation Law Administration Branch, Department of the Interior, Bureau of Reclamation, Room D-5640, P.O. Box 25007, Denver, CO 80225-0007  
 Phone: 303 236-1061

**RIN:** 1006-AA46

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**
**Long-Term Actions**
**1605. TRESPASS ON RECLAMATION LANDS AND FACILITIES**

**Priority:** Other Significant

**Legal Authority:** PL 102-575; PL 107-69

**CFR Citation:** 43 CFR 423

**Legal Deadline:** None

**Abstract:** This rule establishes the minimum requirements necessary to ensure the safety of the public, Reclamation employees, dams facilities,

and other resources under our jurisdiction. We are developing a comprehensive public conduct rule that will replace this rule at a later date. We will use comments received on this rule to aid us in drafting a proposed public conduct rule.

**Timetable:**

Action	Date
Final Action	04/17/02 67 FR 19092
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Larry Todd, Enforcement, Department of the Interior, Bureau of Reclamation, MS 7645 MIB, 1849 C Street NW, Washington, DC 20240  
 Phone: 202 513-0615  
 Fax: 202 513-0308

**RIN:** 1006-AA44

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**
**Completed Actions**
**1606. AUTHORIZATION OF LAW ENFORCEMENT OFFICERS AT RECLAMATION FACILITIES**

**Priority:** Other Significant

**CFR Citation:** 43 CFR 422

**Completed:**

Reason	Date
Final Action	06/04/02 67 FR 38418

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Larry Todd  
 Phone: 202 513-0615  
 Fax: 202 513-0308

**RIN:** 1006-AA42

**1607. ACREAGE LIMITATION**

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

**CFR Citation:** 43 CFR 426.24

**Completed:**

Reason	Date
Final Action	03/25/02 67 FR 13722

**Regulatory Flexibility Analysis Required:** No

## DOI—RB

## Completed Actions

**Government Levels Affected:** None Phone: 303 445-2400  
**Agency Contact:** Richard Rizzi **RIN:** 1006-AA43  
**BILLING CODE** 4310-09-S

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**

## Proposed Rule Stage

**1608. SALES—FEDERAL LAND POLICY AND MANAGEMENT ACT****Priority:** Other Significant**Legal Authority:** 43 USC 1701; 43 USC 1713**CFR Citation:** 43 CFR 2710**Legal Deadline:** None

**Abstract:** This rule will amend 43 CFR part 2710 to provide for improved administration of sales of public land under the Federal Land Policy and Management Act. It will add a provision to allow the sale of public land to State or local government entities for affordable housing. Such sales may be for less than fair market value.

**Timetable:**

Action	Date
NPRM	08/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 452-5042  
 Fax: 202 653-5287  
 Email: ted\_hudson@blm.gov

**RIN:** 1004-AB77**1609. DESERT LAND ENTRIES****Priority:** Other Significant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2520**Legal Deadline:** None

**Abstract:** This rule will transfer much of the regulation on entries of desert land to the BLM Manual if the underlying statute is not repealed as no longer practical.

**Timetable:**

Action	Date
NPRM	10/00/03

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

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC 20240  
 Phone: 202 452-7779  
 Fax: 202 452-7708  
 Email: jeff\_holdren@blm.gov

**RIN:** 1004-AC56**1610. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 22 to 54; 43 USC 1201; 43 USC 1740**CFR Citation:** 43 CFR 3730; 43 CFR 3740; 43 CFR 3820; 43 CFR 3860; 43 CFR 3870**Legal Deadline:** None

**Abstract:** This rule will revise the filing and administrative procedures for mineral patent applications. It will also revise the procedures for filing adverse claims or protests against mineral patent applications and for mineral-in-character challenges to non-mineral land entries.

**Timetable:**

Action	Date
NPRM	11/00/03

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management  
 Phone: 202 452-0355  
 Email: roger\_haskins@blm.gov

**RIN:** 1004-AD32**1611. CONSERVATION; HELIUM LEASING****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1701 et seq; 50 USC 167**CFR Citation:** 43 CFR 16; 43 CFR 3196**Legal Deadline:** None

**Abstract:** This rule will redesignate, amend, and extend the regulations on conservation of helium to facilitate administration and implementation of provisions in the Helium Privatization Act. The rule will move these regulations to 43 CFR subpart 3196 to consolidate helium-related regulations in one area for ease in finding and complying with them.

**Timetable:**

Action	Date
ANPRM	12/19/00 65 FR 79325
ANPRM Comment	03/26/01
Period End	
NPRM	10/00/03

**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**1612. HAZARDOUS MATERIALS COMPLIANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1701 et seq**CFR Citation:** 43 CFR 1890**Legal Deadline:** None

**Abstract:** This rule will clarify the respective responsibilities of BLM and the holders of various BLM authorizations with regard to releases of hazardous materials and other violations of environmental law caused by the holder or the holder's operator on public lands.

## DOI—BLM

## Proposed Rule Stage

**Timetable:**

Action	Date
NPRM	02/00/04

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

Undetermined

**Agency Contact:** Cynthia Ellis, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240

Phone: 202 452-5030

Fax: 202 653-5287

Email: cynthia\_ellis@blm.gov

**RIN:** 1004-AD38**1613. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA****Priority:** Other Significant

**Legal Authority:** 43 USC 118(d); 43 USC 1701 et seq; 43 USC 1901 et seq; 43 USC 315 et seq; 7 USC 1012

**CFR Citation:** 43 CFR 4100**Legal Deadline:** None

**Abstract:** This rule will remove provisions for conservation use of grazing privileges. These provisions were determined by the Federal Circuit

Court to be not consistent with the statutory authority of the Secretary of the Interior. The rule will also: (1) provide a full force and effect provision for grazing decisions; (2) include standards for determining socioeconomic impacts of grazing decisions; (3) include a provision allowing permittees to claim ownership of range improvements under certain circumstances; (4) address circumstances under which a grazing permittee may lose his grazing privileges upon conviction of a crime; and (5) extend the permit term from 3 to 5 years.

**Timetable:**

Action	Date
ANPRM	03/03/03 68 FR 9964
NPRM	08/00/03

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

**Agency Contact:** Kenneth M. Visser, Rangeland Management Specialist, Department of the Interior, Bureau of Land Management, 314 L Street, Washington, DC 20240

Phone: 202 452-7743

Fax: 202 452-7709

Email: kenneth\_visser@blm.gov

**RIN:** 1004-AD42**1614. WILDERNESS MANAGEMENT****Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1133; 43 USC 1733; 43 USC 1740; 43 USC 1782

**CFR Citation:** 43 CFR 6300**Legal Deadline:** None

**Abstract:** This rule will add provisions on use of timber on mining claims and clarify procedures on issuing patents for mining claims.

**Timetable:**

Action	Date
NPRM	06/00/03

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

**Agency Contact:** Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240

Phone: 202 452-5189

Email: jeff\_jarvis@blm.gov

**Related RIN:** Related To 1004-AB69**RIN:** 1004-AD54
**Department of the Interior (DOI)  
Bureau of Land Management (BLM)**

## Final Rule Stage

**1615. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2800; 43 CFR 2880

**Legal Deadline:** None

**Abstract:** The rule will amend the regulations governing rights-of-way issued under both the Federal Land Policy and Management Act and the Mineral Leasing Act by revising cost recovery policies and procedures and adjusting cost recovery fees to reflect cost increases since the current regulations became effective in 1987. The rule will also eliminate the automatic exemptions from cost recovery for Federal agencies except when they are exempted by law. It will also establish policies on paying rent

in advance and a financial penalty for paying rent late.

**Timetable:**

Action	Date
NPRM	06/15/99 64 FR 32106
NPRM Comment Period End	10/13/99
Final Action	06/00/03

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

**Agency Contact:** Ron Montagna, Realty Specialist, Department of the Interior, Bureau of Land Management, 260, 1849 C Street N.W., Washington, DC 20240

Phone: 202 452-7782

Email: ron\_montagna@blm.gov

**RIN:** 1004-AC74**1616. INDIAN ALLOTMENTS****Priority:** Info./Admin./Other

**Legal Authority:** 25 USC 334; 25 USC 336; 43 USC 1201

**CFR Citation:** 43 CFR 2530**Legal Deadline:** None

**Abstract:** This rule will convert existing regulations to plain English and remove those portions that relate to procedural matters.

**Timetable:**

Action	Date
NPRM	10/16/96 61 FR 53887
NPRM Comment Period End	09/13/99 64 FR 38172
Final Action	10/00/03

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

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of

## DOI—BLM

## Final Rule Stage

the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC 20240  
 Phone: 202 452-7779  
 Fax: 202 452-7708  
 Email: jeff\_holdren@blm.gov  
**RIN:** 1004-AC77

### 1617. LOCATION RECORDING AND MAINTENANCE OF MINING CLAIMS AND SITES

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 22 to 54; 43 USC 1201; 43 USC 1740

**CFR Citation:** 43 CFR 3710; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3840; 43 CFR 3850

**Legal Deadline:** None

**Abstract:** This rule will amend the mining claim recordation and annual fee collection procedures to conform to the fiscal year 1999 Interior and Related Agencies Appropriations Act. It will also consolidate duplicative portions of 43 CFR part 3700 et seq. into 43 CFR part 3800 et seq., and remove the duplicative portions of these regulations from title 43. The interim final rule only implemented the statutory changes in the FY 99 Appropriations Act.

**Timetable:**

Action	Date
NPRM	08/27/99 64 FR 47023
Interim Final Rule	08/27/99 64 FR 47018
NPRM Comment Period End	10/26/99
Final Action	08/00/03

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management  
 Phone: 202 452-0355  
 Email: roger\_haskins@blm.gov  
**RIN:** 1004-AD31

### 1618. PERMITS FOR RECREATION ON PUBLIC LANDS

**Priority:** Other Significant

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2930

**Legal Deadline:** None

**Abstract:** This rule would add a section on prohibited acts to the regulations on campgrounds and other fee areas to facilitate law enforcement at these sites. The rule would also change the maximum term for a special recreation permit from 5 years to 10 years.

**Timetable:**

Action	Date
NPRM	10/01/02 67 FR 61746
Final Action	07/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Lee Larson, Recreation Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
 Phone: 202 452-5168  
 Email: lee\_larson@blm.gov

**RIN:** 1004-AD45

### 1619. WILDERNESS MANAGEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 6300

**Legal Deadline:** None

**Abstract:** This rule would add provisions on use of fixed anchors for rock climbing in wilderness areas.

**Timetable:**

Action	Date
Final Action	05/00/03

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240  
 Phone: 202 452-5189  
 Email: jeff\_jarvis@blm.gov

**Related RIN:** Related To 1004-AB69, Split From 1004-AD54

**RIN:** 1004-AD46

### 1620. OIL AND GAS LEASING OPERATIONS; BONDING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 189; 30 USC 359; 43 USC 1732; 43 USC 1733; 43 USC 1740

**CFR Citation:** 43 CFR 3100; 43 CFR 3104; 43 CFR 3154

**Legal Deadline:** None

**Abstract:** This rule increases minimum bond amounts for individual lease bonds and Statewide bonds. It changes BLM's current policy of terminating only the period of liability of bonds. Under the new rule, we will cancel bonds after determining that all lease obligations are met. Finally, the rule clarifies the responsibilities of record title holders and operating rights owners. The final rule is based upon a portion of a proposed rule published with the RIN 1004-AC94.

**Timetable:**

Action	Date
NPRM	12/03/98 63 FR 66840
NPRM Comment Period End	07/19/99
Final Action	10/00/03

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401, Regulatory Management Group (WO-630), MS 401, 1849 C Street NW, Washington, DC 20240  
 Phone: 202 452-5049  
 Email: ian\_senio@blm.gov

**RIN:** 1004-AD56

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**

**Long-Term Actions**

**1621. LEASES, PERMITS, AND EASEMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1732; 43 USC 1740

**CFR Citation:** 43 CFR 2920

**Legal Deadline:** None

**Abstract:** This rule will amend the existing regulations to provide for improved administration of leases, permits and easements under the Federal Land Policy and Management Act.

**Timetable:**

Action	Date
NPRM	11/21/90 55 FR 48810
NPRM Comment Period End	01/22/91
Second NPRM	02/09/95 60 FR 7878
Second NPRM Comment Period End	04/10/95
Final Rule for Minimum Impact Land Use Permits Only	06/24/96 61 FR 32351
Final Rule Effective for Minimum Impact Land Use Permits Only	07/24/96
Third NPRM	To Be Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C. Street N.W., Washington, DC 20240  
 Phone: 202 452-7779  
 Fax: 202 452-7708  
 Email: jeff\_holdren@blm.gov

**RIN:** 1004-AB51

**1622. COALBED METHANE DEVELOPMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 13368

**CFR Citation:** 43 CFR 3170

**Legal Deadline:** Final, Statutory, October 24, 1995.

**Abstract:** The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource by requiring pooling of development and payment of the proceeds into an

escrow account until the ownership issue is resolved by a State entity of competent jurisdiction. The rule will also allow States to avoid the Federal regulations by promulgating their own regulations that substantially comply with Federal requirements.

**Timetable:**

Action	Date
NPRM	09/15/95 60 FR 47920
NPRM Comment Period End	11/14/95
Final Action	To Be Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

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**RIN:** 1004-AC27

**1623. DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 299

**CFR Citation:** 43 CFR 3814

**Legal Deadline:** Final, Statutory, October 13, 1993.

**Abstract:** This rule will establish new procedures for mineral exploration and development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of 1916 and the mineral estate remains reserved to the Federal Government.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 1004-AC59

**1624. COST RECOVERY; MINERAL FILINGS AND OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1001 et seq; 30 USC 181 et seq; 30 USC 22; 30 USC

351 to 360; 31 USC 9701; 43 USC 1734; 50 USC app 565

**CFR Citation:** 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800

**Legal Deadline:** None

**Abstract:** This rule will amend regulations for user fees for locatable minerals, mineral materials, and leasable minerals (solids and fluids) to adjust current fees or establish new fees in accordance with title V of the Independent Offices Appropriations Act of 1952 (user charges), OMB Circular A-25 User Charges and section 304 of the Federal Land Policy and Management Act of 1976.

**Timetable:**

Action	Date
NPRM	12/15/00 65 FR 78440
NPRM Comment Period End	02/13/01
Final Action	To Be Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AC64

**1625. CAREY ACT GRANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 641 et seq

**CFR Citation:** 43 CFR 2610

**Legal Deadline:** None

**Abstract:** This rule will update these regulations as they are inconsistent with present-day management policies. Application of these provisions of the Carey Act is rarely feasible due to limited water and suitable lands.

**Timetable:**

Action	Date
NPRM	09/10/96 61 FR 47725
NPRM Comment Period End	10/10/96
Supplementary NPRM	To Be Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of

## DOI—BLM

## Long-Term Actions

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RIN: 1004-AC80

### 1626. OIL AND GAS LEASING AND OPERATIONS

**Priority:** Other Significant

**Legal Authority:** 30 USC 181 et seq

**CFR Citation:** 43 CFR 3100

**Legal Deadline:** None

**Abstract:** This rule will revise BLM's current Federal oil and gas leasing and operations regulations, except those concerning drainage (section 3100.2-2), combined hydrocarbon leasing (part 3140) and oil and gas leasing in the National Petroleum Reserve—Alaska (part 3130). The rule will: (1) Cite industry standards and incorporate them by reference rather than repeat those standards in the rule; (2) incorporate the requirements of the Onshore Oil and Gas Orders and national notices to lessees into the regulations to eliminate overlap with current regulations; (3) use performance standards in certain places instead of prescriptive requirements to allow more flexibility for operators and to protect the environment and Federal royalty interests; and (4) eliminate redundancies, clarify procedures and regulatory requirements and streamline procedures.

**Statement of Need:** This rulemaking complies with the requirements of the Government Performance and Results Act, the recommendations of the National Performance Review, and other initiatives. It will be presented in a user-friendly format, presented by process rather than by subject matter.

**Summary of Legal Basis:** The Mineral Leasing Act gives BLM the authority to issue and administer the terms of oil and gas leases on Federal lands, to conduct inspections of drilling operations and to promulgate and enforce regulations pertaining to oil and gas leasing and operations. BLM is the only Federal agency with authority to issue leases for publicly owned oil and gas resources.

**Alternatives:** The only alternative to the proposed regulations would be to continue to operate under the existing

regulations. These regulations are not performance-based and are at times ambiguous and hard to understand. Further, the important information found in Onshore Operating Orders is published separately from the regulations and at irregular intervals.

**Anticipated Cost and Benefits:** BLM anticipates the following benefits: (1) More clearly written rules will be better understood by both oil and gas lessees and operators and members of the general public; (2) performance standards, rather than prescriptive requirements will allow lessees and operators and BLM greater flexibility to deal with unique geological or engineering circumstances within the standards set by the rule; and (3) streamlining and clarifying procedures will result in better customer service and decreased time and money for both BLM and the user public.

**Risks:** The public may misunderstand one or more performance standards. BLM will publish user guides that explain in detail the standards and will provide examples of how operators might meet specific standards.

#### Timetable:

Action	Date
NPRM	12/03/98 63 FR 66840
NPRM Comment Period End	07/19/99 64 FR 29256
Final Action	To Be Determined

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** Local

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RIN: 1004-AC94

### 1627. APPEALS PROCEDURES; HEARINGS PROCEDURES

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

**Legal Authority:** 43 USC 1701; 43 USC 1740

**CFR Citation:** 43 CFR 1840; 43 CFR 1850

**Legal Deadline:** None

**Abstract:** BLM proposes to amend its regulations that govern administrative review procedures for protests of

proposed decisions 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
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

**Government Levels Affected:** None

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RIN: 1004-AC99

### 1628. SUPPLEMENTARY RULES FOR PUBLIC DEMONSTRATIONS AT GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 CFR 8365.1-6

**CFR Citation:** 43 CFR 8365

**Legal Deadline:** None

**Abstract:** This interim final rule would require a permit for public demonstrations at Grand Staircase-Escalante National Monument and associated facilities, and establish procedures for obtaining such a permit. It would also provide for some locations to be designated as open for demonstrations, and others to be closed to protect sensitive resources and public health and safety.

#### Timetable:

Action	Date
Interim Final Rule	09/01/00 65 FR 53516
Interim Final Rule Comment Period End	10/02/00
Final Action	To Be Determined

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None



## DOI—BLM

## Long-Term Actions

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**RIN:** 1004-AD40

### 1629. SURFACE MANAGEMENT; SEGREGATED OR WITHDRAWN LANDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1280; 30 USC 22; 30 USC 612; 43 USC 1201; 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1781; 43 USC 1782

**CFR Citation:** 43 CFR 3809

**Legal Deadline:** None

**Abstract:** This rule will provide that a mineral examination is not required for claims on specific categories of withdrawn lands in Alaska before approving plans of operations or allowing notice-level mining to begin, but will be discretionary with BLM on those lands. For mining claims on lands withdrawn for inclusion in land conservation systems like wilderness, wild and scenic rivers, etc., mineral examinations will remain mandatory.

#### Timetable:

Action	Date
NPRM	To Be Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AD51

### 1630. MINING CLAIMS UNDER THE GENERAL MINING LAWS; SURFACE MANAGEMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1280; 30 USC 22; 30 USC 612; 43 USC 1201; 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1781; 43 USC 1782

**CFR Citation:** 43 CFR 3809

**Legal Deadline:** None

**Abstract:** This rule will amend existing regulations by removing certain provisions of the regulations and restoring others to those in effect on January 19, 2001, intending to prevent unnecessary or undue degradation of BLM-administered lands by mining operations authorized under the mining laws. The approach BLM will take will

balance the Nation's need to maintain reliable sources of strategic and industrial minerals, while ensuring protection of the environment and natural resources on public lands. The rule will make the hardrock mining regulations consistent with the recommendations of the National Research Council and protect the Federal Government from financial risk if operators are unable to perform reclamation.

#### Timetable:

Action	Date
NPRM	10/30/01 66 FR 54863
NPRM Comment Period End	02/15/02
NPRM Comment Period Reopened	04/12/02 67 FR 17962
NPRM Comment Period End	05/13/02
Final Action	To Be Determined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 1004-AD53

## Department of the Interior (DOI) Bureau of Land Management (BLM)

## Completed Actions

### 1631. USE AUTHORIZATIONS (RECREATION)

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 8370

#### Completed:

Reason	Date
Final Action	10/01/02 67 FR 61372

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AD25

### 1632. COAL MANAGEMENT; NONCOMPETITIVE LEASES; MANAGEMENT PROVISIONS AND LIMITATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 3430; 43 CFR 3470

#### Completed:

Reason	Date
Final Action	10/15/02 67 FR 63535

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AD43

### 1633. DISCLAIMERS OF INTEREST

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 1864

#### Completed:

Reason	Date
Final Action	01/06/03 68 FR 494

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** State

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## DOI—BLM

## Completed Actions

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RIN: 1004-AD50

**1634. RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT; TIMING OF APPROVALS**

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 2882

**Completed:**

Reason	Date
Final Action	09/30/02 67 FR 61274

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Ian Senio

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RIN: 1004-AD55

BILLING CODE 4310-84-S

**Department of the Interior (DOI)  
Office of the Secretary (OS)**

## Final Rule Stage

**1635. WILD AND SCENIC RIVERS**

Priority: Other Significant

Legal Authority: 16 USC 1278

CFR Citation: 43 CFR 39

Legal Deadline: None

**Abstract:** This rule would establish uniform standards and procedures by which the Department of the Interior, through its agencies that administer rivers in the National Wild and Scenic Rivers System (Bureau of Land Management, Fish and Wildlife Service, and National Park Service), will

consider Federal licensing of, or assistance to, water resources projects affecting designated Wild and Scenic Rivers or congressionally authorized Study Rivers.

**Timetable:**

Action	Date
NPRM	12/09/98 63 FR 67834
NPRM Comment Period End	02/08/99
Final Action	12/00/03

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

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RIN: 1093-AA08

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