



Federal Register

**Monday,
April 24, 2006**

Part XI

**Department of the
Interior**

Semiannual Regulatory Agenda

DEPARTMENT OF THE INTERIOR (DOI)

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Ch. I

30 CFR Chs. II and VII

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43 CFR Subtitle A, Chs. I and II

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Semiannual Regulatory Agenda

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between spring 2006 and fall 2006. 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.

Richard A. Stephan,
Federal Register Liaison Officer.

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

| Sequence Number | Title | Regulation Identifier Number |
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| 1467 | Hydropower Licensing: Conditions and Prescriptions | 1090-AA91 |

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

| Sequence Number | Title | Regulation Identifier Number |
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| 1468 | Natural Resource Damage Assessments: Type B Procedures | 1090-AA29 |

Assistant Secretary for Policy, Management and Budget—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
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| 1469 | Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division | 1090-AA73 |

Office of Hearings and Appeals—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
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| 1470 | Procedures Applicable in Adjudications Before the Hearings Division | 1094-AA52 |
| 1471 | Special Procedures for Public Lands and Surface Mining Cases | 1094-AA53 |

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| Sequence Number | Title | Regulation Identifier Number |
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| 1472 | Equal Access to Justice Act | 1094-AA49 |
| 1473 | Hydropower Licensing Hearings Process | 1094-AA51 |

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Office of the Special Trustee—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
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| 1474 | American Indian Trust Fund Management Reform Act | 1035-AA05 |

United States Fish and Wildlife Service—Prerule Stage

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| 1476 | Endangered and Threatened Wildlife and Plants; Conservation Education | 1018-AI66 |
| 1477 | General Permit Procedures; Revision to Appeal Process for Migratory Bird Permits | 1018-AU19 |
| 1478 | Endangered and Threatened Wildlife and Plants; Removal of the Northern Rocky Mountains Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife | 1018-AU53 |

United States Fish and Wildlife Service—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
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| 1479 | List of Migratory Birds | 1018-AB72 |
| 1480 | Seizure and Forfeiture Procedures | 1018-AC89 |
| 1481 | Convention on International Trade in Endangered Species (CITES) | 1018-AD87 |
| 1482 | U.S. Proposals for CITES Appendix III; American Eel | 1018-AF09 |
| 1483 | Endangered and Threatened Wildlife and Plants; Removing of the Bald Eagle in the Lower 48 States From the List of Endangered and Threatened Wildlife | 1018-AF21 |
| 1484 | Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States | 1018-AF27 |
| 1485 | Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries | 1018-AF44 |
| 1486 | Importation, Exportation, and Transportation of Wildlife | 1018-AF46 |
| 1487 | 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 |
| 1488 | Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species | 1018-AG64 |
| 1489 | Addition of Black Carp to the List of Injurious Wildlife | 1018-AG70 |
| 1490 | Corrections to Rights-of-Way Regulations | 1018-AI12 |
| 1491 | North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies | 1018-AI13 |
| 1492 | Import of Polar Bear Trophies From Canada; Findings for the Gulf of Boothia and Western Hudson Populations ... | 1018-AI65 |
| 1493 | Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened ... | 1018-AI83 |
| 1494 | Migratory Bird Permits; Revisions to General Exceptions | 1018-AI96 |
| 1495 | Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes | 1018-AI97 |
| 1496 | Humane and Healthful Transport of Wild Mammals and Birds to the United States | 1018-AJ24 |
| 1497 | Injurious Wildlife Species; Boiga Snakes | 1018-AT28 |
| 1498 | Adding Silver Carp to the List of Injurious Wildlife | 1018-AT29 |
| 1499 | Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds | 1018-AT30 |
| 1500 | Marine Mammals; Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program | 1018-AT34 |
| 1501 | Endangered and Threatened Wildlife and Plants; Removal of the Virginia Northern Flying Squirrel From the List of Endangered and Threatened Species | 1018-AT37 |
| 1502 | Revised Definition of "Destruction or Adverse Modification" for Endangered Species Act Section 7 Consultations .. | 1018-AT50 |
| 1503 | Endangered and Threatened Wildlife and Plants; Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened | 1018-AT56 |
| 1504 | Endangered and Threatened Wildlife and Plants; Listing of Six Foreign Birds Under the Endangered Species Act | 1018-AT62 |
| 1505 | Migratory Bird Hunting: Revision of Language Used in Regulations for Approving Nontoxic Shot for Use in Waterfowl Hunting | 1018-AT67 |
| 1506 | Mosquito and Mosquito-Borne Disease Management | 1018-AT72 |
| 1507 | Strategic Growth of the National Wildlife Refuge System | 1018-AT73 |
| 1508 | Endangered and Threatened Wildlife and Plants; Salt Creek Tiger Beetle Critical Habitat Designation | 1018-AT79 |
| 1509 | Marine Mammals: Proposed Incidental Take Authorization During Specified Activities; Beaufort Sea | 1018-AT82 |

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

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| 1511 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for Three Willamette Species: Willamette Daisy, Fender's Blue Butterfly, and Kincaid's Lupine | 1018-AT91 |
| 1512 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Willoway Monardella | 1018-AT92 |
| 1513 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Alameda Whipsnake | 1018-AT93 |
| 1514 | Protection of Bald Eagles; Definition | 1018-AT94 |
| 1515 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations | 1018-AT99 |
| 1516 | Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for 15 Freshwater Mussels, 1 Freshwater Snail, and 5 Fishes in Tennessee | 1018-AU01 |
| 1517 | Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Pacific Coast Distinct Population Segment of the Western Snowy Plover | 1018-AU11 |
| 1518 | Endangered and Threatened Wildlife and Plants; Delisting the Preble's Meadow Jumping Mouse | 1018-AU12 |
| 1519 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2007-2008 Subsistence Taking of Wildlife Regulations | 1018-AU15 |
| 1520 | Negotiation of Annual Funding Agreements With Tribes (Manual Chapter) | 1018-AU16 |
| 1521 | Endangered and Threatened Wildlife and Plants; Proposed Correction to the Grizzly Bear Entry in the List of Endangered and Threatened Wildlife | 1018-AU17 |
| 1522 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Rota Bridled White-Eye | 1018-AU32 |
| 1523 | Endangered and Threatened Wildlife and Plants; Critical Habitat for the Spikedace and Loachminnow | 1018-AU33 |
| 1524 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Yadeon's Piperia | 1018-AU34 |
| 1525 | Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Northern Spotted Owl | 1018-AU37 |
| 1526 | Civil Procedures | 1018-AU38 |
| 1527 | CITES Appendix III Listing of Galax | 1018-AU40 |
| 1528 | Marine Mammals; Incidental Take During Specified Activities; Chukchi Sea | 1018-AU41 |
| 1529 | Migratory Bird Hunting; 2006-2007 Migratory Game Bird Hunting Regulations; State Frameworks, Tribal, Alaska Subsistence | 1018-AU42 |
| 1530 | Endangered and Threatened Wildlife and Plants; Re-Evaluation of Final Listing Determination for Queen Charlotte Goshawk | 1018-AU43 |
| 1531 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Suisun Thistle and Soft Birds Beak | 1018-AU44 |
| 1532 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Holmgren and Shivwits Milk Vetches | 1018-AU45 |
| 1533 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Alabama Beach Mouse | 1018-AU46 |
| 1534 | Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Wintering Piping Plover | 1018-AU48 |
| 1535 | Endangered and Threatened Wildlife and Plants; Adding Graham's Beardtongue (<i>Penstemon grahamii</i>) to the List of Endangered and Threatened Plants, With Designation of Critical Habitat | 1018-AU49 |
| 1536 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Laguna Mountains Skipper | 1018-AU50 |
| 1537 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Braunton's Milk-Vetch and Lyon's Penchaeta | 1018-AU51 |
| 1538 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Canada Lynx | 1018-AU52 |
| 1539 | Endangered and Threatened Wildlife and Plants; Removal of the Great Lakes Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife | 1018-AU54 |
| 1540 | Federal Duck Stamp Contest Regulations | 1018-AU56 |
| 1541 | Migratory Bird Subsistence Harvest in Alaska; Spring/Summer Regulations for the 2007 Season | 1018-AU59 |
| 1542 | Endangered and Threatened Wildlife and Plants; Removal of the Marbled Murrelet From the List of Endangered and Threatened Species | 1018-AU60 |
| 1543 | 2006-07 Refuge-Specific Hunting and Sport Fishing Regulations | 1018-AU61 |
| 1544 | Endangered and Threatened Wildlife and Plants; Amending the Formats of the Lists of Endangered and Threatened Wildlife and Plants | 1018-AU62 |
| 1545 | Endangered and Threatened Wildlife and Plants; Removal of 27 Species From the Federal List of Endangered and Threatened Wildlife | 1018-AU64 |
| 1546 | Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in Eastern Wyoming | 1018-AU65 |
| 1547 | Endangered and Threatened Wildlife and Plants; Removal of the Idaho Springsnail From the List of Endangered and Threatened Wildlife | 1018-AU66 |
| 1548 | Endangered and Threatened Wildlife and Plants; Removal of the Maguire Daisy From the List of Endangered and Threatened Plants | 1018-AU67 |

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

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| 1550 | Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Running Buffalo Clover From Endangered to Threatened | 1018-AU69 |
| 1551 | Subsistence Management Regulations for Public Lands in Alaska; Makhnati Island Area | 1018-AU70 |
| 1552 | Subsistence Management Regulations for Public Lands in Alaska: 2008-2009 Subsistence Taking of Fish and Shellfish Regulations | 1018-AU71 |
| 1553 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Astragalus Desereticus (Deseret Milk-Vetch) | 1018-AU72 |
| 1554 | Endangered and Threatened Wildlife and Plants; Listing and Critical Habitat for Arctic Grayling | 1018-AU73 |
| 1555 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Hine's Emerald Dragonfly | 1018-AU74 |
| 1556 | Endangered and Threatened Wildlife and Plants; Critical Habitat for Comal Springs Dryopid Beetle, Comal Springs Riffle Beetle, and Peck's Cave Amphipod | 1018-AU75 |
| 1557 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Catesbaea Melanocarpa | 1018-AU76 |
| 1558 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Hidden Lake Bluecurls, Vail Lake Ceanothus, and Mexican Flannelbush | 1018-AU77 |
| 1559 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Guajon | 1018-AU78 |
| 1560 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Cape Sable Seaside Sparrow | 1018-AU79 |
| 1561 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Bear Valley Sandwort, Southern Mountain Wild-Buckwheat, and Ash-Grey Indian Paintbrush | 1018-AU80 |
| 1562 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Tidewater Goby | 1018-AU81 |
| 1563 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Alabama Sturgeon | 1018-AU82 |
| 1564 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Monterey Spineflower | 1018-AU83 |
| 1565 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Nevin's Barberrry | 1018-AU84 |
| 1566 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Flatwoods Salamander | 1018-AU85 |
| 1567 | Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for San Diego Thornmint | 1018-AU86 |
| 1568 | Critical Habitat Designation for Five Endangered Freshwater Mussels and Two Threatened Freshwater Mussels in Georgia, Florida, and Alabama | 1018-AU87 |
| 1569 | Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Georgia Pigtoe and Interrupted Rocksnail | 1018-AU88 |

United States Fish and Wildlife Service—Final Rule Stage

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| 1570 | Federal Falconry Standards and Falconry Permitting | 1018-AG11 |
| 1571 | Endangered and Threatened Wildlife and Plants; Listing Statuses of 12 Species of Picture-Wing Flies From the Hawaiian Islands | 1018-AG23 |
| 1572 | National Wildlife Refuge System; Appropriate Refuge Uses | 1018-AG46 |
| 1573 | Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species | 1018-AH53 |
| 1574 | Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout From Endangered to Threatened With a Special Rule | 1018-AH57 |
| 1575 | 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 |
| 1576 | Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species | 1018-AI04 |
| 1577 | Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations | 1018-AI07 |
| 1578 | Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations | 1018-AI32 |
| 1579 | Endangered and Threatened Wildlife and Plants; Reclassification of the Florida Distinct Population Segment of the American Crocodile From Endangered to Threatened | 1018-AI41 |
| 1580 | Endangered and Threatened Wildlife and Plants; Policy for Enhancement-of-Survival Permits for Foreign Species Listed Under the Endangered Species Act | 1018-AI67 |
| 1581 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp ... | 1018-AI71 |
| 1582 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher | 1018-AI72 |
| 1583 | Endangered and Threatened Wildlife and Plants; Delisting of the Arizona Agave | 1018-AI79 |

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

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| 1585 | Migratory Bird Permits; Military Readiness Exemption | 1018-AI92 |
| 1586 | Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf | 1018-AJ03 |
| 1587 | Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf | 1018-AJ04 |
| 1588 | Endangered and Threatened Wildlife and Plants; Removing the Mexican Bobcat From the List of Endangered Wildlife | 1018-AT31 |
| 1589 | Endangered and Threatened Wildlife and Plants; Removal of the Yellowstone Grizzly Bear Population From the List of Endangered and Threatened Wildlife | 1018-AT38 |
| 1590 | Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation | 1018-AT60 |
| 1591 | Regulations To Implement the Captive Wildlife Safety Act | 1018-AT69 |
| 1592 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for St. Andrew Beach Mouse, Perdido Key Beach Mouse, and Choctawhatchee Beach Mouse | 1018-AT90 |
| 1593 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2006-2007 Subsistence Taking of Wildlife Regulations | 1018-AT98 |
| 1594 | Kodiak National Wildlife Refuge Permit Requirement for Conservation Easement Lands | 1018-AU08 |
| 1595 | Endangered and Threatened Wildlife and Plants; Special Rule for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter (<i>Enhydra lutris kenyoni</i>) | 1018-AU21 |
| 1596 | Endangered and Threatened Wildlife and Plants; Removal of the Arizona Distinct Population Segment of the Cactus Ferruginous Pygmy-Owl From the Federal List of Endangered and Threatened Wildlife | 1018-AU22 |
| 1597 | National Wildlife Refuge System; Mission, Goals, and Purposes | 1018-AU24 |
| 1598 | National Wildlife Refuge System; Wildlife-Dependent Recreation (Hunting and Fishing, Wildlife Observation and Photography, Environmental Education, and Interpretation) | 1018-AU25 |
| 1599 | National Wildlife Refuge System; Wilderness Stewardship | 1018-AU27 |
| 1600 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southern California Distinct Vertebrate Population Segment of the Mountain Yellow-Legged Frog | 1018-AU30 |
| 1601 | Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Kootenai River White Sturgeon | 1018-AU47 |
| 1602 | Subsistence Management Regulations for Public Lands in Alaska: 2007-2008 Subsistence Taking of Fish and Shellfish Regulations | 1018-AU57 |
| 1603 | Endangered and Threatened Wildlife and Plants; Listing the Flat-Tailed Horned Lizard as Threatened | 1018-AU58 |
| 1604 | Endangered and Threatened Wildlife and Plants; Removal of Vacated Gray Wolf Regulations | 1018-AU63 |

United States Fish and Wildlife Service—Long-Term Actions

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| 1606 | 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 |
| 1607 | 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 |
| 1608 | 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 |
| 1609 | Endangered and Threatened Wildlife and Plants; Delisting and Withdrawal of Proposed Critical Habitat for the Cactus Ferruginous Pygmy Owl | 1018-AI48 |
| 1610 | Revision of Migratory Bird Hunting Regulations | 1018-AI98 |
| 1611 | Revision of the Regulations Governing the Transport of Eagle Feathers | 1018-AJ00 |
| 1612 | Endangered and Threatened Wildlife and Plants; Amendment to the Nonessential Experimental Population Rule for the Mexican Gray Wolf | 1018-AT36 |
| 1613 | Endangered and Threatened Wildlife and Plants; Amendment to Manatee Protection Areas in Florida (Barge Canal Exception) | 1018-AT39 |
| 1614 | Adding Bighead Carp to the List of Injurious Wildlife | 1018-AT49 |
| 1615 | Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Topeka Shiner | 1018-AU00 |

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United States Fish and Wildlife Service—Long-Term Actions (Continued)

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| 1617 | Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act | 1018-AU29 |

United States Fish and Wildlife Service—Completed Actions

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| 1619 | U.S. Proposals for CITES Appendix III; Certain Turtle Species | 1018-AF69 |
| 1620 | Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub | 1018-AG16 |
| 1621 | U.S. Proposals for CITES Appendix III; Black Cohosh | 1018-AI91 |
| 1622 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Jacinto Valley Crownscale | 1018-AJ11 |
| 1623 | Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle | 1018-AJ13 |
| 1624 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-Legged Frog | 1018-AJ16 |
| 1625 | Endangered and Threatened Wildlife and Plants; Coachella Valley Milk-Vetch Critical Habitat Designation | 1018-AT74 |
| 1626 | Endangered and Threatened Wildlife and Plants; Thread-Leaved Brodiaea Critical Habitat Designation | 1018-AT75 |
| 1627 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox | 1018-AT78 |
| 1628 | Subsistence Management Regulations for Public Lands in Alaska; Southwestern Alaska Coastal Areas | 1018-AT81 |
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| 1630 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia | 1018-AT86 |
| 1631 | Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for Southwestern Willow Flycatcher | 1018-AT88 |
| 1632 | Endangered and Threatened Wildlife and Plants; Critical Habitat for Western Snowy Plover | 1018-AT89 |
| 1633 | Migratory Bird Hunting; Approval of Four Shot Types or Alloys as Nontoxic | 1018-AU04 |
| 1634 | Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2006-2007 Subsistence Taking of Fish and Shellfish Regulations | 1018-AU05 |
| 1635 | Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Sonoma County Population | 1018-AU23 |
| 1636 | Endangered and Threatened Wildlife and Plants; Listing Gunnison's Sage Grouse | 1018-AU35 |
| 1637 | Migratory Bird Subsistence Harvest in Alaska; Spring/Summer Annual Harvest Regulations for the 2006 Subsistence Season | 1018-AU39 |
| 1638 | Endangered and Threatened Wildlife and Plants; 5-Year Review of Foreign Species | 1018-AU55 |

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| 1684 | Revision of the Membership Roll of the Eastern Band of Cherokee of North Carolina | 1076-AE77 |
| 1685 | Oil and Gas, Geothermal, and Solid Minerals Agreements | 1076-AE79 |
| 1686 | Tribal Energy Resource Agreements | 1076-AE80 |

DOI

Bureau of Indian Affairs—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1687 | Alaska Resupply Operation | 1076-AE04 |
| 1688 | Leases and Permits on Indian Trust and Restricted Lands | 1076-AE36 |
| 1689 | Preparation of Rolls of Indians | 1076-AE44 |
| 1690 | Home-Living Programs and School Closure and Consolidation | 1076-AE51 |

Bureau of Indian Affairs—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1691 | Certificates of Degree of Indian Blood | 1076-AD97 |
| 1692 | Standards for Approving Tribal Per Capita Distributions | 1076-AE45 |

Bureau of Indian Affairs—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1693 | Indian Electric Power Utilities | 1076-AD45 |
| 1694 | Reindeer in Alaska | 1076-AE37 |
| 1695 | Proclamation of Reservations | 1076-AE40 |
| 1696 | Leasing of Tribal Lands for Mineral Development | 1076-AE68 |
| 1697 | Terms and Conditions: Coal Leases | 1076-AE69 |
| 1698 | Deposit of Proceeds From Lands Withdrawn for Native Selection | 1076-AE74 |
| 1699 | Management of Tribal Assets of the Ute Indian Tribe | 1076-AE78 |

Minerals Management Service—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1700 | Takes vs. Entitlements Reporting | 1010-AC29 |
| 1701 | Requirements for Material, Personnel and Pipe Handling Operations | 1010-AD14 |
| 1702 | Safety Management Systems | 1010-AD15 |
| 1703 | Reduction in Oil and Gas Royalty Rates in the Outer Continental Shelf Under the Deep Water Royalty Relief Act | 1010-AD29 |

Minerals Management Service—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1704 | Late and Overpayment Interest | 1010-AC27 |
| 1705 | Prepayment of Royalties | 1010-AC31 |
| 1706 | End-of-Life Royalty Relief | 1010-AC58 |
| 1707 | Valuation of Oil From Indian Leases | 1010-AD00 |
| 1708 | Reduction to Royalty Relief in Special Circumstances | 1010-AD02 |
| 1709 | Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf | 1010-AD06 |
| 1710 | Pipeline Safety Rule Phase I | 1010-AD11 |
| 1711 | Oil and Gas Production Rates | 1010-AD12 |
| 1712 | Rights of Use and Easement | 1010-AD13 |
| 1713 | Open and Nondiscriminatory Movement of Oil and Gas as Required by the Outer Continental Shelf Lands Act | 1010-AD17 |
| 1714 | Revisions to Rules Governing Platforms and Structures and Pipelines | 1010-AD18 |
| 1715 | Oil and Gas Well Cementing Requirements | 1010-AD19 |
| 1716 | Reporting Amendments | 1010-AD20 |
| 1717 | Alternate Energy-Related Uses on the Outer Continental Shelf | 1010-AD30 |

DOI

Minerals Management Service—Proposed Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1718 | Geothermal Valuation | 1010-AD32 |
| 1719 | Deep Gas and Offshore Alaska Provisions | 1010-AD33 |
| 1720 | Revenue Sharing for Alternative Uses on the Outer Continental Shelf | 1010-AD34 |
| 1721 | Debt Collection | 1010-AD35 |

Minerals Management Service—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1722 | Incident Reporting | 1010-AC57 |
| 1723 | Proprietary Terms and Data Disclosure | 1010-AC81 |
| 1724 | Data Release and Definitions | 1010-AC99 |
| 1725 | Protection of Marine Mammals and Endangered Species | 1010-AD10 |
| 1726 | Providing Contact Information to MMS | 1010-AD22 |
| 1727 | Cost Recovery for Plans, Permits, and Inspections for Oil and Gas Operations in the Outer Continental Shelf | 1010-AD23 |
| 1728 | Documents Incorporated by Reference for Oil and Gas and Sulphur Operations | 1010-AD24 |

Minerals Management Service—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1729 | Federal Sodium and Potassium Valuation | 1010-AD21 |

Minerals Management Service—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1730 | Plans and Information | 1010-AC47 |
| 1731 | Blowout Prevention for Production Tree Coiled Tubing Workover Operations | 1010-AC96 |
| 1732 | Suspension of Operations for Ultra-Deep Drilling | 1010-AD09 |
| 1733 | Administrative Cost Recovery for OCS Oil and Gas Operations | 1010-AD16 |
| 1734 | Reduction in Oil and Gas Royalty Rates in the Outer Continental Shelf Under the Deep Water Royalty Relief Act | 1010-AD25 |
| 1735 | Temporary Waiver of OCS Oil and Gas Fees | 1010-AD27 |
| 1736 | Relief or Reduction in Royalty Rates—New Deep Gas and Offshore Alaska Provisions | 1010-AD31 |

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|-----------------------------------|------------------------------|
| 1737 | Abandoned Coal Refuse Sites | 1029-AB70 |
| 1738 | Placement of Excess Spoil | 1029-AC04 |
| 1739 | Financial Assurances | 1029-AC05 |
| 1740 | Ownership and Control | 1029-AC08 |
| 1741 | Tennessee Federal Program | 1029-AC50 |

DOI

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---------------------------|------------------------------|
| 1742 | Revegetation | 1029-AC02 |
| 1743 | Fee Allocation Rule | 1029-AC47 |

Office of Surface Mining Reclamation and Enforcement—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1744 | Indian Lands | 1029-AB83 |
| 1745 | Processing State Program Amendments | 1029-AC06 |
| 1746 | Civil Penalty Adjustments | 1029-AC48 |
| 1747 | Transfer, Assignment, or Sale of Permit Rights | 1029-AC49 |

Bureau of Reclamation—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1748 | Regulating Non-Contract Use of Colorado River Water in the Lower Basin | 1006-AA50 |

Bureau of Reclamation—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1749 | Implementation of the Truckee River Operating Agreement | 1006-AA48 |
| 1750 | Use of Reclamation Lands, Facilities, and Water Surfaces | 1006-AA51 |

Bureau of Reclamation—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1751 | Public Conduct on Bureau of Reclamation Facilities, Lands and Waterbodies | 1006-AA45 |

Bureau of Land Management—Prerule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1752 | Gas Hydrate Production Incentives | 1004-AD81 |
| 1753 | Enhanced Oil and Natural Gas Production Through Carbon Dioxide Injection | 1004-AD82 |
| 1754 | Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act; Linear Right-of-Way Rental Payment Schedule | 1004-AD87 |

Bureau of Land Management—Proposed Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1755 | Oil and Gas Onshore Order No. 1 | 1004-AD59 |
| 1756 | Marginal Oil/Gas Royalty Rate Reduction Program | 1004-AD65 |
| 1757 | Public Lands and Resources; Law Enforcement—Criminal; Recreation Programs | 1004-AD66 |

DOI

Bureau of Land Management—Proposed Rule Stage (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 1758 | Heavy Oil Royalty Reduction Program | 1004-AD67 |
| 1759 | Mining Claims Under the General Mining Law; Surface Management | 1004-AD69 |
| 1760 | Oil and Gas Leasing in the National Petroleum Reserve—Alaska | 1004-AD78 |
| 1761 | Mineral Lands Available for Locating Lode and Placer Mining Claims and Mill and Tunnel Sites; Special Laws in Addition to FLPMA That Require Recording or Notice | 1004-AD79 |
| 1762 | Geothermal Resource Leasing; Geothermal Resources Unit Agreements: Unproven Areas | 1004-AD86 |
| 1763 | Sales: Federal Land Policy and Management Act | 1004-AD88 |
| 1764 | Color-of-Title and Omitted Lands | 1004-AD89 |

Bureau of Land Management—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1765 | Grazing Administration—Exclusive of Alaska | 1004-AD42 |
| 1766 | Alaska Native Veteran Allotments | 1004-AD60 |
| 1767 | Permits for Recreation on Public Lands | 1004-AD68 |
| 1768 | Sales of Forest Products; Preparation for Sale | 1004-AD70 |
| 1769 | Segregation of Lands Proposed for Sale | 1004-AD74 |
| 1770 | Oil and Gas; Combined Hydrocarbons Leasing; Tar Sands | 1004-AD76 |
| 1771 | Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act | 1004-AD84 |

Bureau of Land Management—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1772 | Cost Recovery; Mineral Filings and Operations | 1004-AC64 |
| 1773 | Appeals Procedures; Hearings Procedures | 1004-AC99 |
| 1774 | Mineral Patent Applications; Adverse Claims, Protests, and Conflicts | 1004-AD32 |
| 1775 | Conservation; Helium Leasing | 1004-AD35 |
| 1776 | Stripper Well Royalty Reductions; Records Retention | 1004-AD71 |
| 1777 | Mining Claim and Site Maintenance Fees—Fee Adjustment | 1004-AD75 |
| 1778 | Application Procedures and Filing of Forms; Correction of State Office Address for Filings and Recordings | 1004-AD77 |
| 1779 | Onshore Oil and Gas Operations; Correcting Amendment | 1004-AD80 |
| 1780 | Oil and Gas Lease Acreage Limitation Exemptions; Reinstatement of Oil and Gas Leases | 1004-AD83 |
| 1781 | Application Procedures and Filing of Forms; Correction of State Office Address for Filings and Recordings | 1004-AD85 |

Office of the Secretary—Final Rule Stage

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 1782 | Making Motion Pictures, Television Productions, or Soundtracks on DOI Lands | 1093-AA10 |

Department of the Interior (DOI)

Final Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1467. HYDROPOWER LICENSING: CONDITIONS AND PRESCRIPTIONS**Priority:** Other Significant**Legal Authority:** 16 USC 3; 16 USC 668dd(d)(1); 25 USC 2; 25 USC 9; 43 USC 1201; 43 USC 1740; 5 USC 301**CFR Citation:** 43 CFR 25**Legal Deadline:** None

Abstract: The Department of the Interior proposes a public review process for hydropower conditions and prescriptions established by the Department under the Federal Power Act. The Department also proposes to create an administrative appeals process for review of these measures. The Federal Power Act authorizes the

Department to include in hydropower licenses issued by the Federal Energy Regulatory Commission conditions and prescriptions necessary to protect Federal and tribal lands and resources when navigable waterways or Federal reservations are used for hydropower generation. These proposed processes are designed to coincide with and complement the commission's overall licensing process.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 09/09/04 | 69 FR 54602 |
| NPRM Comment Period End | 11/08/04 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Replaced by 1094-AA51.

Agency Contact: David Diamond, Director, Office of Policy Analysis, Department of the Interior, Room 4426 MIB, 1849 C Street NW, Washington, DC 20240

Phone: 202 219-1136

Fax: 202 208-4867

RIN: 1090-AA91

Department of the Interior (DOI)

Long-Term Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

1468. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES**Priority:** Other Significant**Legal Authority:** 42 USC 9651(c)**CFR Citation:** 43 CFR 11**Legal Deadline:** None

Abstract: CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every 2

years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| ANPRM | 07/16/96 | 61 FR 37031 |

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

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

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

Phone: 202 208-4143

RIN: 1090-AA29

Department of the Interior (DOI)

Completed Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

1469. DEPARTMENT HEARINGS AND APPEALS; PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION**Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 15; 30 CFR 301; 43 CFR 1850; 43 CFR 4**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

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

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

RIN: 1090-AA73

BILLING CODE 4310-RK-S

Department of the Interior (DOI)
Office of Hearings and Appeals (OHA)

Proposed Rule Stage

1470. PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION

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

Legal Authority: Not Yet Determined

CFR Citation: 43 CFR 4

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 801 N. Quincy Street, Arlington, VA 22203
 Phone: 703 235-3750

RIN: 1094-AA52

1471. SPECIAL PROCEDURES FOR PUBLIC LANDS AND SURFACE MINING CASES

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1201; 43 USC 315a

CFR Citation: 43 CFR 4

Legal Deadline: None

Abstract: This rule would (1) state how to request reconsideration of a decision; (2) limit the number of pleadings that may be filed by parties in appeals to IBLA; (3) update addresses for serving copies of notices of appeal; (4) state when IBLA may refer a case for a

hearing before an administrative law judge; and (5) specify a period for filing an appeal of a judge's order. It will also (1) state when IBLA may consolidate appeals; (2) establish standards for granting extensions for filing pleadings; (3) prescribe procedures for motions in appeals; and (4) state when a person may intervene in an appeal.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 06/00/06 | |
| Final Action | 04/00/07 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert More, Director, Office of Hearings and Appeals, Department of the Interior, 801 North Quincy Street, Suite 300, Arlington, VA 22203

Phone: 703 235-3810

RIN: 1094-AA53

Department of the Interior (DOI)
Office of Hearings and Appeals (OHA)

Completed Actions

1472. EQUAL ACCESS TO JUSTICE ACT

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 4

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 10/05/05 | 70 FR 58167 |
| Final Action | 02/08/06 | 71 FR 6364 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Will A. Irwin
 Phone: 703 235-3750

RIN: 1094-AA49

1473. HYDROPOWER LICENSING HEARINGS PROCESS

Priority: Other Significant

CFR Citation: 43 CFR 4

Completed:

| Reason | Date | FR Cite |
|------------------------------|----------|-------------|
| Interim Final Rule | 11/17/05 | 70 FR 69804 |
| Interim Final Rule Effective | 05/17/07 | |

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Robert More
 Phone: 703 235-3810

RIN: 1094-AA51

BILLING CODE 4310-79-S

Department of the Interior (DOI)
Office of the Special Trustee (OST)

Completed Actions

1474. AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 1200

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 03/28/06 | 71 FR 15338 |
| Final Action Effective | 03/28/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: James Richards
 Phone: 505 816-1377
 Fax: 505 816-1091

RIN: 1035-AA05

BILLING CODE 4310-02-S

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

Prerule Stage

1475. RELEASE OF CAPTIVE-REARED MALLARDS

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|------------------------|----------|-------------|
| Notice of Intent | 08/28/01 | 66 FR 45274 |
| Comment Period End | 09/27/01 | 66 FR 45274 |
| Notice of Availability | 08/26/03 | 68 FR 51231 |
| Comment Period End | 12/20/03 | 68 FR 51231 |
| Notice of Availability | 04/00/06 | |
| Final Action | To Be | Determined |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

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

RIN: 1018-AI05

1476. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION

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 advance notice of proposed rulemaking will request public input on conservation education requirements that will be used in the development of a proposed rule that will propose a Service position on conservation education.

Timetable:

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

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, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2350
 Fax: 703 358-2281
 Email: tim_vannorman@fws.gov

RIN: 1018-AI66

1477. GENERAL PERMIT PROCEDURES; REVISION TO APPEAL PROCESS FOR MIGRATORY BIRD PERMITS

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 13.29

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| ANPRM | 10/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

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

RIN: 1018-AU19

1478. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE NORTHERN ROCKY MOUNTAINS DISTINCT POPULATION SEGMENT OF THE GRAY WOLF FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to establish a Northern Rocky Mountains distinct population segment (DPS) of the gray wolf and remove the DPS from the List of Endangered and Threatened Wildlife.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|------------|
| ANPRM | 02/08/06 | 71 FR 6633 |
| ANPRM Comment Period End | 04/10/06 | 71 FR 6633 |
| NPRM | 08/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
 Phone: 703 358-2061
 Fax: 703 358-1735
 Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AU54

RIN: 1018-AU53

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

Proposed Rule Stage

1479. 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: We plan to propose to revise the List of Migratory Birds to conform with generally accepted taxonomy and nomenclature [i.e., English (common) and scientific names]—as reflected in four published supplements to the 7th (1998) edition of the American Ornithologists' Union's Check-list of North American Birds]; and to add species of known occurrence in the United States that are subject to protection under the Migratory Bird Treaty Act that do not appear on the current list.

Timetable:

| Action | Date | FR Cite |
|--------------------------------|----------|-------------|
| NPRM | 05/09/95 | 60 FR 24686 |
| NPRM Comment Period End | 07/10/95 | 60 FR 24686 |
| Second NPRM | 10/12/01 | 66 FR 52281 |
| Second NPRM Comment Period End | 11/13/01 | 66 FR 52281 |
| Third NPRM | 04/00/06 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-1714
 Email: brian_millsap@fws.gov

RIN: 1018-AB72

1480. SEIZURE AND FORFEITURE PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3371 et seq

CFR Citation: 50 CFR 12

Legal Deadline: None

Abstract: The Service proposes to amend our regulations 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 second proposed rule.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 11/27/95 | 60 FR 58468 |
| NPRM Comment Period End | 01/26/96 | |
| Second NPRM | 09/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

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

RIN: 1018-AC89

1481. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 10; 50 CFR 13; 50 CFR 17; 50 CFR 23

Legal Deadline: None

Abstract: This will be a revision to an existing rule that will incorporate decisions/resolutions made at the second through thirteenth meetings of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 05/08/00 | 65 FR 26663 |
| NPRM Comment Period End | 08/07/00 | 65 FR 26663 |
| Correction | 06/29/00 | 65 FR 40167 |
| Second NPRM | 04/00/06 | |
| Final Action | 04/00/07 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Federal, State

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AD87

1482. U.S. PROPOSALS FOR CITES APPENDIX III; AMERICAN EEL

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 23

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1708

Fax: 703 358-2276

Email: marie_maltese@fws.gov

RIN: 1018-AF09

DOI—FWS

Proposed Rule Stage

1483. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVING OF THE BALD EAGLE IN THE LOWER 48 STATES FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| NPRM | 07/06/99 | 64 FR 36454 |
| NPRM Comment Period End | 10/05/99 | |
| NPRM Comment Period Reopened | 02/16/06 | 71 FR 8238 |
| NPRM Comment Period End | 05/17/06 | 71 FR 8238 |
| Final Action | To Be | Determined |

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AT94**RIN:** 1018-AF21**1484. HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES, AND AMPHIBIANS TO THE UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 42; 16 USC 3371 to 3378**CFR Citation:** 50 CFR 14**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 12/00/06 | |
| Final Action | 06/00/07 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AF27**1485. IMPORTATION OF CAPTIVE-BRED EXOTIC BIRDS INTO THE UNITED STATES FROM BREEDING FACILITIES IN OTHER COUNTRIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15**Legal Deadline:** None

Abstract: On March 17, 1994, we published a proposed rule that included certain provisions of the Wild Bird Conservation Act (WBCA). This planned re-proposal would allow importing of captive-bred birds from facilities in other countries for species that are otherwise prohibited from import under the WBCA.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| NPRM (under 1018-AC15) | 03/17/94 | 59 FR 12784 |
| Second NPRM | 06/00/06 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1708

Fax: 703 358-2276

Email: roddy_gabel@fws.gov

RIN: 1018-AF44**1486. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE****Priority:** Substantive, Nonsignificant

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

CFR Citation: 50 CFR 14**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 07/15/98 | 63 FR 38143 |
| ANPRM Comment Period End | 09/14/98 | |
| NPRM | 09/00/06 | |

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

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AF46**1487. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT-HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALUCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We received a petition to reclassify a certain population of the straight-horned markhor from endangered to threatened. We must determine whether a status review shows that the petitioned action is warranted; if so, we will propose to change the classification of the straight-

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

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Notice of positive 90-day petition finding, init. of status review | 09/23/99 | 64 FR 51499 |
| Notice Comment Period End, 64 FR 51499 | 01/21/00 | |
| NPRM | 12/00/06 | |

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

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

RIN: 1018-AG00**1488. WILD BIRD CONSERVATION ACT: REVIEW OF APPROVED LIST OF CAPTIVE-BRED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Notice | 05/29/01 | 66 FR 29072 |
| Comment Period End | 07/30/01 | 66 FR 29072 |
| NPRM | 09/00/06 | |

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

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

RIN: 1018-AG64**1489. ADDITION OF BLACK CARP TO THE LIST OF INJURIOUS WILDLIFE****Priority:** Other Significant**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None

Abstract: We will review biological and economic information, including data and comments provided to the list of injurious wildlife under the Lacey Act. A final determination is anticipated in 2006. An injurious wildlife listing would prohibit importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.

Timetable:

| Action | Date | FR Cite |
|-----------------------------------|----------|-------------|
| ANPRM | 06/02/00 | 65 FR 35314 |
| ANPRM Comment Period End | 08/01/00 | 65 FR 35314 |
| NPRM | 07/30/02 | 67 FR 49280 |
| NPRM Comment Period End | 09/20/02 | 67 FR 49280 |
| NPRM Comment Period Reopened | 06/04/03 | 68 FR 33431 |
| NPRM 2nd Comment Period End | 08/04/03 | 68 FR 33431 |
| NPRM Comment Period 3rd Reopening | 08/30/05 | 70 FR 51326 |
| NPRM Comment Period Extended | 10/27/05 | 70 FR 61933 |
| NPRM 3rd Comment Period End | 10/31/05 | 70 FR 51326 |
| NPRM Comment Period End | 12/16/05 | 70 FR 61933 |
| Next Action | 08/00/06 | |

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

Undetermined

URL For More Information:

<http://www.fws.gov/contaminants/issues/invasivespecies.cfm>

Agency Contact: Erin Williams, Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2034
Email: erin_williams@fws.gov

RIN: 1018-AG70**1490. CORRECTIONS TO RIGHTS-OF-WAY REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-475**CFR Citation:** 50 CFR 29**Legal Deadline:** None

Abstract: We plan to propose to make revisions to the Rights-of-Way (ROW) General Regulations to implement Public Law 101-475 by correcting the names of Congressional Committees we must notify upon receipt of an ROW application for an oil and gas pipeline 24 inches or more in diameter and again before granting ROW. Finally, the proposal would delete the 60-day waiting period after notification of our intent to grant ROW, because Congress repealed the waiting period.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

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

Agency Contact: Janet Bruner, Deputy Division Chief, Division of Realty, Department of the Interior, United States Fish and Wildlife Service, ARL SQ 622 4401 N Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2287
Email: janet_bruner@fws.gov

RIN: 1018-AI12

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1491. NORTH AMERICAN WETLANDS CONSERVATION ACT AND NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT GRANT ADMINISTRATION POLICIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4401 et seq; 16 USC 6101 et seq**CFR Citation:** None**Legal Deadline:** None**Abstract:** The Grant Administration Standards document is being published to guide the North American Wetlands Conservation Act (NAWCA) and Neotropical Migratory Bird Conservation Act (NMBCA) grants administration process.**Timetable:**

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/07 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal, Local, State, Tribal**Agency Contact:** Dr. Keith A. Morehouse, Department of the Interior, United States Fish and Wildlife Service, Div. of Bird Habitat Conservation MS MB4075, Arlington Square 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1784
Fax: 703 358-2282
Email: keith_morehouse@fws.gov**RIN:** 1018-AI13**1492. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDINGS FOR THE GULF OF BOOTHIA AND WESTERN HUDSON POPULATIONS****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 and Western Hudson polar bear populations under the Marine Mammal Protection Act.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 04/00/06 | |
| Final Action | 08/00/06 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AI65**1493. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DOWNLISTING THE WOOD BISON FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to publish a proposed rule to downlist the Wood bison from endangered to threatened. This action is being considered because of progress in the recovery of this species.**Timetable:**

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

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, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1708

Fax: 703 358-2276

Email: roddy_gabel@fws.gov

RIN: 1018-AI83**1494. MIGRATORY BIRD PERMITS; REVISIONS TO GENERAL EXCEPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 95-616; 92 Stat 3112 (16 USC 712(2)); PL 106-108**CFR Citation:** 50 CFR 21**Legal Deadline:** None**Abstract:** Under this rule, some public institutions which are now exempted

from permit requirements would be required to obtain permits in order to possess migratory birds. It would create new exemptions for State and Federal resource managers and it would establish husbandry requirements applicable to exempt facilities.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Email: brian_millsap@fws.gov**RIN:** 1018-AI96**1495. 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 plan to 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. Currently, this activity is authorized by a miscellaneous permit category.**Timetable:**

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 10/13/05 | 70 FR 59710 |
| ANPRM Comment Period End | 12/12/05 | |
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird

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Management, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-1714
 Email: brian_millsap@fws.gov
RIN: 1018-AI97

1496. HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS AND BIRDS TO THE UNITED STATES

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

Unfunded Mandates: Undetermined

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

CFR Citation: 50 CFR 14

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 09/16/05 | 70 FR 54700 |
| ANPRM Comment Period End | 12/15/05 | 70 FR 54700 |
| NPRM | 03/00/07 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AJ24

1497. INJURIOUS WILDLIFE SPECIES; BOIGA SNAKES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 09/12/03 | 68 FR 53705 |
| ANPRM Comment Period End | 11/12/03 | 68 FR 53705 |
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Erin Williams, Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2034

Email: erin_williams@fws.gov

RIN: 1018-AT28

1498. ADDING SILVER CARP TO THE LIST OF INJURIOUS WILDLIFE

Priority: Other Significant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: We will review biological and economic information on the silver carp and largescale silver carp for possible addition to the list of injurious wildlife under the Lacey Act. An injurious wildlife listing would prohibit importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 07/23/03 | 68 FR 43482 |
| ANPRM Comment Period End | 09/22/03 | 68 FR 43482 |
| NPRM | 05/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

URL For More Information:

<http://www.fws.gov/contaminants/issues/invasivespecies.cfm>

Agency Contact: Erin Williams, Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2034

Email: erin_williams@fws.gov

RIN: 1018-AT29

1499. WILD BIRD CONSERVATION ACT; REVIEW OF REGULATIONS TO ALLOW IMPORTS OF EXOTIC WILD BIRDS

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

Legal Authority: 16 USC 4901 to 4916

CFR Citation: 50 CFR 15.41; 50 CFR 15.42

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

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

Phone: 703 358-1708

Fax: 703 358-2276

Email: michael_kreger@fws.gov

RIN: 1018-AT30

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Proposed Rule Stage

1500. MARINE MAMMALS; ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED TERMINATION OF THE SOUTHERN SEA OTTER TRANSLOCATION PROGRAM

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

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

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|---|----------|---------|
| NPRM; draft suppl. environmental impact statement | 04/00/06 | |
| Final Action | 03/00/07 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

Email: martin_kodis@fws.gov

RIN: 1018-AT34

1501. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE VIRGINIA NORTHERN FLYING SQUIRREL 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: Due to recovery, the Service is planning to propose delisting the Virginia northern flying squirrel.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AT37

1502. REVISED DEFINITION OF "DESTRUCTION OR ADVERSE MODIFICATION" FOR ENDANGERED SPECIES ACT SECTION 7 CONSULTATIONS

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 402.02

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AT50

1503. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE RECLASSIFYING ARGENTINIAN BROAD-SNOUDED CAIMAN POPULATION 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 downlist the broad-snouted caiman (Caiman latirostris) population in Argentina from endangered to threatened under the Endangered Species Act, with a special rule (under section 4(d) of ESA) allowing the importation into the United States of skins and products from the Argentinian population of broad-snouted caiman, if certain conditions are satisfied.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AT56

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Proposed Rule Stage

1504. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF SIX FOREIGN BIRDS UNDER THE ENDANGERED SPECIES ACT**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq.**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We plan to propose to list the following six foreign bird species under the Endangered Species Act: the black stilt (*Himantopus novaezelandiae*) of New Zealand; Caerulean Paradise-flycatcher (*Eutrichomyias rowleyi*) of Sulawesi, Indonesia; giant ibis (*Pseudibis gigantea*) of southern Laos and northern and eastern Cambodia; Gurney's pitta (*Pitta gurneyi*) of southern Thailand; Long-legged warbler, also known as the long-legged thicketbird (*Trichocichla rufa*), of Viti Levu, Fiji; and Socorro mockingbird (*Mimodes graysoni*) of Revillagigedo Islands, Mexico.

Timetable:

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

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

Agency Contact: Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: marie_maltese@fws.gov

RIN: 1018-AT62**1505. MIGRATORY BIRD HUNTING: REVISION OF LANGUAGE USED IN REGULATIONS FOR APPROVING NONTOXIC SHOT FOR USE IN WATERFOWL HUNTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 742a to 742j**CFR Citation:** 50 CFR 20.134**Legal Deadline:** None

Abstract: We propose a plain-language revision of 50 CFR 20.134 to make it easier for the public to read and understand. The language governing determination of Expected

Environmental Concentrations (EEC) in terrestrial and aquatic ecosystems would be altered to make clear the shot size and number of shot to be used in calculating the EECs. We also plan to add language specifying the pH levels to be used in calculating the EEC in water.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For More Information:** migratorybirds.fws.gov**URL For Public Comments:** migratorybirds.fws.gov

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

RIN: 1018-AT67**1506. MOSQUITO AND MOSQUITO-BORNE DISEASE MANAGEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668dd to 668ee**CFR Citation:** None**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|-----------------|----------|---------|
| Proposed Policy | 09/00/06 | |

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

Agency Contact: Michael Higgins, Mosquito Coordinator, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 670, Arlington, VA 22204
Phone: 410 573-4520

RIN: 1018-AT72**1507. STRATEGIC GROWTH OF THE NATIONAL WILDLIFE REFUGE SYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668dd to 668ee**CFR Citation:** None**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|-----------------|----------|---------|
| Proposed Policy | 09/00/06 | |

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

Agency Contact: Dirck Byler, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 670, Arlington, VA 22203
Phone: 703 358-2337

RIN: 1018-AT73

DOI—FWS

Proposed Rule Stage

1508. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SALT CREEK TIGER BEETLE CRITICAL HABITAT DESIGNATION**Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 06/00/06 | |
| NPRM; economic analysis | 12/00/06 | |
| Final Action | 06/00/07 | |

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

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

Email: douglas_krofta@fws.gov

Related RIN: Related to 1018-AJ13**RIN:** 1018-AT79**1509. MARINE MAMMALS: PROPOSED INCIDENTAL TAKE AUTHORIZATION DURING SPECIFIED ACTIVITIES; BEAUFORT SEA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq.**CFR Citation:** 50 CFR 18**Legal Deadline:** None

Abstract: The Marine Mammal Protection Act authorizes issuance of regulations to allow the incidental unintentional take of small numbers of marine mammals in activities (other than commercial fishing) in specific geographical areas. These proposed regulations would authorize incidental take of polar bears and Pacific walrus in the Beaufort Sea and adjacent

northern coast of Alaska during oil and gas industry activities for 5 years. Previous regulations expired on March 28, 2005.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/22/06 | 71 FR 14446 |
| NPRM Comment Period End | 04/21/06 | |
| Final Action | 08/00/06 | |

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

Agency Contact: Martin Kodis, Chief, Branch of Resource Management Support, Division of Habitat and Resource Conservation, Department of the Interior, United States Fish and Wildlife Service, 400 ARL SQ, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-5496

Fax: 703 358-1869

Email: martin_kodis@fws.gov

RIN: 1018-AT82**1510. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE CUI-UI FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

Timetable:

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

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AT85**1511. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THREE WILLAMETTE SPECIES: WILLAMETTE DAISY, FENDER'S BLUE BUTTERFLY, AND KINCAID'S LUPINE****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, October 15, 2005.

Final, Statutory, October 15, 2006.

Final, Judicial, October 15, 2006.

Abstract: We proposed critical habitat for three Willamette species (Willamette Daisy, Fender's Blue Butterfly, and Kincaid's Lupine) in prairie habitat in the Willamette Valley of Oregon and Washington.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 11/02/05 | 70 FR 66492 |
| Public Hearing request due date | 12/19/05 | 70 FR 66492 |
| NPRM Comment Period End | 01/03/06 | 70 FR 66492 |
| NPRM; availability of economic analysis | 05/00/06 | |
| Final Action | 10/00/06 | |

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

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

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

Related RIN: Related to 1018-AE53**RIN:** 1018-AT91

DOI—FWS

Proposed Rule Stage

1512. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE WILLOWY MONARDELLA

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We proposed critical habitat for the Willowy monardella, a plant in Southern California.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 11/09/05 | 70 FR 67956 |
| Public Hearing request duedate | 12/27/05 | 70 FR 67956 |
| NPRM Comment Period End 70 FR 67956 | 01/09/06 | |
| NPRM; availability of economic analysis | 05/00/06 | |
| Final Action | 11/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AT92

1513. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE ALAMEDA WHIPSNAKE

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, October 1, 2005.
Final, Statutory, October 1, 2006.
Final, Judicial, October 1, 2006.

Previous critical habitat, established 10/03/2000 (65 FR 58933; 1018-AF98), is remanded by court.

Abstract: We propose critical habitat for the Alameda whipsnake, a snake in central California.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 03/08/00 | 65 FR 12155 |
| NPRM Comment Period Reopened; notice of public hearing | 05/15/00 | 65 FR 30951 |
| NPRM; reopening of comment period | 06/23/00 | 65 FR 39117 |
| Final Action | 10/03/00 | 65 FR 58933 |
| NPRM | 10/18/05 | 70 FR 60608 |
| Public Hearing request duedate | 12/02/05 | 70 FR 60608 |
| NPRM Comment Period End | 12/19/05 | |
| NPRM; availability of economic analysis | 05/00/06 | |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

Related RIN: Related to 1018-AF98

RIN: 1018-AT93

1514. PROTECTION OF BALD EAGLES; DEFINITION

Priority: Other Significant

Legal Authority: 16 USC 668a

CFR Citation: 50 CFR 22.3

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|------------|
| NPRM | 02/16/06 | 71 FR 8265 |
| NPRM Comment Period End | 05/17/06 | |
| Final Action | To Be | Determined |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

URL For More Information:

migratorybirds.fws.gov

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

Related RIN: Previously reported as 1018-AH74, Related to 1018-AF21

RIN: 1018-AT94

1515. 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 proposed rule will revise the rural/nonrural determinations based on 2000 Federal census data. This review/revision is called for in 50 CFR 100.15 and 36 CFR 242.15.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 08/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AT99

DOI—FWS

Proposed Rule Stage

1516. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR 15 FRESHWATER MUSSELS, 1 FRESHWATER SNAIL, AND 5 FISHES IN TENNESSEE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service is planning to establish a nonessential experimental population for 15 freshwater mussels, 1 freshwater snail, and 5 fishes in the Lower French Broad River and in the Lower Holston River, Tennessee.**Timetable:**

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov**RIN:** 1018-AU01**1517. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; 4(D) RULE FOR THE PACIFIC COAST DISTINCT POPULATION SEGMENT OF THE WESTERN SNOWY PLOVER****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service plans to propose a special rule for the Pacific Coast population of the western snowy plover under section 4(d) of the Endangered Species Act. The special rule would eliminate the take prohibitions when entities involved in management activities have a habitat management plan that has been approved by the Service in the States of Washington, Oregon, and California.**Timetable:**

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

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov**RIN:** 1018-AU11**1518. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE PREBLE'S MEADOW JUMPING MOUSE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to make a final determination on our proposal to remove the Preble's meadow jumping mouse from the List of Endangered and Threatened Wildlife.**Timetable:**

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 02/02/05 | 70 FR 5404 |
| Public Hearing Request Due Date | 03/21/05 | 70 FR 5404 |
| NPRM Comment Period End | 05/03/05 | |
| NPRM Comment Period Reopened; 6-month extension for determination | 02/17/06 | 71 FR 8556 |
| NPRM Comment Period Extended; Avail. of Genetics Data | 03/30/06 | 71 FR 16090 |
| NPRM Comment Period End | 04/18/06 | 71 FR 8556 |
| NPRM Comment Period End | 05/18/06 | 71 FR 16090 |
| Final Action | 08/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan, Endangered Species, Branch ofRecovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov**RIN:** 1018-AU12**1519. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2007-2008 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 16 USC 3124**CFR Citation:** 36 CFR 242; 50 CFR 100**Legal Deadline:** None**Abstract:** We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2007-08 regulatory year. This rulemaking is necessary because Subpart D is subject to an annual review.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 08/00/06 | |
| Final Action | 06/00/07 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** William W. Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503
Phone: 907 786-3873
Fax: 907 786-3898
Email: bill_knauer@fws.gov**RIN:** 1018-AU15**1520. NEGOTIATION OF ANNUAL FUNDING AGREEMENTS WITH TRIBES (MANUAL CHAPTER)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668dd to 668ee; 16 USC 742a to 742j; 16 USC 661 to 666c; PL 93-638; PL 103-413; PL 105-270; The Native American Policy of the U.S. Fish and Wildlife Service of June 28, 1994 (Native American Policy); 25 CFR 1000

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Proposed Rule Stage

CFR Citation: None

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|-----------------|----------|---------|
| Proposed Policy | 09/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Tribal

Agency Contact: Dave Walker, Refuge Policy Liaison, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 670, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2310

Fax: 703 358-2248

Email: dave_walker@fws.gov

RIN: 1018-AU16

1521. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED CORRECTION TO THE GRIZZLY BEAR ENTRY IN THE LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: endangered.fws.gov

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU17

1522. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR ROTA BRIDLED WHITE-EYE

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 7, 2005, settlement agreement.

Abstract: We propose designation of critical habitat for the Rota bridled white-eye, an endangered species endemic to the island of Rota, U.S. Commonwealth of the Northern Mariana Islands.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 09/14/05 | 70 FR 54335 |
| Due date for Public Hearing Requests | 10/31/05 | 70 FR 54335 |
| NPRM Comment Period End | 11/14/05 | |
| NPRM; availability of economic analysis and reopening of comment period | 05/00/06 | |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

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

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AU32

1523. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE SPIKEDACE AND LOACHMINNOW

Priority: Other Significant

Unfunded Mandates: Undetermined

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

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We propose to designate critical habitat for the spikedace and loachminnow, fish that are endemic to the upper Gila River basin of Arizona and New Mexico.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 12/20/05 | 70 FR 75545 |
| Public Hearing request duedate | 02/03/06 | |
| NPRM Comment Period End | 02/21/06 | |
| NPRM; availability of economic analysis and reopening of comment period | 05/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

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

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AU33

1524. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR YADEON'S PIPERIA

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 1, 2006.

Final, Judicial, September 1, 2007.

Abstract: We plan to propose to designate critical habitat for Yadeon's

DOI—FWS

Proposed Rule Stage

pipertia, a plant in the Monterey region of central California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU34

1525. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF CRITICAL HABITAT FOR THE NORTHERN SPOTTED OWL

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, December 15, 2005.

Final, Judicial, December 15, 2006.

Abstract: The Service plans to review designated critical habitat for the Northern spotted owl (*Strix occidentalis caurina*), a subspecies federally listed as threatened under the Endangered Species Act, as amended. This critical habitat is located on Federal land in CA, OR, and WA.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

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

Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU37

1526. CIVIL PROCEDURES

Priority: Substantive, Nonsignificant

Legal Authority: 18 U.S.C. 42-44; 16 U.S.C. 3371 et seq.; 16 U.S.C. 668(a); 16 U.S.C. 1540(f); 16 U.S.C. 1382

CFR Citation: 50 CFR 11

Legal Deadline: None

Abstract: We plan to revise our civil procedure regulations to make them easier to understand, through use of simpler language and more clearly explained procedures.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AU38

1527. CITES APPENDIX III LISTING OF GALAX

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: We plan to propose to list the native plant species galax (*Galax urceolata*) in Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

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-AU40

1528. MARINE MAMMALS; INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES; CHUKCHI SEA

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 Pacific walrus in the Chukchi Sea and adjacent coast of Alaska during oil and gas industry activities for 5 years.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 08/00/06 | |
| Final Action | 03/00/07 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Martin Kodis, Chief, Branch of Resource Management Support, Division of Habitat and Resource Conservation, Department of the Interior, United States Fish and Wildlife Service, 400 ARL SQ, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-5496

Fax: 703 358-1869

Email: martin_kodis@fws.gov

RIN: 1018-AU41

DOI—FWS

Proposed Rule Stage

1529. MIGRATORY BIRD HUNTING; 2006–2007 MIGRATORY GAME BIRD HUNTING REGULATIONS; STATE FRAMEWORKS, TRIBAL, ALASKA SUBSISTENCE

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: We plan to propose to establish annual hunting regulations for certain migratory game birds for the 2006-07 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, and proposals for the 2006/07 spring/summer migratory bird subsistence season in Alaska. Migratory game bird hunting seasons provide hunting opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory bird population status and habitat conditions.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM—State frameworks; Tribal and AK Spr/Sum. 2007 AK Migratory Bird Subsis Harvest Proposals | 04/11/06 | 71 FR 18562 |
| NPRM Comment Period End | 05/15/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Tribal

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

Agency Contact: Ronald Kokel, Wildlife Biologist, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Dr, Arlington, VA 22203
Phone: 703 358-1714
Email: ronald_kokel@fws.gov

RIN: 1018-AU42

1530. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RE-EVALUATION OF FINAL LISTING DETERMINATION FOR QUEEN CHARLOTTE GOSHAWK

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, July 2006.

Abstract: Pursuant to a court order, we will re-evaluate our final listing determination for the Queen Charlotte goshawk, a bird, found in southeast Alaska and British Columbia, Canada.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Comment Period Opened on Status Review | 12/15/05 | 70 FR 74284 |
| SR Comment Period End | 02/13/06 | |
| NPRM | 07/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU43

1531. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR SUISUN THISTLE AND SOFT BIRDS BEAK

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 2006.
Final, Judicial, April 1, 2007.

Abstract: We plan to propose critical habitat designation for Suisun thistle and soft birds beak, two plants.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 04/11/06 | 71 FR 18455 |
| Public Hearing Request Due Date | 05/26/06 | 71 FR 18455 |
| NPRM Comment Period End | 06/12/06 | |
| NPRM; availability of economic analysis and reopening of comment period | 09/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU44

1532. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR HOLMGREN AND SHIVWITS MILK VETCHES

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, March 17, 2006.
Final, Judicial, March 17, 2007.

Abstract: We propose to designate critical habitat in southern Utah for the Holmgren and Shivwits milk vetches, two plants.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 03/29/06 | 71 FR 15965 |
| Public Hearing Request Due Date | 05/15/06 | 71 FR 15965 |
| NPRM Comment Period End | 05/30/06 | |
| NPRM; availability of economic analysis and reopening comment period | 08/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

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Proposed Rule Stage

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
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RIN: 1018-AU45

1533. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR ALABAMA BEACH MOUSE

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, January 18, 2006.
Final, Judicial, January 18, 2007.

Abstract: We propose to designate critical habitat for the Alabama beach mouse along the coast of Alabama.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Original final rule— Endangered status and CH for 3 beach mice | 06/06/85 | 50 FR 23872 |
| 12—mo finding for petition to revise CH for 3 beach mice | 09/26/00 | 65 FR 57800 |
| NPRM | 02/01/06 | 71 FR 5515 |
| Public Hearing request duedate | 03/20/06 | 71 FR 5515 |
| NPRM Comment Period End | 04/03/06 | |
| Final Action | 01/00/07 | |

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU46

1534. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISION OF CRITICAL HABITAT DESIGNATION FOR THE WINTERING PIPING PLOVER

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to revise currently designated critical habitat for the wintering piping plover in the coastal areas of North Carolina.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Original Final Rule designating critical habitat | 07/10/01 | 66 FR 36038 |
| NPRM to revise critical habitat | 06/00/06 | |

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU48

1535. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ADDING GRAHAM'S BEARDTONGUE (PENSTEMON GRAHAMII) TO THE LIST OF ENDANGERED AND THREATENED PLANTS, WITH DESIGNATION OF CRITICAL HABITAT

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, December 9, 2005.
Final, Judicial, December 9, 2006.

Abstract: We propose to add Graham's beardtongue (*Penstemon grahamii*) to the List of Endangered and Threatened Plants, and also to designate critical habitat for the species in areas of Colorado and Utah.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 01/19/06 | 71 FR 3158 |
| Public Hearing request duedate | 03/06/06 | 71 FR 3158 |
| NPRM Comment Period End | 03/20/06 | |
| NPRM; Reopening of Comment Period; Notice of Public Hearing | 04/13/06 | 71 FR 19158 |
| Public Hearing | 04/26/06 | 71 FR 19158 |
| NPRM Comment Period End | 05/19/06 | |
| NPRM; Availability of Economic Analysis; Reopening of Comment Period | 07/00/06 | |
| Final Action | 01/00/07 | |

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU49

1536. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR THE LAGUNA MOUNTAINS SKIPPER

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, November 30, 2005.
Final, Judicial, November 30, 2006.

Abstract: We propose to designate critical habitat for the Laguna Mountains skipper, a butterfly that lives in the mountains of southern California.

Timetable:

| Action | Date | FR Cite |
|------------------------------------|----------|-------------|
| NPRM | 12/13/05 | 70 FR 73699 |
| Public Hearing Request Due Date | 01/27/06 | |
| NPRM Comment Period End | 02/13/06 | |

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| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM; Reopening of Comment Period; Notice of Public Hearing | 04/13/06 | 71 FR 19157 |
| Public Hearing | 04/27/06 | 71 FR 19157 |
| NPRM Comment Period End | 05/15/06 | |
| Final Action | 11/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU50

1537. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR BRAUNTON'S MILK-VETCH AND LYON'S PENCHAETA

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, November 1, 2005.
Final, Judicial, November 1, 2006.

Abstract: We propose to designate critical habitat in California for Braunton's milk-vetch and Lyon's penchaeta, two plants.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 11/10/05 | 70 FR 68982 |
| Public Hearing request due date | 12/27/05 | |
| NPRM Comment Period End | 01/09/06 | |
| NPRM; availability of economic analysis and reopening of comment period | 05/00/06 | |
| Final Action | 11/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU51

1538. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR THE CANADA LYNX

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, November 1, 2005.
Final, Judicial, November 1, 2006.

Abstract: We propose to designate critical habitat for the Canada lynx in the States of Washington, Idaho, Montana, Minnesota, and Maine.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| NPRM | 11/09/05 | 70 FR 68294 |
| Public Hearing | 12/07/05 | 70 FR 68294 |
| Public Hearing | 12/14/05 | 70 FR 68294 |
| Public Hearing | 01/10/06 | |
| Public Hearing | 01/18/06 | |
| NPRM Comment Period End | 02/07/06 | |
| NPRM Comment Period Reopened | 02/16/06 | 71 FR 8258 |
| NPRM Comment Period End | 04/30/06 | 71 FR 8258 |
| Final Action | 11/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
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Email: douglas_krofta@fws.gov

RIN: 1018-AU52

1539. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE GREAT LAKES DISTINCT POPULATION SEGMENT OF THE GRAY WOLF FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to establish a Great Lakes distinct population segment (DPS) of the gray wolf and remove the DPS from the List of Endangered and Threatened Wildlife.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/27/06 | 71 FR 15266 |
| Public Hearing | 05/08/06 | 71 FR 15266 |
| Public Hearing | 05/10/06 | 71 FR 15266 |
| Public Hearing | 05/16/06 | 71 FR 15266 |
| Public Hearing | 05/17/06 | 71 FR 15266 |
| NPRM Comment Period End | 06/26/06 | |
| Final Action | 03/00/07 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AU53

RIN: 1018-AU54

1540. • FEDERAL DUCK STAMP CONTEST REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 31; 16 USC 718; 31 USC 9701

CFR Citation: 50 CFR 91

Legal Deadline: None

Abstract: We plan to propose to amend the regulations governing the annual migratory bird hunting and conservation stamp (Federal duck stamp) art contest to raise the contest entry fee by \$25, to \$125; update contest opening and entry deadline dates, locations, and mail and Internet

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site information; specify penalties for contestants who contact judges or copy designs from the Internet; relieve restrictions on our ability to announce judges' names; clarify ambiguous language in our regulations concerning matting of entries and minimum age of entrants; and update or correct technical advising for the contest, the common names and spelling of species on our list of contest design subjects, and minor grammar errors.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 04/12/06 | 71 FR 18697 |
| NPRM Comment Period End | 06/12/06 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**<http://www.fws.gov/duckstamps>

Agency Contact: Patricia Fisher, Chief, Federal Duck Stamp Program, Department of the Interior, United States Fish and Wildlife Service, MBSP-4070, 4401 N. Fairfax Dr., Arlington, VA 22203
Phone: 703 358-2007
Fax: 703-358-2009
Email: pat_fisher@fws.gov

RIN: 1018-AU56**1541. ● MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; SPRING/SUMMER REGULATIONS FOR THE 2007 SEASON****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712**CFR Citation:** 50 CFR 92**Legal Deadline:** None

Abstract: This action establishes annual spring/summer migratory bird subsistence harvest regulations in Alaska for the 2007 subsistence season.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 09/00/06 | |
| NPRM Comment Period End | 11/00/06 | |
| Final Action | 01/00/07 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**<http://alaska.fws.gov/ambcc/index.htm>

Agency Contact: Fred Armstrong, Department of the Interior, United States Fish and Wildlife Service, 10011 E. Tudor Rd., MS 201, Anchorage, AK 99503
Phone: 907 786-3887

Related RIN: Previously reported as 1018-AU39**RIN:** 1018-AU59**1542. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE MARBLED MURRELET 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 delist the marbled murrelet. This action is based on our 5-year review recommendation that the currently listed entity does not meet the requirements of a distinct population segment.

Timetable:

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

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
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Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU60**1543. ● 2006-07 REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i)**CFR Citation:** 50 CFR 32**Legal Deadline:** None

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

Timetable:

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

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

Agency Contact: Leslie A Marler, Management Analyst, Department of the Interior, United States Fish and Wildlife Service, National Wildlife Refuge System 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2397
Email: leslie_marler@fws.gov

RIN: 1018-AU61**1544. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDING THE FORMATS OF THE LISTS OF ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We plan to amend the formats of the Lists of Endangered and Threatened Wildlife and Plants, located at 50 CFR 17.11 and 17.12, respectively. These changes are designed to ensure that the regulations are easy for the public to understand and that they reflect current policies and standards. No entry to these lists will be added, deleted, or altered by these amendments.

Timetable:

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

Regulatory Flexibility Analysis Required: No

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Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Martha E Balis-Larsen, Chief, Office of Program Support, Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Drive, 1330, Arlington, VA 22203

Phone: 703 358-2079

Fax: 703-358-1827

Email: martha_balislarsen@fws.gov

RIN: 1018-AU62

1545. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF 27 SPECIES FROM THE FEDERAL LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to propose delisting 27 species because they are presumed to be extinct.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

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Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU64

1546. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF BLACK-FOOTED FERRETS IN EASTERN WYOMING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service, under section 10(j) of the Endangered Species Act, is planning to propose to establish a nonessential experimental population of black-footed ferrets in eastern Wyoming. The population at Thunder Basin National Grassland may be reintroduced in the Fall of 2006.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2061

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RIN: 1018-AU65

1547. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE IDAHO SPRINGSNAIL FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning a proposal to delist the Idaho springsnail. This action is based on a 12-month status review that indicates the currently listed entity is no longer a valid species under the Endangered Species Act. A taxonomic review of the Idaho springsnail and three other unlisted springsnail species seems to indicate that the four species together are all part of the same, larger species, which, based on a five factor threats analysis, may not warrant listing at this time.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2061

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Email: michelle_morgan@fws.gov

RIN: 1018-AU66

1548. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE MAGUIRE DAISY FROM THE LIST OF ENDANGERED AND THREATENED PLANTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to remove the Maguire daisy, a plant in Utah, from the List of Endangered and Threatened Plants. This action is due to recovery.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU67

1549. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF A NONESSENTIAL EXPERIMENTAL POPULATION OF THE RIO GRANDE SILVERY MINNOW IN TEXAS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to propose a nonessential experimental

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population of the Rio Grande Silvery Minnow in Texas. This action is being taken to achieve one of the species' recovery goals, to reestablish the minnow in at least three other areas of its historic range, as outlined in the 1999 recovery plan.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU68

1550. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE RUNNING BUFFALO CLOVER FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning a proposal to reclassify the running buffalo clover from endangered to threatened. This plant is found in AR, IL, IN, KS, KY, MO, OH, and WV.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU69

1551. ● SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; MAKHNATI ISLAND AREA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3101-3126

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

Abstract: We plan to propose to revise the jurisdiction of the Federal Subsistence Management Program to include an area around Makhnati Island near Sitka in southeastern Alaska. The submerged lands and waters of this area are in Federal ownership and should be included within the Federal Subsistence Management Program.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 04/00/06 | |
| Final Action | 01/00/07 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill_knauer@fws.gov

RIN: 1018-AU70

1552. ● SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA: 2008-2009 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3111

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

Abstract: This rule would establish regulations for fishing seasons, harvest limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2008-09 regulatory year. The rulemaking is necessary because subpart D is subject to an annual public review cycle. When final, this rulemaking would replace the fish and shellfish taking regulations included in the "Subsistence Management Regulations for Public

Lands in Alaska, Subpart D, 2007-08 Subsistence Taking of Fish and Wildlife Regulations," which expire on March 31, 2008. This rule would also amend the Customary and Traditional Use Determinations of the Federal Subsistence Board and the General Regulations related to the taking of fish and shellfish.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 01/00/07 | |
| Final Action | 03/00/08 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Theo Matuskowitz, Department of the Interior, United States Fish and Wildlife Service, Office of Subsistence Management, 3601 C Street, Ste 1030, Anchorage, AK 99503
Phone: 907 786-3867

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Email: theo_matuskowitz@fws.gov

RIN: 1018-AU71

1553. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR ASTRAGALUS DESERETICUS (DESERET MILK-VETCH)

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, January 19, 2007, court settlement. Final, Judicial, January 18, 2008, court settlement.

Abstract: In accordance with a court settlement, we plan to propose critical habitat for *Astragalus desereticus* (Deseret milk-vetch). Considered extinct until its rediscovery in 1981, this species exists in one small population in Utah County, Utah.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/07 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

DOI—FWS

Proposed Rule Stage

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AU72

1554. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND CRITICAL HABITAT FOR ARCTIC GRAYLING

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to list and designate critical habitat under the Endangered Species Act for the Arctic grayling, a fish, in Montana.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU73

1555. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR THE HINE'S EMERALD DRAGONFLY

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We are planning to propose to designate critical habitat for the federally endangered Hine's emerald dragonfly in Missouri, Michigan, Illinois, and Wisconsin.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU74

1556. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR COMAL SPRINGS DRYOPID BEETLE, COMAL SPRINGS RIFFLE BEETLE, AND PECK'S CAVE AMPHIPOD

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, June 29, 2006, settlement agreement. Settlement agreement.

Abstract: We are planning to propose to designate critical habitat for the Comal Springs dryopid beetle (*Stygoparnus comalensis*), Comal Springs riffle beetle (*Heterelmis comalensis*), and Peck's cave amphipod (*Stygobromus pecki*). The three listed species are known only from four spring systems (Comal Springs, Hueco Springs, Fern Bank Springs, and San Marcos Springs) located in Hays and Comal Counties, Texas.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: douglas_krofta@fws.gov

RIN: 1018-AU75

1557. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR CATESBAEA MELANOCARPA

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, August 15, 2006.

Abstract: We are re-evaluating our prudence determination for the designation of critical habitat for *Catesbaea melanocarpa* (no common name), a plant, in Puerto Rico and St. Croix (U.S. Virgin Islands). If prudent, we will propose to designate critical habitat.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 08/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: douglas_krofta@fws.gov

RIN: 1018-AU76

DOI—FWS

Proposed Rule Stage

1558. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR HIDDEN LAKE BLUECURLS, VAIL LAKE CEANOTHUS, AND MEXICAN FLANNELBUSH

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 20, 2006, Settlement agreement.

Abstract: We are planning to propose to designate critical habitat for the federally threatened Hidden Lake bluecurls, a plant, in California. We are planning to propose to designate critical habitat for the federally threatened Vail Lake ceanothus, a plant, in California. We are planning to propose to designate critical habitat for the federally endangered Mexican flannelbush, a plant, in California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU77

1559. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR GUAJON

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 30, 2006, Settlement agreement.

Abstract: We are re-evaluating our prudence determination for the designation of critical habitat for Guajon, a frog, in Puerto Rico. If prudent, we will plan to propose to designate critical habitat.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU78

1560. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR CAPE SABLE SEASIDE SPARROW

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, October 24, 2006, Settlement agreement.
Final, Judicial, October 24, 2007, Settlement agreement.

Abstract: We are planning to propose a revision to existing critical habitat for the Cape Sable seaside sparrow, a bird, from South Florida.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife

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RIN: 1018-AU79

1561. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR BEAR VALLEY SANDWORT, SOUTHERN MOUNTAIN WILD-BUCKWHEAT, AND ASH-GREY INDIAN PAINTBRUSH

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, November 9, 2006, Settlement agreement.

Abstract: We are planning to propose to designate critical habitat for the Bear Valley sandwort, southern mountain wild-buckwheat, and ash-grey Indian paintbrush, all federally threatened plants in California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU80

1562. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR TIDEWATER GOBY

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, November 15, 2006, Settlement agreement.

Abstract: We are planning to propose to designate critical habitat for the federally endangered tidewater goby, a fish, in California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU81

1563. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR ALABAMA STURGEON

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, December 15, 2006, Settlement agreement.

Abstract: We are proposing to designate critical habitat for the Alabama sturgeon, a fish, in Alabama and Mississippi.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior,

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RIN: 1018-AU82

1564. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR MONTEREY SPINEFLOWER

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, December 15, 2006, Settlement agreement.

Abstract: We plan to propose critical habitat for Monterey spineflower, a plant, in California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU83

1565. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR NEVIN'S BARBERRY

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, January 30, 2007, Settlement agreement.

Abstract: We are proposing to designate critical habitat for the federally endangered Nevin's barberry, a plant, in California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/07 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU84

1566. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR FLATWOODS SALAMANDER

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, January 31, 2007, Settlement agreement.

Abstract: We plan to re-evaluate our prudence determination for the designation of critical habitat for the flatwoods salamander, an amphibian, that historically occurred in AL, GA, FL, SC. If prudent, we will plan to propose to designate critical habitat.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/07 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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

DOI—FWS

Proposed Rule Stage

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RIN: 1018-AU85

1567. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR SAN DIEGO THORN MINT

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, February 28, 2007, Settlement agreement.

Abstract: We plan to propose critical habitat for San Diego thornmint, a plant, in California.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/07 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU86

1568. ● CRITICAL HABITAT DESIGNATION FOR FIVE ENDANGERED FRESHWATER MUSSELS AND TWO THREATENED FRESHWATER MUSSELS IN GEORGIA, FLORIDA, AND ALABAMA

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, May 30, 2006, Settlement agreement.

Abstract: We are re-evaluating the prudence of critical habitat for five endangered freshwater mussels: the fat threeridge (*Amblema neislerii*), shinyrayed pocketbook (*Lampsilis subangulata*, recently renamed *Hamiota subangulata*), Gulf moccasinshell (*Medionidus penicillatus*), Ochlockonee moccasinshell (*Medionidus simpsonianus*), and oval pigtoe (*Pleurobema pyriforme*), and two threatened freshwater mussels: the Chipola slabshell (*Elliptio chipolaensis*) and purple bankclimber (*Elliptioideus sloatianus*). If prudent, we will propose to designate critical habitat. These mussels occur in drainages that include the States of Georgia, Florida, and Alabama.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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

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RIN: 1018-AU87

1569. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING DETERMINATION AND CRITICAL HABITAT DESIGNATION FOR GEORGIA PIGTOE AND INTERRUPTED ROCKSNAIL

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 2006, Settlement agreement.

Abstract: We are planning to propose to make a listing determination and to designate critical habitat for the Georgia pigtoe (a mussel) and the interrupted rocksnail (an aquatic snail), both of which occur in the Mobile River Basin of Alabama and Georgia.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AU88

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

Final Rule Stage

1570. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING

Priority: Other Significant

Legal Authority: 16 USC 703 to 712

CFR Citation: 50 CFR 21.28; 50 CFR 21.29

Legal Deadline: None

Abstract: We propose changes in the regulations governing the practice of falconry in the United States. We propose substantial reorganization of the current regulations, combining 50 CFR 21.28 and 21.29 and reorganizing the topics in those sections. We will

add or change some provisions in the current regulations. The changes will make it easier to understand the requirements for falconry and the procedures for obtaining a falconry permit.

DOI—FWS

Final Rule Stage

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|------------|
| NPRM | 02/09/05 | 70 FR 6978 |
| NPRM Comment Period End | 05/10/05 | 70 FR 6978 |
| Final Action | 01/00/07 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: brian_millsap@fws.gov

RIN: 1018-AG11

1571. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING STATUSES OF 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, Judicial, April 2006.

Abstract: We plan to finalize listing status under the Endangered Species 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.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 01/17/01 | 66 FR 3964 |
| Public Hearing | 03/05/01 | 66 FR 3964 |
| NPRM Comment Period End | 03/19/01 | |
| NPRM Comment Period Reopened | 10/04/05 | 70 FR 57851 |
| NPRM 1st reopened Comment Period End | 11/03/05 | |
| NPRM 2nd Comment Period Reopening | 11/18/05 | 70 FR 69922 |
| Second Comment Period End | 12/02/05 | 70 FR 69922 |
| Final Action | 04/00/06 | |

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

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AG23

1572. NATIONAL WILDLIFE REFUGE SYSTEM; APPROPRIATE REFUGE USES

Priority: Other Significant**Legal Authority:** 16 USC 668(dd) to 668(ee)**CFR Citation:** None**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|--------------------------------------|----------|-------------|
| Proposed Policy (under 1018-AG18) | 01/16/01 | 66 FR 3673 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |
| Comment Period Reopened | 06/21/01 | 66 FR 33268 |
| Final Action | 06/00/06 | |

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

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

Agency Contact: Carol Carson, Refuge Program Specialist, Department of the

Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 670, Arlington, VA 22205
Phone: 703 358-2490

Related RIN: Previously reported as 1018-AG18**RIN:** 1018-AG46

1573. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE JOHNSTON'S FRANKENIA FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

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

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

Timetable:

| Action | Date | FR Cite |
|------------------------------------|----------|-------------|
| NPRM | 05/22/03 | 68 FR 27961 |
| Public Hearing Request Due Date | 07/07/03 | 68 FR 27961 |
| NPRM Comment Period End | 08/20/03 | |
| Final Action | 05/00/06 | |

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
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RIN: 1018-AH53

1574. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED WITH A SPECIAL RULE

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

DOI—FWS

Final Rule Stage

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 05/11/05 | 70 FR 24750 |
| Public Hearing | 06/28/05 | 70 FR 24750 |
| Public Hearing | 06/29/05 | 70 FR 24750 |
| NPRM Comment Period End | 07/15/05 | |
| Final Action | 05/00/06 | |

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
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RIN: 1018-AH57

1575. 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 importation into the United States of Blue-fronted Amazon parrots removed from the wild in Argentina under an approved sustainable use management plan. This is the first such plan that, if approved, would contribute to the goals of the Wild Bird Conservation Act to promote the conservation of exotic birds through sustainable use.

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| NPRM | 08/06/03 | 68 FR 46559 |
| NPRM Comment Period End | 10/06/03 | 68 FR 46559 |
| NPRM Comment Period Reopened | 03/29/05 | 70 FR 15798 |

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| NPRM Comment Period End | 04/28/05 | 70 FR 15798 |
| NPRM Comment Period Reopened | 05/24/05 | 70 FR 29711 |
| NPRM Comment Period End | 07/08/05 | |
| Final Action | 08/00/06 | |

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

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

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

RIN: 1018-AH89

1576. 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 will make a determination on our proposal to reclassify the turquoise parakeet (*Neophema pulchella*) and the scarlet-chested parakeet (*Neophema splendida*) from endangered to threatened under the Endangered Species Act.

Timetable:

| Action | Date | FR Cite |
|------------------------------------|----------|-------------|
| NPRM | 09/02/03 | 68 FR 52169 |
| Public Hearing Request Due Date | 10/17/03 | 68 FR 52169 |
| NPRM Comment Period End | 12/01/03 | |
| Final Rule | 09/00/06 | |

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

Agency Contact: Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: michael_kreger@fws.gov

RIN: 1018-AI04

1577. MIGRATORY BIRD HUNTING AND PERMITS; REGULATIONS FOR MANAGING HARVEST OF LIGHT GOOSE POPULATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 20; 50 CFR 21 subpart E**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 10/12/01 | 66 FR 52077 |
| NPRM Correction | 11/07/01 | 66 FR 56266 |
| NPRM Comment Period End | 12/11/01 | 66 FR 52077 |
| NPRM Correction Comment Period End | 12/14/01 | 66 FR 56266 |
| NPRM Comment Period Extended | 12/10/01 | 66 FR 63665 |
| NPRM Extended Comment Period End | 01/25/02 | |
| Final Action | 04/00/06 | |

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

Agency Contact: Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and

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Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: brian_millsap@fws.gov

RIN: 1018-AI07

1578. 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; 50 CFR 21

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 08/21/03 | 68 FR 50496 |
| NPRM Comment Period End | 10/20/03 | 68 FR 50496 |
| Final Action | 04/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal

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

RIN: 1018-AI32

1579. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE FLORIDA DISTINCT POPULATION SEGMENT 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 make a final determination on the proposed rule to reclassify the Florida distinct population segment of the American crocodile from endangered to threatened. This action is based on the substantial improvement in the species' status and improved understanding of the species' biology and management needs. Since its listing in 1975, the population of the American crocodile in Florida has more than doubled and its distribution has expanded. Land acquisition has also provided protection for many important nesting areas.

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| NPRM | 03/24/05 | 70 FR 15052 |
| Public Hearing Request Due Date | 05/09/05 | 70 FR 15052 |
| NPRM Comment Period End | 05/23/05 | |
| Final Action | 04/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AI41

1580. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; POLICY FOR ENHANCEMENT-OF-SURVIVAL PERMITS FOR FOREIGN SPECIES LISTED UNDER THE ENDANGERED SPECIES ACT

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We will issue a policy clarifying the process for issuing Enhancement-of-Survival permits for foreign species listed under the Endangered Species Act.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| Notice of Proposed Policy | 08/18/03 | 68 FR 49512 |
| Comment Period End | 10/17/03 | 68 FR 49512 |
| Final Action | 04/00/06 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2350
Fax: 703 358-2281
Email: tim_vannorman@fws.gov

RIN: 1018-AI67

1581. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 04/22/03 | 68 FR 19888 |
| Public Hearing Request Due Date | 06/06/03 | 68 FR 19888 |
| NPRM Comment Period End | 06/23/03 | |
| NPRM Comment Period Reopened; Draft Economic Analysis; Notice of Public Hearing | 04/08/04 | 69 FR 18516 |
| Public Hearing | 04/29/04 | 69 FR 18516 |
| NPRM Comment Period End | 05/10/04 | |
| Final Action | 01/00/07 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AI71

1582. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA GNATCATCHER

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 04/24/03 | 68 FR 20228 |
| Public Hearing Request Due Date | 06/09/03 | 68 FR 20228 |
| NPRM Comment Period End | 06/23/03 | |
| NPRM Comment Period Reopen, Draft Econ Analysis Avail, Public Hearing | 04/08/04 | 69 FR 18516 |
| NPRM Comment Period End | 05/10/04 | |
| Final Action | 01/00/07 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AI72

1583. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE ARIZONA AGAVE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|------------|
| NPRM | 01/11/05 | 70 FR 1858 |
| Public Hearing request due date | 02/25/05 | 70 FR 1858 |
| NPRM Comment Period End | 03/14/05 | 70 FR 1858 |
| Final Action | 04/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
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RIN: 1018-AI79

1584. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; NONESSENTIAL EXPERIMENTAL POPULATION OF THE NORTHERN APLOMADO FALCON

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| ANPRM—scoping mtgs, NOI to prep EA | 01/27/03 | 68 FR 3889 |
| Public Meetings, 2/3–6/2003, 2/11/2003 | 02/03/03 | 68 FR 3889 |
| ANPRM Comment Period End | 02/11/03 | |
| NPRM | 02/09/05 | 70 FR 6819 |
| Public Hearing | 03/15/05 | 70 FR 6819 |
| NPRM Comment Period End | 04/11/05 | |
| NPRM Comment Period Reopened, Public Hearings, Avail of Draft Monitoring Plan | 09/16/05 | 70 FR 54701 |
| Public Hearing | 10/11/05 | 70 FR 54701 |
| Public Hearing | 10/13/05 | 70 FR 54701 |
| Second NPRM Comment Period End | 11/15/05 | 70 FR 54701 |
| Final Rule | 05/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
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RIN: 1018-AI80

1585. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION

Priority: Other Significant

Legal Authority: PL 107-314

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The 2003 Defense Authorization Bill, signed by the President on December 2, 2002,

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requires the U.S. Fish and Wildlife Service to develop and issue regulations that exempt the Armed Forces from incidental take of migratory birds during authorized military readiness activities. The Department of Defense must concur with these regulations.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 06/02/04 | 69 FR 31074 |
| NPRM Comment Period End | 08/02/04 | 69 FR 31074 |
| Final Action | 04/00/06 | |

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, 4401 North Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AI92

1586. 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 had planned to remove the eastern Distinct Population Segment (DPS) of the gray wolf, consisting of 21 States, from the List of Endangered and Threatened Species. Our reasons for this action were the following: the achievement of all recovery criteria and completion of suitable state wolf management plans by Minnesota, Wisconsin, and Michigan. However, as the result of an August 11, 2005, court ruling that vacated the rule that established this DPS, we are now withdrawing this proposed rule.

Timetable:

| Action | Date | FR Cite |
|-----------------------------------|----------|-------------|
| ANPRM | 04/01/03 | 68 FR 15876 |
| NPRM | 07/21/04 | 69 FR 43664 |
| Public Hearing request duedate | 09/07/04 | 69 FR 43664 |
| NPRM Comment Period End | 11/18/04 | |

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM and Notice of Public Hearings | 08/13/04 | 69 FR 50147 |
| Public Hearing | 08/31/04 | 69 FR 50147 |
| Public Hearing | 09/01/04 | 69 FR 50147 |
| Public Hearing | 09/13/04 | 69 FR 50147 |
| Public Hearing | 09/14/04 | 69 FR 50147 |
| Public Hearing | 09/15/04 | 69 FR 50147 |
| Public Hearing | 09/27/04 | 69 FR 50147 |
| Public Hearing | 09/28/04 | 69 FR 50147 |
| Public Hearing | 09/29/04 | 69 FR 50147 |
| NPRM/Notice of Public Hearing | 09/29/04 | 69 FR 58119 |
| Public Hearing | 10/06/04 | 69 FR 50147 |
| Public Hearing | 10/20/04 | 69 FR 58119 |
| Final Action— Withdrawal of NPRM | 03/00/07 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AF20, Related to 1018-AJ04, Related to 1018-AU63

RIN: 1018-AJ03

1587. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We had planned to remove the western Distinct Population Segment (DPS) of the gray wolf from the List of Endangered and Threatened Species. Our reasons for this action were the following: based on estimates compiled in December 2002, we concluded that the wolf population has achieved the required third year of its population recovery criteria. However, as the result of an August 19, 2005, court ruling that vacated the rule that established this DPS, we are now

withdrawing this advance notice of proposed rulemaking.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| ANPRM | 04/01/03 | 68 FR 15879 |
| Final Action— Withdrawal of ANPRM | 03/00/07 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
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Related RIN: Related to 1018-AF20, Related to 1018-AJ03, Related to 1018-AU63

RIN: 1018-AJ04

1588. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVING THE MEXICAN BOBCAT FROM THE LIST OF ENDANGERED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We received a petition to delist the Mexican bobcat (*Lynx rufus escuinapae*). We determined as a result of our status review and our review of the best available scientific information that the species does not meet the definitions of endangered or threatened in the ESA (i.e., that delisting is warranted), so we proposed to delist the Mexican bobcat.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM; positive 12-month finding | 05/19/05 | 70 FR 28895 |
| NPRM Public Hearing Request Due Date | 07/05/05 | 70 FR 28895 |
| NPRM Comment Period End | 08/17/05 | |
| NPRM Comment Period Reopened | 11/23/05 | 70 FR 70779 |

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| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Second Comment Period End | 12/23/05 | 70 FR 70779 |
| Final Action | 05/00/06 | |

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

Agency Contact: Javier Alvarez, 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: javier_alvarez@fws.gov

RIN: 1018-AT31

1589. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE YELLOWSTONE GRIZZLY BEAR POPULATION FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE

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

Abstract: The Service is planning to make a final determination on a proposal to remove the Yellowstone population of grizzly bears from the List of Endangered and Threatened Wildlife. This population has reached its recovery goals.

Timetable:

| Action | Date | FR Cite |
|--------------------------------------|----------|-------------|
| NPRM and notice of public hearing | 11/17/05 | 70 FR 69854 |
| Public Hearing | 01/09/06 | |
| Public Hearing | 01/10/06 | |
| Public Hearing | 01/11/06 | |
| Public Hearing | 01/12/06 | |
| NPRM; additional public hearing | 01/25/06 | 71 FR 4097 |
| Public Hearing | 02/09/06 | 71 FR 4097 |
| NPRM Comment Period End | 02/15/06 | |
| NPRM Comment Period Extended | 02/16/06 | 71 FR 8251 |
| NPRM Comment Period End | 03/20/06 | 71 FR 8251 |
| Final Action | 11/00/06 | |

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov
RIN: 1018-AT38

1590. MIGRATORY BIRD PERMITS; CHANGES IN REGULATIONS GOVERNING RAPTOR PROPAGATION

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712**CFR Citation:** 50 CFR 21.30**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 10/14/05 | 70 FR 60052 |
| NPRM Comment Period End | 01/12/06 | |
| Final Action | 01/00/07 | |

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

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

Related RIN: Related to 1018-AG11**RIN:** 1018-AT60

1591. REGULATIONS TO IMPLEMENT THE CAPTIVE WILDLIFE SAFETY ACT

Priority: Substantive, Nonsignificant**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 14**Legal Deadline:** Final, Statutory, June 19, 2004.

Abstract: We implement the Captive Wildlife Safety Act (CWSA) by adding

subpart K to 50 CFR 14. The CWSA amends the Lacey Act by making it illegal to import, export, buy, sell, transport, receive or acquire in interstate or foreign commerce live lions, tigers, leopards, snow leopards, clouded leopards, cheetahs, jaguars and cougars or any hybrid of these species, unless certain listed exceptions are met.

Timetable:

| Action | Date | FR Cite |
|--|----------|------------|
| NPRM | 01/31/06 | 71 FR 5041 |
| NPRM; reminder | 02/22/06 | 71 FR 9080 |
| NPRM Comment Period End | 03/02/06 | 71 FR 5041 |
| NPRM Information Collection Comment Period End | 03/02/06 | |
| Final Action | 06/00/06 | |

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

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AT69

1592. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR ST. ANDREW BEACH MOUSE, PERDIDO KEY BEACH MOUSE, AND CHOCTAWHATCHEE BEACH MOUSE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, November 15, 2005.

Abstract: We proposed critical habitat for the St. Andrew beach mouse, Perdido Key beach mouse, and Choctawhatchee beach mouse along the coast of the Florida panhandle and Alabama.

Timetable:

| Action | Date | FR Cite |
|-----------------|----------|-------------|
| NPRM | 12/15/05 | 70 FR 74426 |
| NPRM/Correction | 12/22/05 | 70 FR 76018 |

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| Action | Date | FR Cite |
|---|----------|---------|
| NPRM and NPRM/Correction Public Hearing Request Due Date | 01/30/06 | |
| NPRM and NPRM/Correction Comment Period End | 02/13/06 | |
| Final Action | 09/00/06 | |

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

Agency Contact: Douglas Krofta,
Branch of Listing, Endangered Species
Program, Department of the Interior,
United States Fish and Wildlife
Service, Room 435, 4401 North Fairfax
Drive, Arlington, VA 22203
Phone: 703 358-2105
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RIN: 1018-AT90

**1593. SUBSISTENCE MANAGEMENT
REGULATIONS FOR PUBLIC LANDS
IN ALASKA, SUBPART C AND
SUBPART D; 2006-2007
SUBSISTENCE TAKING OF WILDLIFE
REGULATIONS**

Priority: Routine and Frequent**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 08/11/05 | 70 FR 46795 |
| Public Meetings 9/20 through 10/21/2005 | 09/20/05 | 70 FR 46795 |
| NPRM Comment Period End | 10/21/05 | |
| Final Action | 06/00/06 | |

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

Agency Contact: William W. Knauer,
Office of Subsistence Management,

Department of the Interior, United
States Fish and Wildlife Service, 3601
C Street, Suite 1030, Anchorage, AK
99503

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill_knauer@fws.gov

RIN: 1018-AT98

**1594. KODIAK NATIONAL WILDLIFE
REFUGE PERMIT REQUIREMENT FOR
CONSERVATION EASEMENT LANDS**

Priority: Info./Admin./Other

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

CFR Citation: 50 CFR 36.39(j)**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 09/30/05 | 70 FR 57242 |
| NPRM Comment Period End | 10/31/05 | |
| Final Action | 04/00/06 | |

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

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

RIN: 1018-AU08

**1595. ENDANGERED AND
THREATENED WILDLIFE AND
PLANTS; SPECIAL RULE FOR THE
SOUTHWEST ALASKA DISTINCT
POPULATION SEGMENT OF THE
NORTHERN SEA OTTER (ENHYDRA
LUTRIS KENYONI)**

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1533**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Statutory, April 2005.

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 08/09/05 | 70 FR 46388 |
| NPRM Comment Period End | 10/11/05 | 70 FR 46388 |
| Final Action | 04/00/06 | |

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

Agency Contact: Michelle Morgan,
Endangered Species, Branch of
Recovery and Delisting, Department of
the Interior, United States Fish and
Wildlife Service, 4401 North Fairfax
Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-A144**RIN:** 1018-AU21

**1596. ENDANGERED AND
THREATENED WILDLIFE AND
PLANTS; REMOVAL OF THE ARIZONA
DISTINCT POPULATION SEGMENT OF
THE CACTUS FERRUGINOUS
PYGMY-OWL FROM THE FEDERAL
LIST OF ENDANGERED AND
THREATENED WILDLIFE**

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1533 et seq.**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 2005.

Abstract: Following a court decision
remanding the final Agency decision to

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list the cactus ferruginous pygmy-owl as endangered, we plan to finalize our proposed rule to remove the Arizona distinct population segment of the cactus ferruginous pygmy-owl from the Federal List of Endangered and Threatened Wildlife and to remove its associated critical habitat designation from our regulations.

Timetable:

| Action | Date | FR Cite |
|-----------------------------------|----------|-------------|
| NPRM | 08/03/05 | 70 FR 44547 |
| Public Hearing notice | 09/07/05 | 70 FR 53139 |
| Public Hearing request duedate | 09/19/05 | 70 FR 44547 |
| Public Hearing | 09/20/05 | 70 FR 53139 |
| NPRM Comment Period End | 10/03/05 | 70 FR 44547 |
| Final Action | 04/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AI48

RIN: 1018-AU22

1597. NATIONAL WILDLIFE REFUGE SYSTEM; MISSION, GOALS, AND PURPOSES

Priority: Substantive, Nonsignificant

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

CFR Citation: None

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|--------------------------------------|----------|-------------|
| Proposed Policy (Under 1018-AG46) | 01/16/01 | 66 FR 3668 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

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

Related RIN: Split from 1018-AG46

RIN: 1018-AU24

1598. NATIONAL WILDLIFE REFUGE SYSTEM; WILDLIFE-DEPENDENT RECREATION (HUNTING AND FISHING, WILDLIFE OBSERVATION AND PHOTOGRAPHY, ENVIRONMENTAL EDUCATION, AND INTERPRETATION)

Priority: Substantive, Nonsignificant

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

CFR Citation: None

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

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

James W. Kurth, Deputy Chief, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, Washington, DC 20240

Phone: 703 358-1744

Related RIN: Split from 1018-AG46

RIN: 1018-AU25

1599. NATIONAL WILDLIFE REFUGE SYSTEM; WILDERNESS STEWARDSHIP

Priority: Substantive, Nonsignificant

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

CFR Citation: None

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| Proposed Policy | 01/16/01 | 66 FR 3708 |
| Comment Period Extended | 03/15/01 | 66 FR 15136 |
| Comment Period Reopened | 05/15/01 | 66 FR 26879 |
| Comment Period Reopened | 06/21/01 | 66 FR 33268 |
| Final Action | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

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

Related RIN: Split from 1018-AG46

RIN: 1018-AU27

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1600. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SOUTHERN CALIFORNIA DISTINCT VERTEBRATE POPULATION SEGMENT OF THE MOUNTAIN YELLOW-LEGGED FROG

Priority: Other Significant

Legal Authority: 16 U.S.C. 1533 et seq.

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 1, 2005.

Abstract: We are proposing to designate critical habitat for the southern California distinct population segment of the mountain yellow-legged frog in the mountains of southern California.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 09/13/05 | 70 FR 54105 |
| Due Date for Requests for Public Hearings | 10/28/05 | 70 FR 54105 |
| NPRM Comment Period End | 11/14/05 | |
| Final Action | 09/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU30

1601. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISION OF CRITICAL HABITAT DESIGNATION FOR THE KOOTENAI RIVER WHITE STURGEON

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1533 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, February 1, 2006.

Abstract: We published an interim rule to revise the currently designated critical habitat for the Kootenai River white sturgeon in Idaho.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|------------|
| Interim Final Rule | 02/08/06 | 71 FR 6383 |
| Interim Final Rule Effective | 03/10/06 | 71 FR 6383 |
| Public Hearing | 03/16/06 | 71 FR 6383 |
| Interim Final Rule Comment Period End | 04/10/06 | |
| Final Action | 08/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

RIN: 1018-AU47

1602. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA: 2007-2008 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3111

CFR Citation: 36 CFR 242 ; 50 CFR 100

Legal Deadline: None

Abstract: This rule would establish regulations for fishing seasons, harvest limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2007-08 regulatory year. The rulemaking is necessary because subpart D is subject to an annual public review cycle. When final, this rulemaking would replace the fish and shellfish taking regulations included in subpart D, Subsistence Taking of Fish and Wildlife Regulations, which expire on March 31, 2007. This rule would also amend the Customary and Traditional Use Determinations of the Federal Subsistence Board and the General Regulations related to the taking of fish and shellfish.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 12/22/05 | 70 FR 76010 |
| Public Meeting re. NPRM | 02/16/06 | |

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| Public Meeting re. NPRM | 02/20/06 | |
| Public Meeting re. NPRM | 02/23/06 | |
| Public Meeting re. NPRM | 02/27/06 | |
| Public Meeting re. NPRM | 02/28/06 | |
| Public Meeting re. NPRM | 03/07/06 | |
| Public Meeting re. NPRM | 03/14/06 | |
| Public Meeting re. NPRM | 03/21/06 | |
| NPRM Comment Period End | 03/24/06 | |
| Final Action | 03/00/07 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AU57

1603. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE FLAT-TAILED HORNED LIZARD AS THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Other, Judicial, April 30, 2006, court order.

Abstract: As directed by the U.S. District Court for the District of Arizona, we reinstate our 1993 proposed rule to list the flat-tailed horned lizard as threatened under the Endangered Species Act. The species is endemic to the Sonoran Desert in southern California, Arizona, and northwestern Mexico.

Timetable:

| Action | Date | FR Cite |
|--------------------------------|----------|-------------|
| Reinstatement of Proposed Rule | 12/07/05 | 70 FR 72776 |
| NPRM Comment Period Reopened | 03/02/06 | 71 FR 10631 |

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| Action | Date | FR Cite |
|----------------------------------|----------|-------------|
| Reopened NPRM Comment Period End | 03/15/06 | 71 FR 10631 |
| Final Action | 04/00/06 | |

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

Agency Contact: Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov

Related RIN: Previously reported as 1018-AI51**RIN:** 1018-AU58**1604. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF VACATED GRAY WOLF REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: Due to a court ruling on August 19, 2005, the Service is removing the rule to reclassify and remove the gray wolf from the List of Endangered and Threatened Wildlife in portions of the conterminous United States and the establishment of two special rules for threatened gray wolves.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 03/00/07 | |

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AJ03, Related to 1018-AJ04**RIN:** 1018-AU63
**Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)**

Long-Term Actions

1605. IMPLEMENTATION OF THE 1994 AMENDMENTS TO THE MARINE MAMMAL PROTECTION ACT**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 to 1374**CFR Citation:** 50 CFR 18**Legal Deadline:** None

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

Timetable:

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

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

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

RIN: 1018-AE72**1606. TAKING OF MARINE MAMMALS BY LEVEL B HARASSMENT; ISSUANCE OF GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH AND PERMITS FOR PHOTOGRAPHY, EDUCATIONAL, AND COMMERCIAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 103-238; 16 USC 1361 to 1407**CFR Citation:** 50 CFR 18**Legal Deadline:** None

Abstract: The Service proposes to issue regulations that would allow us to authorize harassment but not injury or death of marine mammals under our jurisdiction, for scientific research and for photography for educational or commercial purposes. This rule would further implement the 1994 Amendments to the Marine Mammal Protection Act.

Timetable:

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

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

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United

States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2095
Email: peter_thomas@fws.gov

RIN: 1018-AF26**1607. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE GULF COAST DISTINCT POPULATION SEGMENT OF THE BROWN PELICAN POPULATION IN THE SOUTHEASTERN UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

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Timetable:

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

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AG40

1608. 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: Due to the species' similarity of appearance to the bull trout, we propose to list the Dolly Varden (*Salvelinus malma*), a fish, in Washington State as threatened under the "Similarity of Appearance" provision of the Endangered Species Act.

Timetable:

| Action | Date | FR Cite |
|------------------------------------|----------|------------|
| NPRM | 01/09/01 | 66 FR 1628 |
| Public Hearing Request Due Date | 02/23/01 | 66 FR 1628 |
| NPRM Comment Period End | 03/12/01 | |
| Final Action | To Be | Determined |

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

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

Email: douglas_krofta@fws.gov

RIN: 1018-AH68

1609. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING AND WITHDRAWAL OF PROPOSED CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL

Priority: Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We proposed a new designation of critical habitat for the Cactus ferruginous pygmy owl distinct population segment (DPS) found in Arizona. We now propose to remove this DPS from the Federal list of Endangered and Threatened Wildlife and withdraw our critical habitat proposal.

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| NPRM | 11/27/02 | 67 FR 71031 |
| Public Hearing | 01/23/03 | |
| NPRM Comment Period End | 02/23/03 | |
| NPRM Comment Period Reopened | 02/25/03 | 68 FR 8730 |
| NPRM Comment Period End | 04/25/03 | 68 FR 8730 |
| NPRM Comment Period Reopened | 04/28/03 | 68 FR 22353 |
| NPRM Comment Period End | 06/27/03 | 68 FR 22353 |
| NPRM; Proposal to Withdraw | 08/03/05 | 70 FR 44547 |
| NPRM—Public Meeting | 09/07/05 | 70 FR 53139 |
| Final Action | To Be | Determined |

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

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AU22**RIN:** 1018-AI48

1610. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742a to 742j; PL 106-108**CFR Citation:** 50 CFR 20**Legal Deadline:** None

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

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AI98

1611. REVISION OF THE REGULATIONS GOVERNING THE TRANSPORT OF EAGLE FEATHERS

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 668a; 16 USC 703 to 712; 16 USC 1531 to 1544**CFR Citation:** 50 CFR 22**Legal Deadline:** None

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

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, Tribal

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401

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Long-Term Actions

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22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AJ00

1612. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO THE NONESSENTIAL EXPERIMENTAL POPULATION RULE FOR THE MEXICAN GRAY WOLF

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is exploring a revision to the Mexican gray wolf nonessential experimental population rule. In 2005, the Adaptive Management Oversight Committee of the Mexican Wolf Reintroduction Project recommended a revision to the experimental population rule after conducting a 5-year review of the program. The Service intends to allow for the direct release of wolves into an expanded release area, but still within the area where wolves are currently authorized to occur. The Service also plans to expand upon the designated recovery area, allowing for greater management flexibility when a wolf travels outside of this area.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AT36

1613. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO MANATEE PROTECTION AREAS IN FLORIDA (BARGE CANAL EXCEPTION)

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|---|----------------------|-------------|
| ANPRM | 09/01/00 | 65 FR 53222 |
| ANPRM Comment Period End | 10/16/00 | |
| NPRM (under 1018-AH80) | 08/10/01 | 66 FR 42318 |
| NPRM; public hearings (under 1018-AH80) | 08/29/01 | 66 FR 45662 |
| Public Hearing NPRM Comment Period End | 09/13/01 10/09/01 | 66 FR 42318 |
| Final Action (under 1018-AH80) effective 2/06/2002 or before | 01/07/02 | 67 FR 680 |
| NPRM under 1018-AH80 | 04/16/02 | 67 FR 18572 |
| Public Hearing Request Due Date | 05/31/02 | 67 FR 18572 |
| NPRM Comment Period End | 06/17/02 | |
| Final Rule —Emergency Rule Effective Immediately thru 1/20/2003 | 09/20/02 | 67 FR 59408 |
| Final Rule Effective Immediately | 11/08/02 | 67 FR 68450 |
| NPRM | 11/08/02 | 67 FR 68490 |
| NPRM Comment Period End 67 FR 68490 | 02/06/03 | |
| Final Action | To Be | Determined |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

Related RIN: Previously reported as 1018-AH80

RIN: 1018-AT39

1614. ADDING BIGHEAD CARP TO THE LIST OF INJURIOUS WILDLIFE

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

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: We will review biological and economic information on Bighead carp (*Hypophthalmichthys nobilis*) for possible addition to the list of injurious wildlife under the Lacey Act. An injurious wildlife listing would prohibit importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 09/17/03 | 68 FR 54409 |
| ANPRM Comment Period End | 11/17/03 | 68 FR 54409 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

URL For More Information:

<http://fws.gov/contaminants/issues/invasivespecies.cfm>

Agency Contact: Erin Williams, Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2034

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Email: erin_williams@fws.gov

RIN: 1018-AT49

1615. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR THE TOPEKA SHINER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to establish a nonessential experimental population for the Topeka shiner, a fish, in Missouri.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU00

1616. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GRAY BAT FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information: endangered.fws.gov

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU20

1617. 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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael D. Kreger
Phone: 703 358-1708
Fax: 703 358-2276
Email: michael_kreger@fws.gov

RIN: 1018-AF49

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 | FR Cite |
|--|------------------|-------------|
| NPRM Under 1018-AH93 | 09/10/03 | 68 FR 53327 |
| NPRM Comment Period Reopened Under 1018-AH93 | 02/23/04 | 69 FR 8161 |
| 1018-AH93 Withdrawn | 09/10/04 | |
| NPRM | To Be Determined | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

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

Related RIN: Previously reported as 1018-AH93

RIN: 1018-AU29

Department of the Interior (DOI)

Completed Actions

United States Fish and Wildlife Service (FWS)

1618. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 03/29/06 | 71 FR 15620 |
| Final Action Effective | 04/28/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael D. Kreger
Phone: 703 358-1708
Fax: 703 358-2276
Email: michael_kreger@fws.gov

RIN: 1018-AF49

1619. U.S. PROPOSALS FOR CITES APPENDIX III; CERTAIN TURTLE SPECIES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 23

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 12/16/05 | 70 FR 74700 |
| Final Action Effective | 06/14/06 | |

DOI—FWS

Completed Actions

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Marie Maltese
Phone: 703 358-1708
Fax: 703 358-2276
Email: marie_maltese@fws.gov**RIN:** 1018-AF69**1620. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF ENDANGERED STATUS AND DESIGNATION OF CRITICAL HABITAT FOR THE GILA CHUB****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 11/02/05 | 70 FR 66663 |
| Final Action Effective | 12/02/05 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Douglas Krofta
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov**RIN:** 1018-AG16**1621. U.S. PROPOSALS FOR CITES APPENDIX III; BLACK COHOSH****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 23**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 03/16/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Agency Contact:** Patricia S. De Angelis
Phone: 703 358-1708
Fax: 703 358-2276
Email: patricia_deangelis@fws.gov**RIN:** 1018-AI91**1622. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN JACINTO VALLEY CROWNSCALE****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Rule | 10/13/05 | 70 FR 59951 |
| Final Action Effective | 11/14/05 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Douglas Krofta
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov**RIN:** 1018-AJ11**1623. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SALT CREEK TIGER BEETLE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

| Reason | Date | FR Cite |
|------------------------------|----------|-------------|
| Final Action under 1018-AJ13 | 10/06/05 | 70 FR 58335 |
| Final Action Effective | 11/07/05 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Douglas Krofta
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.govDouglas Krofta
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov**Related RIN:** Related to 1018-AT79**RIN:** 1018-AJ13**1624. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA RED-LEGGED FROG****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

| Reason | Date | FR Cite |
|--------------------------------------|----------|-------------|
| Second NPRM | 11/03/05 | 70 FR 66906 |
| Public Hearing request duedate | 12/19/05 | 70 FR 66906 |
| Other/Second NPRM Comment Period End | 02/01/06 | |
| Final Action | 04/13/06 | 71 FR 19244 |
| Final Action Effective | 05/15/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Douglas Krofta
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov**RIN:** 1018-AJ16**1625. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; COACHELLA VALLEY MILK-VETCH CRITICAL HABITAT DESIGNATION****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Comment Period End | 10/27/05 | 70 FR 56434 |
| Final Action | 12/14/05 | 70 FR 74112 |
| Final Action Effective | 01/13/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Douglas Krofta
Phone: 703 358-2105
Fax: 703 358-2434
Email: douglas_krofta@fws.gov**RIN:** 1018-AT74**1626. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; THREAD-LEAVED BRODIAEA CRITICAL HABITAT DESIGNATION****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

| Reason | Date | FR Cite |
|--------------------------------|----------|-------------|
| Second NPRM Comment Period End | 10/20/05 | 70 FR 58631 |
| Final Action | 12/13/05 | 70 FR 73819 |
| Final Action Effective | 01/12/06 | |

DOI—FWS

Completed Actions

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

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Email: douglas_krofta@fws.gov

RIN: 1018-AT75

1627. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN MIGUEL ISLAND FOX, SANTA ROSA ISLAND FOX, SANTA CRUZ ISLAND FOX, AND SANTA CATALINA ISLAND FOX

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 11/09/05 | 70 FR 67924 |
| Final Action Effective | 12/09/05 | 70 FR 67924 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

Related RIN: Related to 1018-AI28

RIN: 1018-AT78

1628. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; SOUTHWESTERN ALASKA COASTAL AREAS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 100; 36 CFR 242

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 12/27/05 | 70 FR 76400 |
| Final Action Effective | 01/26/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: William W. Knauer

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill_knauer@fws.gov

RIN: 1018-AT81

1629. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE ARKANSAS RIVER SHINER

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 10/13/05 | 70 FR 59808 |
| Final Action Effective | 11/14/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AT84

1630. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SPREADING NAVARRETIA

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|----------------------|----------|-------------|
| Final Action | 10/18/05 | 70 FR 60658 |
| Final Rule Effective | 11/17/05 | 70 FR 60658 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AT86

1631. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR SOUTHWESTERN WILLOW FLYCATCHER

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 10/19/05 | 70 FR 60885 |
| Final Action Effective | 11/18/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

Related RIN: Previously reported as 1018-AI49

RIN: 1018-AT88

1632. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR WESTERN SNOWY PLOVER

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 09/29/05 | 70 FR 56970 |
| Final Action Effective | 10/31/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AT89

1633. MIGRATORY BIRD HUNTING; APPROVAL OF FOUR SHOT TYPES OR ALLOYS AS NONTOXIC

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

Completed:

| Reason | Date | FR Cite |
|--|----------|------------|
| Fin rule; avail of Fin Env Assessmt and Fdg of No Signif Impact | 01/26/06 | 71 FR 4294 |
| Final rule effective (also includes former RINs 1018-AU09, 1018-AU13, and 1018-AU28) | 02/27/06 | 71 FR 4294 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: George T. Allen

Phone: 703 358-1825

DOI—FWS

Completed Actions

Fax: 703 358-2217
Email: george_t_allen@fws.gov

Related RIN: Merged with 1018-AU09, Merged with 1018-AU13, Merged with 1018-AU28

RIN: 1018-AU04

1634. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2006-2007 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 36 CFR 242 ; 50 CFR 100

Completed:

| Reason | Date | FR Cite |
|----------------------|----------|-------------|
| Final Rule | 03/29/06 | 71 FR 15669 |
| Final Rule Effective | 04/01/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: William W. Knauer
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Email: bill_knauer@fws.gov

RIN: 1018-AU05

1635. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER, SONOMA COUNTY POPULATION

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|---|----------|-------------|
| 2nd NPRM Comment Period avail of DEA | 10/25/05 | 70 FR 61591 |
| 2nd NPRM Comment Period End | 11/14/05 | |

| Reason | Date | FR Cite |
|--------------------------------------|----------|-------------|
| Second NPRM Comment Period End | 11/28/05 | 70 FR 69717 |
| Final Action | 12/14/05 | 70 FR 74137 |
| Final Action Effective | 01/13/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

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Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AU23

1636. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING GUNNISON'S SAGE GROUSE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 03/16/06 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Undetermined

Federalism: Undetermined

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas_krofta@fws.gov

RIN: 1018-AU35

1637. MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; SPRING/SUMMER ANNUAL HARVEST REGULATIONS FOR THE 2006 SUBSISTENCE SEASON

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 92

Completed:

| Reason | Date | FR Cite |
|--|----------|-------------|
| Final Action | 02/28/06 | 71 FR 10404 |
| Final Action Effective (subpart C of 50 CFR part 92) | 03/30/06 | 71 FR 10404 |
| Final Action Effective (subpart D of 50 CFR part 92) 04/02/2006 - 08/31/2006 | 04/02/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Fred Armstrong

Phone: 907 786-3887

RIN: 1018-AU39

1638. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; 5-YEAR REVIEW OF FOREIGN SPECIES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 12/20/05 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marie Maltese

Phone: 703 358-1708

Fax: 703 358-2276

Email: marie_maltese@fws.gov

Related RIN: Related to 1018-AG63

RIN: 1018-AU55

BILLING CODE 4310-55-S

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

Proposed Rule Stage

1639. REVISIONS TO RIGHT-OF-WAY REGULATIONS

Priority: Other Significant

Legal Authority: 16 USC 462k

CFR Citation: 36 CFR 14

Legal Deadline: None

Abstract: This rule will revise existing regulations relating to the issuance of right-of-way permits across lands and waters under National Park Service administration. The current regulations are outdated. The new regulations will provide a process for the review,

consideration, and approval or denial of requests for rights-of-way.

Timetable:

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

DOI—NPS

Proposed Rule Stage

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD16**1640. COST RECOVERY FOR SPECIAL PARK USES****Priority:** Other Significant**Legal Authority:** 16 USC 1; 16 USC 462k; 16 USC 9a**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The National Park Service issues special use permits for activities such as special events, commercial photography, and utility rights-of-way in areas of the National Park System. Processing these permit requests is costly, but the NPS has not instituted a system for cost recovery, as is authorized by law. This rule will establish a procedure to enable the NPS to recover its costs from the permit beneficiaries.

Timetable:

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

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD18**1641. HISTORIC PRESERVATION CERTIFICATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 4702**CFR Citation:** 36 CFR 67**Legal Deadline:** None

Abstract: This rule would amend 36 CFR part 67, which governs the

certification of historic structures to receive Federal income tax incentives. This action is necessary so that the rule will more accurately reflect the management structure of the program, clarify the applicable standards of rehabilitation, and more rationally allocate the apportionment of the application fees.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

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

Agency Contact: Bryan Mitchell, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 354-2078
Fax: 202 371-5197
Email: bryan_mitchell@nps.gov

RIN: 1024-AD24**1642. VESSEL MANAGEMENT IN GLACIER BAY NATIONAL PARK****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 410hh-4**CFR Citation:** 36 CFR 13.65**Legal Deadline:** None

Abstract: This rule would modify quotas and operating requirements for four types of motorized watercraft in Glacier Bay National Park and Preserve. The rulemaking is necessary so that the National Park Service may more efficiently manage motorized watercraft use and protect park resources.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 05/06/06 | 71 FR 10940 |
| Final Rule | 07/00/06 | |

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD25**1643. MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2; 5 USC 301**CFR Citation:** 36 CFR 5**Legal Deadline:** None

Abstract: This rule would revise the filming regulations in 43 CFR part 5 and 36 CFR part 5 to implement Public Law 106-206 (May 26, 2000) by: (1) Establishing a reasonable fee for commercial filming activities and similar projects; (2) establishing uniform guidelines for commercial filming permit programs in agencies of the Department of the Interior and the Department of Agriculture; and (3) implementing requirements that agencies respond to applicants for commercial filming or still photography permits in a timely manner.

Timetable:

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

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD30**1644. DISPOSITION OF CULTURALLY IDENTIFIABLE HUMAN REMAINS****Priority:** Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.11**Legal Deadline:** None

Abstract: This rule would establish procedures for the disposition of culturally identifiable human remains in the possession or control of museums or Federal agencies.

Timetable:

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

Regulatory Flexibility Analysis Required: No

DOI—NPS

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tim McKeown, National NAGPRA Program officer, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 354-2206
Email: tim_mckeown@nps.gov

RIN: 1024-AD31

1645. BACKCOUNTRY USE RESTRICTIONS AT WUPATKI NATIONAL MONUMENT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

CFR Citation: 36 CFR 7.94

Legal Deadline: None

Abstract: This rule will help NPS better manage backcountry areas to protect cultural and natural resources in Wupatki National Monument (NM). It is necessary because of repeated acts of vandalism, including destruction of petroglyph panels, collecting of cultural and natural objects for souvenirs, inappropriate disposal of human waste, off-trail hiking, and littering. These actions have caused severe damage to fragile park resources. Access to these areas would be restricted and permitted only for research, traditional cultural activities, or other well-justified special uses approved by the park superintendent. The need for this rule has been documented in the recently approved General Management Plan (GMP) for Wupatki NM. If the rule is not enacted, this damage will continue and potentially lead to impairment of park resources. The area is currently under an emergency closure.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD33

1646. OLYMPIC NATIONAL PARK SPECIAL REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 7.28

Legal Deadline: None

Abstract: This rule would make updates to the park's special regulations relating to fishing, protection of forest lands within the park, and conversion of longstanding closures and public use limits into special regulations.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD35

1647. ST. CROIX NATIONAL SCENIC RIVER VESSEL SPEED LIMITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

CFR Citation: 36 CFR 7

Legal Deadline: None

Abstract: This rule would establish vessel speed limits and other water surface use restrictions as recommended in the lower St. Croix Cooperative management plan (2002). This rule would affect only waters in the NPS-managed zone of the River from the north city limits of Stillwater, MN, to Xcel Hydroelectric Dam at St. Croix Falls, WI. Increase in use of this section of the river has led to visitor use conflicts and resource damage. This rule would encourage safe water use, manage visitor conflicts, and mitigate shoreline damage caused by vessel wakes.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 08/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD36

1648. VOYAGEURS NATIONAL PARK—SPECIAL REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

CFR Citation: 36 CFR 7

Legal Deadline: None

Abstract: Prior to the establishment of Voyageurs National Park and continuing through today, the use of motorized boats have been allowed on a limited number of interior lakes approximately 6 that are not road accessible. Snowmobile use on these same lakes is permitted through special regulations. Current regulations prohibit motorboat use on lakes not accessible by a road and therefore a special regulation is needed to allow motor boat use to continue.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
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RIN: 1024-AD37

1649. NATIONAL PARK SYSTEM UNITS IN ALASKA

Priority: Other Significant

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

CFR Citation: 36 CFR 13

DOI—NPS

Proposed Rule Stage

Legal Deadline: None

Abstract: The special regulations for Alaska, 36 CFR part 13, were first adopted in 1981 as “interim guidance.” While individual sections of part 13 have been amended and new sections added since 1981, there had been no comprehensive effort to revise the general and park specific Part 13 regulations until a final rule was published on January 3, 2005. That was Phase I of a comprehensive revision, and this proposed rule is Phase II of the process. Phase II covers a variety of diverse actions such as subsistence use of timber, seaweed collection in Glacier Bay NP, Alek River management issues, ORV use in Dry Bay, fishing closure at Brooks Camp, managing camping and trail use at Kenai Fjords NP, updating definitions, prohibiting motorized vehicles to herd wildlife, and establishing wildlife viewing distances in several park areas. NPS has committed to seek special regulations in areas where they would be appropriate for the effective management of park areas.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD38

1650. NATIONAL CAPITOL REGION—PARKING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

CFR Citation: 36 CFR 7

Legal Deadline: None

Abstract: This rule would amend the National Capital Region’s special regulations regarding violations for illegally parked vehicles. The amendment will add a provision addressing parking violations when the vehicle’s driver is absent. Absence of

a provision of this type in the current regulations has resulted in the dismissal of citations and increasing numbers of parking violations. The amendment would create a rebuttable prima facie presumption that the registered owner of an illegally parked vehicle was the person who committed the violation. This is similar to the parking laws of many jurisdictions.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD40

1651. ● GATEWAY NATIONAL RECREATION AREA, JAMAICA BAY UNIT, PERSONAL WATERCRAFT USE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

CFR Citation: 36 CFR 7

Legal Deadline: None

Abstract: This rule would designate areas where personal watercraft may operate in the Jamaica Bay Unit of Gateway National Recreation Area.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|------------|
| NPRM | 02/24/06 | 71 FR 9495 |
| NPRM Comment Period End | 04/25/06 | |
| Final Rule | 09/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206

Email: jerry_case@nps.gov

RIN: 1024-AD41

1652. ● GATEWAY NATIONAL RECREATION AREA, SANDY HOOK UNIT, PERSONAL WATERCRAFT USE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3; 16 USC 460(q); 16 USC 9a; 16 USC 1

CFR Citation: 36 CFR 7

Legal Deadline: None

Abstract: This rule would designate areas where personal watercraft may operate in Gateway National Recreation Area.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|------------|
| NPRM | 02/24/06 | 71 FR 9488 |
| NPRM Comment Period End | 04/25/06 | |
| Final Rule | 09/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD42

1653. ● MAKING MOTION PICTURES, TELEVISION PRODUCTIONS, OR SOUNDTRACKS ON DEPARTMENT OF THE INTERIOR LANDS

Priority: Info./Admin./Other

Legal Authority: 25 USC 2

CFR Citation: 43 CFR 5.1

Legal Deadline: None

Abstract: The National Park Service (NPS) is revising regulations found at 43 CFR 5.1 establish a reasonable fee for commercial filming activities or similar projects, such as still photography, where a permit is required. Public Law 106-206 directs the Secretaries of the Interior and Agriculture to establish a reasonable fee system for commercial filming and certain still photography activities on lands under the Secretaries’ jurisdiction.

DOI—NPS

Proposed Rule Stage

Timetable:

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

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD43**1654. ● OLYMPIC NATIONAL PARK SPECIAL REGULATIONS—CAPE LOOKOUT NATIONAL SEASHORE****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 36 CFR 7.49**Legal Deadline:** None

Abstract: The rule will implement the provisions of NPS general regulations authorizing Cape Lookout National Seashore to allow the use of Personal Watercraft (PWC). Personal watercraft use was suspended in April 2002 and will continue to be prohibited until we promulgate a special regulation. This special regulation will allow limited access in well defined areas and under specific operating conditions while operating within Cape Lookout National Seashore.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD44**1655. ● DRY TORTUGAS NATIONAL PARK—SPECIAL REGULATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 410 et seq**CFR Citation:** 36 CFR 7.27**Legal Deadline:** None

Abstract: The proposed rule implements Public Law 102-525 (16 U.S.C. 410, et seq.), which established Dry Tortugas National Park and abolished Fort Jefferson National Monument. It also implements provisions for visitor use and resource protection.

Timetable:

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

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240

Phone: 202 208-4206

Email: jerry_case@nps.gov

RIN: 1024-AD45**1656. ● FIRE ISLAND NATIONAL SEASHORE—OFF-ROAD DRIVING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 36 CFR 7.20**Legal Deadline:** None

Abstract: The proposed rule would establish standards for eligibility and issuance of driving permits for off-road vehicle operation on Fire Island National Seashore lands. This rule would also establish limits for use such as dates, times of day, and other operational conditions for driving off-road on park lands. This rule is necessary so that the National Park Service may more effectively manage off-road vehicle use and protect park resources.

Timetable:

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

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD46

Department of the Interior (DOI)

National Park Service (NPS)

Final Rule Stage

1657. GATEWAY NATIONAL RECREATION AREA; PERSONAL WATERCRAFT**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 9a**CFR Citation:** 36 CFR 7.29**Legal Deadline:** None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the

regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

Timetable:

| Action | Date | FR Cite |
|------------|----------|------------|
| NPRM | 02/24/06 | 71 FR 9488 |
| Final Rule | 06/00/06 | |

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AC95

DOI—NPS

Final Rule Stage

1658. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 9a**CFR Citation:** 36 CFR 7.51**Legal Deadline:** None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 03/17/06 | 71 FR 13792 |
| NPRM Comment Period End | 05/16/06 | |
| Final Rule | 07/00/06 | |

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AC99**1659. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT; FUTURE APPLICABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.13**Legal Deadline:** None

Abstract: This proposed rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act (NAGPRA). This section will clarify the applicability of NAGPRA to museums and Federal agencies following the statutory deadlines for completion of summaries and inventories.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 10/20/04 | 69 FR 61613 |
| Final Rule | 06/00/06 | |

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

Agency Contact: John Robbins, Assistant Director, Cultural Resources, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 343-3388
Fax: 202 343-5260
Email: john_robbins@nps.gov

RIN: 1024-AD05**1660. BOATING AND WATER USE ACTIVITIES****Priority:** Other Significant**Legal Authority:** 16 USC 3**CFR Citation:** 36 CFR 3**Legal Deadline:** None

Abstract: This part was last updated comprehensively in the early 1980s. This regulation will help to address new and emerging technology, clarify some regulations for the benefit of the public and enforcement staff, implement changes to reduce safety concerns, and make NPS regulations more consistent with State regulations in order to reduce confusion with the public.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 08/26/03 | 68 FR 51207 |
| NPRM Comment Period End | 12/24/03 | |
| Final Action | 06/00/06 | |

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD07**1661. NATIVE AMERICAN HANDICRAFTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 5964**CFR Citation:** 36 CFR 51**Legal Deadline:** None

Abstract: This rule would implement section 416 of the National Parks

Omnibus Management Act of 1998, which encourages promotion of the sale of authentic United States Indian, Alaska native, Native Samoan, and Native Hawaiian handicrafts in units of the National Park System.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 03/25/04 | 69 FR 15286 |
| Final Action | 06/00/06 | |

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

Agency Contact: Jo A. Pendry, Concessions Program Manager, Department of the Interior, National Park Service, 1201 I Street NW., Washington, DC 20240
Phone: 202 513-7156
Fax: 202 219-1173

RIN: 1024-AD20**1662. GULF ISLANDS NATIONAL SEASHORE: PERSONAL WATERCRAFT USE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 462(k)**CFR Citation:** 36 CFR 7.12**Legal Deadline:** None

Abstract: This rule would allow personal watercraft use in designated areas of the park. The rule is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 03/17/05 | 70 FR 12988 |
| Final Rule | 06/00/06 | |

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

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
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RIN: 1024-AD21

Department of the Interior (DOI)
National Park Service (NPS)
Completed Actions
1663. PICTURED ROCKS NATIONAL LAKESHORE; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

CFR Citation: 36 CFR 7.32

Completed:

| Reason | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 11/15/04 | 69 FR 65556 |
| Final Rule | 10/27/05 | 70 FR 61893 |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry L. Case

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Email: jerry__case@nps.gov

RIN: 1024-AC93

1664. SPECIAL REGULATION FOR DRY TORTUGAS PARK

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| Duplicate of RIN 1024-AD45 | 04/12/06 | |

RIN: 1024-AD32

BILLING CODE 4310-70-S

Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)
Proposed Rule Stage
1665. IRRIGATION PROJECTS AND SYSTEMS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 171

Legal Deadline: None

Abstract: BIA is revising this rule to incorporate new procedures on billing and collection of Government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 07/05/96 | 61 FR 35167 |
| NPRM Comment Period End | 09/03/96 | |
| Second NPRM | 05/00/06 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Anevski, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4655 MIB, Washington, DC 20240

Phone: 202 208-5480

RIN: 1076-AD44

development and fund essential tribal programs, benefits, and services. BIA plans to revise the regulations in part 290 to include additional criteria to assist the Secretary in making this determination.

Timetable:

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

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, 1849 C Street NW., Washington, DC 20240

Phone: 202 219-4066

RIN: 1076-AE24

Government Levels Affected: Federal, Local, Tribal

Agency Contact: Peter Maybee, Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4550 MIB, Washington, DC 20240

Phone: 202 208-5787

Fax: 202 208-6170

RIN: 1076-AE35

1668. USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 1401 et seq

CFR Citation: 25 CFR 87

Legal Deadline: None

Abstract: This rule will update the existing provisions to reflect the changes to the Indian Judgment Funds Distribution Act that were made in 1992 by Public Law 102-572.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240

Phone: 202 513-7626

Fax: 202 219-2327

RIN: 1076-AE43

1666. TRIBAL REVENUE ALLOCATION PLANS

Priority: Other Significant

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 290

Legal Deadline: None

Abstract: The Secretary of the Interior is responsible for reviewing tribal plans for allocating revenues from gaming activities. The Secretary must determine whether the proposed rule is sufficient to promote tribal economic

1667. INDIAN COUNTRY LAW ENFORCEMENT

Priority: Other Significant

Legal Authority: 25 USC 2802

CFR Citation: 25 CFR 12

Legal Deadline: None

Abstract: BIA plans to amend its regulation governing law enforcement in Indian country by revising section 12.4 of subpart A and by adding new section 12.24 to subpart C to allow tribal law enforcement officials to travel outside Indian country to respond to incidents in another area and to transport evidence to and from locations in Indian country.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis

Required: No

1669. APPEALS FROM ADMINISTRATIVE ACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 9

DOI—BIA

Proposed Rule Stage

CFR Citation: 25 CFR 2

Legal Deadline: None

Abstract: This rule will: (1) Clarify who has a right to file and appeal; (2) provide firm deadlines for filing appeals and responses; (3) provide options to appellants if BIA delays making a decision on an appeal; and (4) provide an expedited process for certain classes of appeals.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cathy Wilson, Supervisory Water Rights Specialist, Department of the Interior, Bureau of Indian Affairs, 400 North 5th Street, 13th Floor POB 10, MS 420 Two Arizona Center, Phoenix, AZ 85004
Phone: 602 379-6789
Fax: 602 379-6835

RIN: 1076-AE48

1670. UNCLAIMED MONEYS/WHEREABOUTS UNKNOWN

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 116

Legal Deadline: None

Abstract: This rule will create one account in the Department to hold Individual Indian Moneys funds of any account holders who cannot be located. It will explain the actions the Department will take to determine the current address of an account holder whose whereabouts are unknown. It will set forth an account holder's duty to inform the Department of a current address. It will authorize the holder of an IIM account whose funds have been transferred to the Unknown Moneys account to make a claim for the transferred funds at any time.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE55

1671. GRAZING PERMITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 166

Legal Deadline: None

Abstract: This rule will amend the procedures the BIA uses to approve, grant, and administer permits for grazing on tribal land, individually owned Indian land, and Government land.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE57

1672. PROBATE OF INDIAN ESTATES, EXCEPT FOR MEMBERS OF THE FIVE CIVILIZED TRIBES

Priority: Substantive, Nonsignificant

Legal Authority: 36 Stat 856, as amended; secs 1, 2, 36 Stat 855, as amended

CFR Citation: 25 CFR 15

Legal Deadline: None

Abstract: This rule will amend the procedures that the Secretary follows to initiate the probate of the trust estate of a deceased individual Indian who owned trust or restricted property.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE59

1673. TRIBAL PROBATE CODES

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2201 – 2211

CFR Citation: 25 CFR 18

Legal Deadline: None

Abstract: This rule will establish procedures for a tribe to obtain the Secretary's approval for a tribal probate code.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE61

1674. LAND ACQUISITION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; RS 161

CFR Citation: 25 CFR 151; 25 CFR 226

Legal Deadline: None

Abstract: This rule would address the procedures for and criteria against which the Secretary will accept acquisitions of land into trust or restricted status on behalf of an individual Indian or tribe.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

DOI—BIA

Proposed Rule Stage

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE62

1675. CONVEYANCES OF TRUST OR RESTRICTED INDIAN LAND; REMOVAL OF TRUST OR RESTRICTED STATUS

Priority: Substantive, Nonsignificant

Legal Authority: 118 Stat 1773; 5 USC 301; 96 Stat 2515; RS 161

CFR Citation: 25 CFR 152

Legal Deadline: None

Abstract: This rule would implement conveyances authorized by the Indian Land Consolidation Act of 2000, as amended by the American Indian probate Reform Act of 2004.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE63

1676. LIFE ESTATES AND FUTURE INTERESTS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 2; 25 USC 2201 – 2211; 25 USC 372; 25 USC 373; 25 USC 487; 25 USC 607; 25 USC 9; 94 Stat 2515; 96 Stat 530

CFR Citation: 25 CFR 179

Legal Deadline: None

Abstract: This rule would update the methodology for valuation of life estates and future interests and reflect requirements under the American Indian Probate Reform Act that certain life estates be “without regard to waste.”

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE64

1677. TRUST FUND ACCOUNTING AND APPEALS

Priority: Substantive, Nonsignificant

Legal Authority: 116 Stat 79; 25 USC 9; 5 USC 553; PL 103-412; PL 107-153

CFR Citation: 25 CFR 116

Legal Deadline: None

Abstract: This rule would define the administrative review and appeal process for any issues arising from quarterly statements of performance or historical statements of account.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE65

1678. FEE FOR SERVICE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 35 Stat 312

CFR Citation: 25 CFR 213

Legal Deadline: None

Abstract: This rule will amend procedures to acquire leases, establish rent and royalty rates, ensure

environmentally sound operations, and remove restrictions against alienation on Indian lands.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE66

1679. LAW AND ORDER ON INDIAN RESERVATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 13; 25 USC 2; 25 USC 200; 25 USC 9; 28 Stat 586; 42 Stat 208; 5 USC 301; RS 463; RS 465

CFR Citation: 25 CFR 11

Legal Deadline: None

Abstract: This rule would update the listing of Courts of Indian Offenses (CFR Courts) and add provisions for drug abuse, child abuse, and family violence.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Ralph Gonzales, Tribal Relations Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Ave. NW., Washington, DC 20240

Phone: 202 513-7629

Fax: 202 208-5113

RIN: 1076-AE67

1680. PROBATE OF INDIAN ESTATES—APPEALS TO THE OFFICE OF HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant

Legal Authority: 36 Stat 855 to 856, as amended

CFR Citation: 25 CFR 4

DOI—BIA

Proposed Rule Stage

Legal Deadline: None

Abstract: This rule will establish procedures to appeal Indian probate matters to the Office of Hearings and Appeals

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240
Phone: 202 273-4680

RIN: 1076-AE71

1681. LEASES AND PERMITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 162

Legal Deadline: None

Abstract: This rule will establish procedures for entering into business leases on Indian and Government lands.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240
Phone: 202 273-4680

RIN: 1076-AE73

1682. INDIAN COUNTRY DETENTION FACILITIES AND PROGRAMS

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 25 USC 2801

CFR Citation: 25 CFR 10

Legal Deadline: None

Abstract: The Bureau of Indian Affairs is amending its regulations to make clear the Bureau's intent and policy regarding detention centers in Indian country throughout the United States. This action will affect Federal officers who engage in activities throughout the country; therefore, the information must be widely disseminated and universally recognized, a regulatory amendment is the best action for the Bureau to accomplish these goals.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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-AE75

1683. PREFERENCE IN EMPLOYMENT

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 43; 25 USC 44; 5 USC 8336

CFR Citation: 25 CFR 5

Legal Deadline: None

Abstract: The Bureau of Indian Affairs is proposing to revise the preference in employment regulations by clarifying the application of Indian preference within the Bureau of Indian Affairs and other organizations within the Department of the Interior. This revision will be consistent with the regulation for the application of Indian preference for the Indian Health Service found at 43 CFR 136.41.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Colliflower, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20240

Phone: 202 513-7612

Fax: 202 208-5113

RIN: 1076-AE76

1684. REVISION OF THE MEMBERSHIP ROLL OF THE EASTERN BAND OF CHEROKEE OF NORTH CAROLINA

Priority: Substantive, Nonsignificant

Legal Authority: 71 Stat 374, sec 2

CFR Citation: 25 CFR 75

Legal Deadline: None

Abstract: The Eastern Band of Cherokee Indians has asked that the regulations in part 75 be removed because the Federal Government is not involved in the tribe's enrollment process. The enrollment applications are filed with the Tribal Enrollment Office, the Tribal Enrollment Committee determines an applicant's eligibility, and the Tribal Council decides any appeals concerning adverse determinations made by the Tribal Enrollment Committee.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327

RIN: 1076-AE77

1685. OIL AND GAS, GEOTHERMAL, AND SOLID MINERALS AGREEMENTS

Priority: Info./Admin./Other

Legal Authority: 25 USC 2; 25 USC 2101 to 2108; 25 USC 9

CFR Citation: 25 CFR 225

Legal Deadline: None

Abstract: This rule will be a technical, administrative change to clarify the entire subchapter regarding energy and minerals.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No

DOI—BIA

Proposed Rule Stage

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE79**1686. • TRIBAL ENERGY RESOURCE AGREEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 109-58**CFR Citation:** 25 CFR 224**Legal Deadline:** None**Abstract:** This rule would implement title V, section 503 (Indian Energy), of the Energy Policy Act of 2005, which requires the Secretary to establish and implement an Indian energy resource development program.**Timetable:**

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

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Darryl Francois, Office of Indian Energy and Economic Development, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
Phone: 202 208-7253**RIN:** 1076-AE80

Department of the Interior (DOI)

Final Rule Stage

Bureau of Indian Affairs (BIA)

1687. ALASKA RESUPPLY OPERATION**Priority:** Info./Admin./Other**Legal Authority:** R.S. 465**CFR Citation:** 25 CFR 142**Legal Deadline:** None**Abstract:** This proposed rule makes technical revisions to reflect terms now in common usage, e.g., "Regional Director" and "Traffic Manager." A new section refers to the application of Indian preference in hiring pursuant to the Indian Reorganization Act of 1934 (25 USC 479).**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 08/03/00 | 65 FR 47704 |
| NPRM Comment Period End | 10/02/00 | |
| Final Action | 05/00/06 | |

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**1688. LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS****Priority:** Other Significant**Legal Authority:** 25 USC 635**CFR Citation:** 25 CFR 162**Legal Deadline:** None**Abstract:** BIA plans to amend its regulations governing leasing of Indian trust and restricted lands by revising subpart A and by adding subpart C and D covering residential leases and business leases on trust and restricted land.**Timetable:**

| Action | Date | FR Cite |
|-------------------------|----------|------------|
| NPRM | 02/10/04 | 69 FR 6500 |
| NPRM Comment Period End | 05/10/04 | |
| Final Action | 06/00/06 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Kayla Danks, Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW. MS 4639-MIB, Washington, DC 20240

Phone: 202 208-3615

Fax: 202 219-1065

RIN: 1076-AE36**1689. PREPARATION OF ROLLS OF INDIANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2; 25 USC 9; 5 USC 301**CFR Citation:** 25 CFR 61**Legal Deadline:** None**Abstract:** This rule will add the enrollment eligibility criteria for individuals who apply to share in the distribution of Western Shoshone Judgment funds. It will also set forth the method for establishing an application deadline date.**Timetable:**

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| NPRM | 05/19/05 | 70 FR 28859 |
| Comment Period End | 07/18/05 | |
| Final Action | 05/00/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327**RIN:** 1076-AE44**1690. HOME-LIVING PROGRAMS AND SCHOOL CLOSURE AND CONSOLIDATION****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-110

DOI—BIA

Final Rule Stage

CFR Citation: 25 CFR 36; 25 CFR 48
Legal Deadline: None
Abstract: As required by the No Child Left Behind Act of 2001, the Secretary of the Interior has developed regulations using negotiated rulemaking that address home-living programs and school closure and consolidation. The provisions covering home-living situations address home-living staffing, programs, and privacy. The closure and

consolidation portion of the rule contains procedures for closing, consolidating, or substantially curtailing a school.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 07/12/04 | 69 FR 41770 |
| NPRM Comment Period End | 11/09/04 | |
| Final Action | 07/00/06 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Catherine Freels, Designated Federal Official, Department of the Interior, Bureau of Indian Affairs, 500 Gold Ave. SW. Room 7202, Albuquerque, NM 87102
 Phone: 505 248-7240

RIN: 1076-AE51

Department of the Interior (DOI)
 Bureau of Indian Affairs (BIA)

Long-Term Actions

1691. CERTIFICATES OF DEGREE OF INDIAN BLOOD

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 9

CFR Citation: 25 CFR 70

Legal Deadline: None

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

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| NPRM | 04/18/00 | 65 FR 20775 |
| NPRM Comment Period Extended | 06/20/00 | 65 FR 38228 |
| NPRM Comment Period End | 07/17/00 | |
| NPRM Comment Period Extended | 08/16/00 | |
| NPRM Comment Period Extended | 06/25/01 | 66 FR 33654 |

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM Comment Period End | 12/31/01 | |
| NPRM | 07/00/07 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
 Phone: 202 513-7626
 Fax: 202 219-2327

RIN: 1076-AD97

1692. STANDARDS FOR APPROVING TRIBAL PER CAPITA DISTRIBUTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 117c

CFR Citation: 25 CFR 111

Legal Deadline: None

Abstract: This rule will provide standards for the review and approval of tribal requests for the authority to make per capita distributions from tribal funds held in trust by the Secretary of the Interior under Public Law 98-164, 25 U.S.C. 117a and 117b.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240
 Phone: 202 513-7626
 Fax: 202 219-2327

RIN: 1076-AE45

Department of the Interior (DOI)
 Bureau of Indian Affairs (BIA)

Completed Actions

1693. INDIAN ELECTRIC POWER UTILITIES

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 175

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John Anevski

Phone: 202 208-5480

RIN: 1076-AD45

1694. REINDEER IN ALASKA

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 243

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 03/11/04 | 69 FR 11784 |
| Final Action | 01/13/06 | 71 FR 2426 |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kathy Nunan
 Phone: 202 208-3615
 Fax: 202 219-1065

RIN: 1076-AE37

1695. PROCLAMATION OF RESERVATIONS

Priority: Substantive, Nonsignificant

CFR Citation: None

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

DOI—BIA

Completed Actions

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kathy Nunan

Phone: 202 208-3615

Fax: 202 219-1065

RIN: 1076-AE40**1696. LEASING OF TRIBAL LANDS FOR MINERAL DEVELOPMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 211**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer

Phone: 202 273-4680

RIN: 1076-AE68**1697. TERMS AND CONDITIONS: COAL LEASES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 200**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer

Phone: 202 273-4680

RIN: 1076-AE69**1698. DEPOSIT OF PROCEEDS FROM LANDS WITHDRAWN FOR NATIVE SELECTION****Priority:** Info./Admin./Other**CFR Citation:** 25 CFR 124**Completed:**

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 07/14/05 | 70 FR 40660 |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Lorie Curtis

Phone: 505 816-1203

RIN: 1076-AE74**1699. MANAGEMENT OF TRIBAL ASSETS OF THE UTE INDIAN TRIBE****Priority:** Info./Admin./Other**CFR Citation:** 25 CFR 217**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michele Singer

Phone: 202 273-4680

RIN: 1076-AE78

BILLING CODE 4310-02-S

Department of the Interior (DOI)

Prerule Stage

Minerals Management Service (MMS)

1700. TAKES VS. ENTITLEMENTS REPORTING**Priority:** Other Significant**Legal Authority:** 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 5 USC 301 et seq**CFR Citation:** 30 CFR 205**Legal Deadline:** None**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.**Timetable:**

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| ANPRM | 11/29/05 | 70 FR 71421 |
| 2nd ANPRM | 04/07/06 | 71 FR 17774 |
| ANPRM Comment Period End | 06/06/06 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Local, State**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

RIN: 1010-AC29**1701. REQUIREMENTS FOR MATERIAL, PERSONNEL AND PIPE HANDLING OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 30 CFR 250.108**Legal Deadline:** None**Abstract:** MMS is seeking comments on various approaches to regulating operations involving the movement of material, personnel, and pipe on the Outer Continental Shelf (OCS) facilities. MMS is examining several regulatory approaches because material,

personnel, and pipe handling incidents continue to occur on the OCS on a regular basis. Responses to this request will help MMS establish an appropriate regulatory approach for improving the safety of these operations.

Timetable:

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

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170-4817

Phone: 703 787-1032

Email: rules.comments@mms.gov

RIN: 1010-AD14

DOI—MMS

Prerule Stage

1702. SAFETY MANAGEMENT SYSTEMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: MMS is seeking comments on regulatory options for the development of safety and environmental management systems (SEMS) for operations conducted on the Outer Continental Shelf (OCS) under MMS jurisdiction. The options range from voluntary implementation to establishment of a 12-element program. MMS believes that effective use of SEMS would improve safety and environmental performance on the OCS. Comments on the options will help MMS determine the best approach for integrating SEMS into its regulatory program.

Timetable:

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

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

Agency Contact: Bud Danenberger, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170
Phone: 703 787-1598

RIN: 1010-AD15**1703. REDUCTION IN OIL AND GAS ROYALTY RATES IN THE OUTER CONTINENTAL SHELF UNDER THE DEEP WATER ROYALTY RELIEF ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 30 CFR 203; 30 CFR 260**Legal Deadline:** None

Abstract: Currently MMS regulations state that a lease is not entitled to royalty suspension volume (RSV) if the lease is in a field that included a lease that produced before Deep Water Royalty Relief Act. A recent court

decision held that MMS had no authority to deny royalty relief based on those circumstances. Also, where an eligible lease was placed on a field with other eligible leases, MMS regulations require that all eligible leases share the one RSV. The court held MMS has no authority to impose this restriction. Rulemaking is necessary to conform the regulations to the court decision.

Timetable:

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

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170
Phone: 703 787-1604
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AD29**Department of the Interior (DOI)
Minerals Management Service (MMS)****Proposed Rule Stage****1704. LATE AND OVERPAYMENT INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 et seq**CFR Citation:** 30 CFR 206; 30 CFR 218; 30 CFR 230**Legal Deadline:** None

Abstract: This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/07 | |

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

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department

of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov

RIN: 1010-AC27**1705. PREPAYMENT OF ROYALTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735**CFR Citation:** 30 CFR 204**Legal Deadline:** None

Abstract: This rule allows payors to prepay royalty in lieu of monthly royalty payments for their marginal properties with approval from the affected States. It will establish the criteria used by payors, States, and MMS to calculate, report, and monitor royalty prepayments.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 01/00/07 | |
| NPRM Comment Period End | 08/00/07 | |

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

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov

RIN: 1010-AC31**1706. END-OF-LIFE ROYALTY RELIEF****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396 et seq**CFR Citation:** 30 CFR 203**Legal Deadline:** None

Abstract: This rule proposes to amend the circumstances that discontinue the existing royalty relief for end-of-life oil and gas leases and expands the eligibility criteria for leases to qualify for this program.

DOI—MMS

Proposed Rule Stage

Timetable:

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

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1604
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AC58**1707. VALUATION OF OIL FROM INDIAN LEASES****Priority:** Other Significant

Legal Authority: 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1701 et seq

CFR Citation: 30 CFR 206**Legal Deadline:** None

Abstract: This rule would modify the regulations that establish royalty value for oil produced from Indian leases and create a new form for collecting value and differential data. These changes would decrease reliance on oil posted prices and make Indian oil royalty valuation more consistent with the terms of Indian leases.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| ANPRM | 12/20/95 | 60 FR 65610 |
| NPRM | 02/12/98 | 63 FR 7089 |
| NPRM Comment Period Extended | 04/09/98 | |
| NPRM Comment Period End | 05/13/98 | |
| Comment Period Extended to 03/20/2000 | 02/28/00 | 65 FR 10436 |
| Supplemental NPRM | 06/00/06 | |
| Supplemental NPRM Comment Period End | 08/00/06 | |

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

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

Related RIN: Previously reported as 1010-AC24

RIN: 1010-AD00**1708. 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 would refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits.

Timetable:

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

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1604
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AD02**1709. LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF****Priority:** Other Significant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rulemaking will rewrite the existing rules at 30 CFR part 256 to make them clearer. The rule has been reorganized and streamlined to

better reflect the 5-year and lease sale processes as they have evolved since the last rewrite in the 1980's. There are few substantive changes to the rule.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 08/00/06 | |
| NPRM Comment Period End | 09/00/06 | |

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

Undetermined

Agency Contact: Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 22070
Phone: 703 787-1275

RIN: 1010-AD06**1710. PIPELINE SAFETY RULE PHASE I****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1331 et seq**CFR Citation:** 30 CFR 250; 43 USC 1331 et seq**Legal Deadline:** None

Abstract: Subpart J Safety regulations are 20 years old and technically and administratively out of date with MMS policies, practices, and safety requirements issued elsewhere in regional notices to lessees (NTLs) and letters to lessees (LTLs). This proposed rule is the first phase of a planned two-phase update of the regulations. This phase I will incorporate the NTLs and LTLs and give the requirements the force and weight of law. Additionally, the rule will be rewritten and reformatted for added clarity and will incorporate several new pipeline design standards to technically update the design information included in the current regulation.

Timetable:

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

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

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

DOI—MMS

Proposed Rule Stage

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 Fax: 703 787-1093
 Email: kumkum.ray@mms.gov
 RIN: 1010-AD11

1711. OIL AND GAS PRODUCTION RATES

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would amend provisions regarding oil and natural gas production. This is a complete rewrite of that section and addresses issues such as production rates and burning oil and flaring and venting natural gas. Currently there are restrictions on production rates that are no longer needed and the limits on flaring and venting natural gas are open to interpretation. The proposed rule would eliminate most restrictions on production rates and clarify flaring and venting limits.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AD12

1712. RIGHTS OF USE AND EASEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would extend existing bonding requirements of Rights of Use and Easement holders to cover decommissioning. Most Rights of Use and Easement holders need bonding to cover their obligations, so this will not increase the cost for them. This rule

changes the length of time that the bond must be kept in place. The other changes clarify existing provisions.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM | 09/00/06 | |
| NPRM Comment Period End | 11/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AD13

1713. OPEN AND NONDISCRIMINATORY MOVEMENT OF OIL AND GAS AS REQUIRED BY THE OUTER CONTINENTAL SHELF LANDS ACT

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1863

CFR Citation: 30 CFR 270

Legal Deadline: None

Abstract: The Outer Continental Shelf Lands Act (OCSLA) requires pipelines to provide open and non-discriminatory access to shippers of production. The Federal Energy Regulatory Commission (FERC) has historically enforced this provision through its enforcement of the Natural Gas Act (NGA) and the Interstate Commerce Act. Beginning in the 1990s, FERC began relinquishing NGA jurisdiction over some of these pipelines. FERC contended it still maintained authority under OCSLA, however, the Courts have ruled otherwise. In order to provide shippers with a methodology to file complaints alleging denial of access or discriminatory access, MMS is proposing regulations to fill this regulatory gap.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Scott Ellis, Department of the Interior, Minerals Management Service, P.O. Box 25165, Denver, CO 80225
 Phone: 303 275-7125

RIN: 1010-AD17

1714. REVISIONS TO RULES GOVERNING PLATFORMS AND STRUCTURES AND PIPELINES

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: The proposed revisions are necessary because of aging OCS infrastructure and the movement of OCS facilities into deeper waters through the use of new technology. These proposed revisions would require lease operators and pipeline right-of-way holders to: (1) Submit information on the structural integrity of their OCS platforms; (2) submit an inspection program to MMS yearly; (3) provide additional information if they propose using unbonded flexible pipe or install pipeline risers on floating platforms. The proposed rule, at the request of industry, incorporates an industry-developed document into our regulations.

Timetable:

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

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Larry Ake, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20070
 Phone: 703 787-1567

RIN: 1010-AD18

1715. OIL AND GAS WELL CEMENTING REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 30 CFR 250.198; 30 CFR 250.415

Legal Deadline: None

Abstract: MMS is proposing to incorporate by reference the First Edition of the American Petroleum Institute's Recommended Practice for

DOI—MMS

Proposed Rule Stage

Cementing Shallow Water Flow Zones in Deep Water Wells (API RP 65) into its regulations. This action will establish a series of best cementing practices for lessees to evaluate when cementing wells in deep water areas of the OCS that are prone to shallow water flow.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170-4817
Phone: 703 787-1032
Email: rules.comments@mms.gov

RIN: 1010-AD19

1716. 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; 43 USC 1334; 44 USC 3505(a); 5 USC 301 et seq

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

Legal Deadline: None

Abstract: This rule would amend current reporting requirements to delete references to old reports, designations, systems, and codes; and add new ones as needed, including taxpayer identification number reporting required by the Debt Collection Improvement Act. It will also change the definition of individual in the Privacy Act regulations to be consistent with congressional intent. MMS faces substantial risk if it does not provide regulatory authority for the current reporting scheme.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department

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Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

RIN: 1010-AD20

1717. ALTERNATE ENERGY-RELATED USES ON THE OUTER CONTINENTAL SHELF

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

Legal Authority: Not Yet Determined

CFR Citation: 30 CFR 285

Legal Deadline: None

Abstract: This rulemaking is required by section 388 of the Energy Policy Act of 2005. This rule will establish a cohesive Federal permitting process for alternate energy-related uses on the Outer Continental Shelf (OCS), including renewable energy development, and for alternate uses of existing OCS platforms. It will establish procedures for revenue sharing with affected States and granting access to the OCS for alternate energy-related uses.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|-------------|
| ANPRM | 12/30/05 | 70 FR 77345 |
| NPRM | 08/00/06 | |
| NPRM Comment | 10/00/06 | |
| Period End | | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal, State

Agency Contact: Amy White, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1536

RIN: 1010-AD30

1718. • GEOTHERMAL VALUATION

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 30 CFR 202; 30 CFR 206; 30 CFR 210; 30 CFR 212

Legal Deadline: None

Abstract: The current MMS regulations for geothermal valuation and reporting must be changed to implement the

recently passed Energy Policy Act of 2005. The Energy Policy Act of 2005 changes the methodology for geothermal valuation and simplifies the calculations for geothermal resources, for both direct use and electrical-generation purposes

Timetable:

| Action | Date | FR Cite |
|------------|----------|---------|
| NPRM | 07/00/06 | |
| Final Rule | 12/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211

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RIN: 1010-AD32

1719. • DEEP GAS AND OFFSHORE ALASKA PROVISIONS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: PL 109-190

CFR Citation: 30 CFR 203

Legal Deadline: Final, Statutory, February 3, 2006.

Abstract: This rule implements three new royalty relief incentives specified by the Energy Policy Act of 2005 (PL 109-190). The new incentives are: (1) A royalty suspension volume of 35 BCF for gas produced from ultra deep (20,000 feet or more subsea) reservoirs on shallow water leases in the Gulf of Mexico; (2) Extension of at least the existing deep gas incentives plus the new ultra deep gas incentive to leases in the Gulf located in water depths between 200 and 400 meters of water; and (3) Provision of pre-production royalty relief to leases offshore Alaska when it is necessary to promote development, increased production, or production of marginal resources.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 06/00/06 | |
| NPRM Comment | 08/00/06 | |
| Period End | | |
| Final Rule | 10/00/06 | |

DOI—MMS

Proposed Rule Stage

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

Undetermined

Federalism: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1604
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AD33**1720. • REVENUE SHARING FOR ALTERNATIVE USES ON THE OUTER CONTINENTAL SHELF****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** PL 109-190**CFR Citation:** 30 CFR 285**Legal Deadline:** None

Abstract: This rule implements section 338(a)(2)(B) of the Energy Policy Act of 2005. The law requires DOI (MMS) to establish a formula for equitable distribution of 8(g) revenue (27% of Federal royalties) among States within

15 miles of the geographic center of a project for alternative energy projects.

Timetable:

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

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

Undetermined

Agency Contact: Marshall B. Rose, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1536
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Email: marshall.rose@mms.gov

RIN: 1010-AD34**1721. • DEBT COLLECTION****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 89-508**CFR Citation:** 30 CFR 218**Legal Deadline:** None

Abstract: Current regulations do not contain a debt collection rule as

required by the Federal Claims Collection Act of 1966 (Pub. L. 89-508, 80 Stat. 308), as amended by the Debt Collection Act of 1982 and the Debt Collection Improvement Act of 1996 (Pub. L. 104-134, 110 Stat. 1321), and the Collection Standards (31 CFR Ch. IX) established jointly by Departments of Treasury and Justice. This rulemaking will satisfy the regulatory requirements.

Timetable:

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

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

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211
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RIN: 1010-AD35
**Department of the Interior (DOI)
Minerals Management Service (MMS)**

Final Rule Stage

1722. INCIDENT REPORTING**Priority:** Other Significant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

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

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 07/08/03 | 68 FR 40585 |
| NPRM Comment Period End | 12/05/03 | |

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

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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Email: kumkum.ray@mms.gov

RIN: 1010-AC57**1723. PROPRIETARY TERMS AND DATA DISCLOSURE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250; 30 CFR 251**Legal Deadline:** None

Abstract: This rule would modify the proprietary terms for geophysical data and information and any of their derivatives that MMS acquires under 30 CFR part 251. We propose to change the beginning of the proprietary terms from the date of submission to MMS to the date MMS issues the permit. The rule would also allow selective disclosure of geological and geophysical data and information and allow selective disclosure of data and information generated on a lease to persons with a direct interest in issues concerning field determination and royalty relief eligibility.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|--------------|
| NPRM | 07/17/02 | 67 FR 46942 |
| NPRM Comment Period End | 09/18/02 | |
| Final Action | 03/30/06 | 71 FR 116033 |
| Final Action Effective | 05/01/06 | |

DOI—MMS

Final Rule Stage

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC81**1724. 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 would amend 30 CFR part 250 subpart A by adding a new definition revising the existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new section pertaining to notifying MMS on production status. We are reorganizing the forms data release table and adding entries for three new forms.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 03/23/05 | 70 FR 14607 |
| NPRM Comment Period End | 06/21/05 | |
| Final Rule | 05/00/06 | |
| Final Rule Effective | 06/00/06 | |

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC99**1725. PROTECTION OF MARINE MAMMALS AND ENDANGERED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule would revise subpart B to require lessees to provide

information on the requirements of the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). It identifies environmental, monitoring, and mitigation information that lessees must submit with exploration and development and production. The proposed rule would ensure that lessees conduct their activities in a manner consistent with the provisions of the ESA and MMPA.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 07/06/05 | 70 FR 52953 |
| NPRM Comment Period End | 11/07/05 | |
| Final Rule | 07/00/06 | |

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AD10**1726. PROVIDING CONTACT INFORMATION TO MMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396; 30 USC 189; 31 USC 3176; 43 USC 1334; 44 USC 3506(a); 5 USC 301 et seq**CFR Citation:** 30 CFR 290**Legal Deadline:** None

Abstract: MMS needs to amend its current regulations to reflect updated procedures for businesses to use when supplying MMS with their contact information. Because the existing rule contains obsolete procedures, MMS is not receiving updated contact information that it needs to be able to send important correspondence to companies. This rule will put a small burden on industry to complete an address/contact form on an as-needed basis. The form will be made available to industry by request or via the MMS website.

Timetable:

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

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

Agency Contact: Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211
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RIN: 1010-AD22**1727. COST RECOVERY FOR PLANS, PERMITS, AND INSPECTIONS FOR OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 9701**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: The Independent Office Appropriations Act of 1952 (31 U.S.C. 9701) established that government services should be self-sustaining to the extent possible. This Act authorized Government agencies to charge fairly for these services, based on the costs to the Government, the value of the service to the recipient, public policy, and other relevant facts. MMS incurs costs for various services it provides to the oil and gas industry operating in the Outer Continental Shelf (OCS). This rule would enable MMS to recover these costs, which may include filing fees for geological and geophysical permits, exploration and development plans, deep water operations plans, well permits, facility permits, and structure permits. MMS currently does not charge for these services. Rulemaking is the only method available to impose these fees and comply with the intent of Congress to recover Government costs.

This is a separate rulemaking from the proposed rule for cost recovery (RIN 1010-AD16), which proposes fees for different services.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 03/25/05 | 70 FR 15246 |
| ANPRM Comment Period End | 04/25/05 | |
| NPRM | 11/14/05 | 70 FR 69118 |
| Final Rule | 05/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No

DOI—MMS

Final Rule Stage

Government Levels Affected: State
Agency Contact: Angela Mazzullo,
 Department of the Interior, Minerals
 Management Service, 381 Eldon Street,
 Herndon, VA 20170
 Phone: 703 787-1691
RIN: 1010-AD23

1728. DOCUMENTS INCORPORATED BY REFERENCE FOR OIL AND GAS AND SULPHUR OPERATIONS

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

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule incorporates the
 new editions of 11 American Petroleum
 Institute documents and 9 measurement
 standards. All of these documents are
 currently incorporated by reference in
 regulations governing oil and gas and
 sulfur operations in the OCS.

Additionally, the final rule incorporates
 the reaffirmed edition of 27
 measurement documents currently
 incorporated by reference. MMS looked
 at the non-rule-making alternative of
 taking no action. This rule is important
 because it will provide the oil and gas
 industry with uniform guidelines and
 up-to-date requirements for design,
 construction, operation, and

maintenance of equipment OCS
 facilities.

Timetable:

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

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Wilbon A. Rhone,
 Department of the Interior, Minerals
 Management Service, 381 Eldon Street,
 Herndon, VA 20170
 Phone: 703 787-1587

RIN: 1010-AD24

Department of the Interior (DOI) Minerals Management Service (MMS)

Long-Term Actions

1729. FEDERAL SODIUM AND POTASSIUM VALUATION

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: 30 CFR 206

Legal Deadline: None

Abstract: This rule will: (1) Create
 valuation rules for sodium and
 potassium minerals, which are
 currently subject to generic regulations

governing solid minerals; (2) make
 existing rules more specific and clear.
 This rule would affect all lessees
 because they would have to comply
 when computing Federal production
 royalties.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/07 | |

**Regulatory Flexibility Analysis
 Required:** Undetermined

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Sharron Gebhardt,
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RIN: 1010-AD21

Department of the Interior (DOI) Minerals Management Service (MMS)

Completed Actions

1730. PLANS AND INFORMATION

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 250; 30 CFR 250

Completed:

| Reason | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 05/17/02 | 67 FR 35372 |
| Comment Period Extended | 12/13/02 | 67 FR 46616 |
| Final Action | 08/30/05 | 70 FR 51478 |
| Final Action Effective | 01/01/06 | |

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
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Email: kumkum.ray@mms.gov

RIN: 1010-AC47

1731. BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 250

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 03/07/06 | 71 FR 11310 |
| Final Action Effective | 04/06/06 | |

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
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Email: kumkum.ray@mms.gov

RIN: 1010-AC96

1732. SUSPENSION OF OPERATIONS FOR ULTRA-DEEP DRILLING

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 250

Completed:

| Reason | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 02/14/05 | 70 FR 7451 |
| Final Rule | 12/16/05 | 70 FR 74659 |

**Regulatory Flexibility Analysis
 Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
 Phone: 703 787-1604

DOI—MMS

Completed Actions

Fax: 703 787-1093
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 RIN: 1010-AD09

1733. ADMINISTRATIVE COST RECOVERY FOR OCS OIL AND GAS OPERATIONS

Priority: Other Significant
CFR Citation: 30 CFR 250

Completed:

| Reason | Date | FR Cite |
|----------------------|----------|-------------|
| Final Action | 08/25/05 | 70 FR 49871 |
| Final Rule Effective | 01/06/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Angela Mazzullo
 Phone: 703 787-1691

RIN: 1010-AD16

1734. REDUCTION IN OIL AND GAS ROYALTY RATES IN THE OUTER CONTINENTAL SHELF UNDER THE DEEP WATER ROYALTY RELIEF ACT

Priority: Substantive, Nonsignificant
CFR Citation: 30 CFR 203; 30 CFR 260

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Marshall B. Rose
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RIN: 1010-AD25

1735. TEMPORARY WAIVER OF OCS OIL AND GAS FEES

Priority: Substantive, Nonsignificant

CFR Citation: 30 CFR 250

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 10/27/05 | 70 FR 61891 |

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sharron Gebhardt
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RIN: 1010-AD27

1736. RELIEF OR REDUCTION IN ROYALTY RATES—NEW DEEP GAS AND OFFSHORE ALASKA PROVISIONS

Priority: Other Significant

CFR Citation: 30 CFR 203

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
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RIN: 1010-AD31

BILLING CODE 4310—MR—S

Department of the Interior (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1737. ABANDONED COAL REFUSE SITES

Priority: Other Significant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 786; 30 CFR 829; 30 CFR 701

Legal Deadline: None

Abstract: OSM intends to propose new rules governing permitting and performance standards for the recovery of coal from abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Undetermined

Agency Contact: Art Abbs, Birmingham Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, AL 35209

Phone: 205 290-7282
 Email: aabs@osmre.gov

RIN: 1029-AB70

1738. PLACEMENT OF EXCESS SPOIL

Priority: Other Significant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701; 30 CFR 773; 30 CFR 780; 30 CFR 781; 30 CFR 785; 30 CFR 816; 30 CFR 817

Legal Deadline: None

Abstract: This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil from surface coal mining operations into waters of the United States. In addition, it will modify the backfilling and

grading regulations to minimize the creation of excess spoil and it will revise the regulations governing surface coal mining operations within 100 feet of a perennial or intermittent stream to more closely track the underlying statutory provisions.

Timetable:

| Action | Date | FR Cite |
|-------------|----------|------------|
| NPRM | 01/07/04 | 69 FR 1036 |
| Second NPRM | 06/00/06 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dave Hartos, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Three Parkway Center, Pittsburgh, PA 15220

Phone: 412 937-2902
 Email: dhartos@osmre.gov

RIN: 1029-AC04

DOI—OSMRE

Proposed Rule Stage

1739. FINANCIAL ASSURANCES**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800**Legal Deadline:** None**Abstract:** We are considering rulemaking to ensure adequate funding for the treatment of unanticipated long-term pollutant discharges including acid or toxic mine drainage, that develop as a result of surface coal mining operations.**Timetable:**

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 05/17/02 | 67 FR 35070 |
| ANPRM Comment Period End | 10/15/02 | 67 FR 46617 |
| NPRM | 08/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240
Phone: 202 208-2829
Email: drice@osmre.gov**RIN:** 1029-AC05**1740. OWNERSHIP AND CONTROL****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 ownership and control re-proposed rule would amend the provisions of an earlier rule pertaining to the definitions of ownership and control, permit eligibility determinations, and challenges to ownership or control findings. The proposed rule would also clarify what constitutes a transfer, assignment, or sale of permit rights.**Timetable:**

| Action | Date | FR Cite |
|-------------|----------|-------------|
| NPRM | 12/29/03 | 68 FR 75036 |
| Second NPRM | 05/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 859 260-8427
Email: ebandy@osmre.gov**RIN:** 1029-AC08**1741. • TENNESSE FEDERAL PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 942**Legal Deadline:** None**Abstract:** OSM intends to propose revisions to its regulations governing surface coal mining operations in the state of Tennessee. The revisions would: (1) Provide an alternative bonding mechanism for the treatment of acid mine drainage and (2) revise other requirements for the amount of ground cover required during revegetation when the postmining land use is wildlife habitat, undeveloped land, recreation use, or forest land. The proposed revisions should promote reforestation of mined land in Tennessee.**Timetable:**

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

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Tim Dieringer, Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 710 Locust Street, 2nd Floor, Knoxville, TN 37902
Phone: 865-545-4103
Email: tdieringer@osmre.gov**RIN:** 1029-AC50

Department of the Interior (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1742. REVEGETATION**Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816**Legal Deadline:** None**Abstract:** This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.**Timetable:**

| Action | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 03/17/05 | 70 FR 13076 |
| Final Rule | 05/00/06 | |

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jim Fulton, Chief, Denver Field Division, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3320, Denver, CO 80202
Phone: 303 844-1400
Email: jfulton@osmre.gov**RIN:** 1029-AC02**1743. FEE ALLOCATION RULE****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 870; 30 CFR 872**Legal Deadline:** None**Abstract:** This rule sets forth the criteria and procedures that we are proposing to use to establish fees under the abandoned mine reclamation program provisions of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The fixed-rate fees established under SMCRA expire soon. However, SMCRA requires that, for coal produced after the expiration date, a new fee rate be established to continue to provide for transfers from the

DOI—OSMRE

Final Rule Stage

Abandoned Mine Reclamation Fund to the Combined Benefit Fund. This proposed rule would implement that requirement. We are also proposing to revise our regulations governing allocation and disposition of the fees collected and of other AML Fund income.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| NPRM | 09/17/04 | |
| Final Action | 05/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240
Phone: 202 208-2829
Email: drice@osmre.gov

RIN: 1029-AC47

Department of the Interior (DOI)

Completed Actions

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1744. INDIAN LANDS

Priority: Routine and Frequent

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

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 03/01/06 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Vermell Davis

Phone: 202 208-2802

Email: gvDavis@osmre.gov

RIN: 1029-AB83

Completed:

| Reason | Date | FR Cite |
|--------------|----------|-------------|
| NPRM | 12/03/03 | 68 FR 67776 |
| Final Action | 10/20/05 | 70 FR 61194 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Andy DeVito

Phone: 202 208-2701

Email: adevito@osmre.gov

RIN: 1029-AC06

Government Levels Affected: None

Agency Contact: Andy DeVito

Phone: 202 208-2701

Email: adevito@osmre.gov

RIN: 1029-AC48

1747. TRANSFER, ASSIGNMENT, OR SALE OF PERMIT RIGHTS

Priority: Other Significant

CFR Citation: 30 CFR 774

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Earl Bandy

Phone: 859 260-8427

Email: ebandy@osmre.gov

RIN: 1029-AC49

BILLING CODE 4310-05-S

1745. PROCESSING STATE PROGRAM AMENDMENTS

Priority: Other Significant

CFR Citation: 30 CFR 732

1746. CIVIL PENALTY ADJUSTMENTS

Priority: Other Significant

CFR Citation: 30 CFR 774

Completed:

| Reason | Date | FR Cite |
|-------------------|----------|-------------|
| Direct Final Rule | 11/22/05 | 70 FR 70698 |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Department of the Interior (DOI)

Prerule Stage

Bureau of Reclamation (RB)

1748. ● REGULATING NON-CONTRACT USE OF COLORADO RIVER WATER IN THE LOWER BASIN

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 373; 43 USC 485; 43 USC 617; 5 USC 552

CFR Citation: 43 CFR 415

Legal Deadline: None

Abstract: The rule is needed to prevent non-contract use of Colorado River water and motivate non-contract well users to sign subcontracts authorizing

them to use water. Arizona, California, and Nevada all recognize that action is necessary to stop non-contract use of Colorado River water in the Lower Basin. There is no viable alternative to a rule for addressing non-contract use.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|---------|
| ANPRM | 06/00/06 | |
| ANPRM Comment Period End | 08/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Dale E. Ensminger, Contract and Repayment Specialist, Department of the Interior, Bureau of Reclamation, P.O. Box 61470, Boulder City, NV 89006-1470
Phone: 702 293-8659
Fax: 702 293-8042

RIN: 1006-AA50

Department of the Interior (DOI)
Bureau of Reclamation (RB)

Proposed Rule Stage

1749. IMPLEMENTATION OF THE TRUCKEE RIVER OPERATING AGREEMENT

Priority: Other Significant

Legal Authority: 104 Stat 3294

CFR Citation: 43 CFR 419

Legal Deadline: None

Abstract: This rule would implement the Truckee River Operating Agreement in accordance with the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990. The Agreement's primary purposes are to modify reservoir operations in the Truckee River basin, enhance conditions for threatened and endangered fish species, increase drought protection, improve water quality, and enhance stream flows. The Agreement was signed by the Department of the Interior, the States of California and Nevada, the Truckee Meadows Water Authority, and the Pyramid Lake Paiute Tribe.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth Parr, Manager, Special Projects, Department of the Interior, Bureau of Reclamation, Lahontan Basin Area Office, 705 North Plaza Street, Room 320, Carson City, NV 89701-4015
 Phone: 775 882-3436

RIN: 1006-AA48

1750. • USE OF RECLAMATION LANDS, FACILITIES, AND WATER SURFACES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 43 USC 373; 43 USC 387; 43 USC 395; 43 USC 9701

CFR Citation: 43 CFR 429

Legal Deadline: None

Abstract: This rule implements OMB Circular A-25 on Federal policy regarding fees for services and for sale or use of resources. This revision will: (1) Incorporate changes to Circular A-25 ; (2) clarify provisions related to authorized and unauthorized uses of lands, facilities, and water surfaces; (3)

revise the method for establishing the value of the rights of use; (4) define short-term and long-term uses of lands, facilities and water surfaces; and (5) add a requirement to use Reclamation's form 7-2540, for short-term uses, and SF 299 for long-term uses, in accordance with the President's Memorandum on Improving Broadband Deployment on Federal Lands.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM | 12/00/06 | |
| NPRM Comment Period End | 02/00/07 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Marian Mather, Policy Analyst, Department of the Interior, Bureau of Reclamation, Denver Federal Center – D-5300, Denver, CO 80225

Phone: 303 445-2895

Fax: 303 445-6690

Email: mmather@do.usbr.gov

RIN: 1006-AA51

Department of the Interior (DOI)
Bureau of Reclamation (RB)

Final Rule Stage

1751. PUBLIC CONDUCT ON BUREAU OF RECLAMATION FACILITIES, LANDS AND WATERBODIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 460 1-31; 43 USC 3736

CFR Citation: 43 CFR 423; 43 CFR 429

Legal Deadline: None

Abstract: This proposed rule would establish regulations regarding public conduct on Reclamation lands and Reclamation projects, waters, and real property subject to the administration of Reclamation or in its custody. The

rule is necessary to ensure the safety of the public, Reclamation employees, dams, facilities, and other resources in our jurisdiction. This proposed rule would replace an interim rule that we issued on April 17, 2002, and extended on April 3, 2003. It would also make changes to 43 CFR part 429 to make the two rules consistent.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 09/13/05 | 70 FR 54214 |
| NPRM Comment Period End | 11/14/05 | |
| Final Rule | 06/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary Anderson, Policy Analyst, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225-0007
 Phone: 303 445-2891

RIN: 1006-AA45

BILLING CODE 4310-09-S

Department of the Interior (DOI)
Bureau of Land Management (BLM)

Prerule Stage

1752. • GAS HYDRATE PRODUCTION INCENTIVES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 189; 30 USC 359; 43 USC 1740; Energy Policy Act of 2005, Sec 353

CFR Citation: 43 CFR 3100

Legal Deadline: Other, Statutory, February 6, 2006, ANPRM. Final, Statutory, August 8, 2006. ANPRM - Statutory - 02/06/2006; Final Rule - Statutory - 08/08/2006; Sec. 353 of the Energy Policy Act requires an advance notice of proposed rulemaking 180 days after enactment of the Act, and a final rule implementing the Act within 365 days after enac.

Abstract: This rule will implement section 353 of the Energy Policy Act by promoting production from gas hydrate resources on Federal lands in Alaska and the Outer Continental Shelf by providing royalty incentives.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 03/08/06 | 71 FR 11559 |
| ANPRM Comment Period End | 04/07/06 | |
| NPRM | 07/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Thomas J. Zelenka, Petroleum Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240

Phone: 202 452-0334

Email: thomas_zelenka@blm.gov

RIN: 1004-AD81

1753. • ENHANCED OIL AND NATURAL GAS PRODUCTION THROUGH CARBON DIOXIDE INJECTION

Priority: Other Significant

Legal Authority: 30 USC 189; 30 USC 359; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 354

CFR Citation: 43 CFR 3100

Legal Deadline: Other, Statutory, February 6, 2006, ANPRM. Final, Statutory, August 8, 2006. Sec. 354 of the Energy Policy Act requires an advance notice of proposed rulemaking 180 days after enactment of the Act, and a final rule implementing the Act within 365 days after enactment.

Abstract: This rule will implement Section 354 of the Energy Policy Act by providing for royalty relief incentives to promote the capture, transportation, and injection of produced carbon dioxide (CO₂), natural CO₂, and other appropriate gases or other matter for injection/sequestration into oil and gas fields, in order to promote oil and natural gas production from the Outer Continental Shelf (OCS) and onshore Federal leases.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| ANPRM | 03/08/06 | 71 FR 11557 |
| ANPRM Comment Period End | 04/07/06 | |
| NPRM | 07/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Thomas J. Zelenka, Petroleum Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240

Phone: 202 452-0334

Email: thomas_zelenka@blm.gov

RIN: 1004-AD82

1754. • RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT; LINEAR RIGHT-OF-WAY RENTAL PAYMENT SCHEDULE

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 367

CFR Citation: 43 CFR 2800; 43 CFR 2880

Legal Deadline: Final, Statutory, August 8, 2006, Final Rule. Final rule required by Energy Policy Act of 2005, Sec. 267, by August 8, 2006.

Abstract: This advance notice of proposed rulemaking will seek public comments and suggestions on how to update the linear right-of-way payment schedule covering most linear rights-of-way granted under section 28 of the Mineral Leasing Act and title V of the Federal Land Policy and Management Act for facilities such as power lines, fiber optic lines, pipelines, roads, and ditches.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For Public Comments:

www.regulations.gov

Agency Contact: Ron Montagna, Supervisory Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 1000 LS, Washington, DC 20240

Phone: 202 452-7782

Fax: 202 452-7708

Email: ron_montagna@blm.gov

RIN: 1004-AD87

Department of the Interior (DOI)
Bureau of Land Management (BLM)

Proposed Rule Stage

1755. OIL AND GAS ONSHORE ORDER NO. 1

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1740

CFR Citation: 43 CFR 3164

Legal Deadline: None

Abstract: This proposed rule would clarify the schedule for submitting and processing applications, define terms used, and introduce concepts that will make filing and processing more efficient. BLM does not intend to add significant new requirements. The rule is a joint rule with the U.S. Forest Service.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 07/27/05 | 70 FR 43349 |
| Comment Period Extended | 08/26/05 | 70 FR 50262 |
| Second NPRM | 03/13/06 | 71 FR 12656 |
| Comment Period End | 04/12/06 | |
| Final Rule | 07/00/06 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: James Burd, Natural Resource Specialist, Department of the Interior, Bureau of Land Management, MS 501 LS1849 C Street NW., Washington, DC 20240
 Phone: 202 452-5017

RIN: 1004-AD59

1756. MARGINAL OIL/GAS ROYALTY RATE REDUCTION PROGRAM

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

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3103.4-2

Legal Deadline: None

Abstract: This rulemaking will replace the existing stripper oil royalty reduction program. The new program will incorporate most of the Inspector General's concerns and recommendations from its three audits. In addition, the new program will expand Federal royalty relief to marginal gas production. Until this rule is promulgated, Sec. 343 of the Energy Policy Act of 2005, pertaining to marginal property production incentives, applies.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 11/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rudy Baier, Division of Fluid Mineral Lease and Reservoir Management, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
 Phone: 202 653-2153

RIN: 1004-AD65

1757. PUBLIC LANDS AND RESOURCES; LAW ENFORCEMENT—CRIMINAL; RECREATION PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1241 to 1249; 16 USC 4601-6a; 16 USC 670g to 670n; 43 USC 1733

CFR Citation: 43 CFR 9268

Legal Deadline: None

Abstract: This rule will remove outdated and superseded provisions in the law enforcement regulations pertaining to recreation management.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Felicia Probert, Chief Ranger, National Interagency Fire Center, Department of the Interior, Bureau of Land Management, 3833 S. Development Avenue, Boise, ID 87305
 Phone: 208 387-5131
 Fax: 208 387-5136
 Email: felicia.probert@nifc.blm.gov

Keith Aller, Deputy Director, Office of Law Enforcement and Security, Department of the Interior, Bureau of Land Management, 1849 C Street NW, Washington, DC 20240
 Phone: 202 501-4819
 Fax: 202 502-2582
 Email: keith_aller@blm.gov

RIN: 1004-AD66

1758. HEAVY OIL ROYALTY REDUCTION PROGRAM

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

Unfunded Mandates: Undetermined

Legal Authority: 30 USC 188

CFR Citation: 43 CFR 3103

Legal Deadline: None

Abstract: This rule will provide for a reduced royalty rate for producing a low gravity oil. It will determine what should be the threshold for what constitutes low gravity oil, and whether and/or how BLM will impose restrictions such as price thresholds, production caps, or other limitations.

Timetable:

| Action | Date | FR Cite |
|----------------------|----------|-------------|
| Notice of Suspension | 04/27/05 | 70 FR 21810 |
| NPRM | 09/00/06 | |

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

Agency Contact: Rudy Baier, Division of Fluid Mineral Lease and Reservoir Management, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 653-2153

RIN: 1004-AD67

1759. MINING CLAIMS UNDER THE GENERAL MINING LAW; SURFACE MANAGEMENT

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

Unfunded Mandates: Undetermined

Legal Authority: 30 USC 21 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3800

Legal Deadline: None

Abstract: This rulemaking will determine whether or to what degree the Department of the Interior will charge fair market value for the surface use of unclaimed lands and lands where claims have been determined to be invalid for mining activities involving locatable minerals under the Mining Law.

DOI—BLM

Proposed Rule Stage

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 08/00/06 | |

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

Undetermined

Agency Contact: Scott Haight, Department of the Interior, Bureau of Land Management, P.O. Box 1160, Lewistown, MT 59547
Phone: 406 538-1930
Email: scott_haight@blm.gov

RIN: 1004-AD69**1760. • OIL AND GAS LEASING IN THE NATIONAL PETROLEUM RESERVE—ALASKA****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1733; 43 USC 1740; 43 USC 6508**CFR Citation:** 43 CFR 3130**Legal Deadline:** None

Abstract: This rule will establish new administrative procedures for the efficient transfer, consolidation, segregation, suspension, and unitization of Federal leases in the National Petroleum Reserve in Alaska. It will implement section 347 of the Energy Policy Act of 2005.

Timetable:

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

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

Agency Contact: Greg Noble, Chief, Energy Branch, Department of the Interior, Bureau of Land Management, AK-941, 6881 Abbott Loop, Anchorage, AK 99507-2599
Phone: 907 267-1429

RIN: 1004-AD78**1761. • MINERAL LANDS AVAILABLE FOR LOCATING LODE AND PLACER MINING CLAIMS AND MILL AND TUNNEL SITES; SPECIAL LAWS IN ADDITION TO FLPMA THAT REQUIRE RECORDING OR NOTICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 122; 30 USC 22 et seq; 30 USC 521 to 525; 30 USC

611 to 615; 30 USC 621 to 625; 43 USC 1201; 43 USC 299

CFR Citation: 43 CFR 3710; 43 CFR 3720; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3839**Legal Deadline:** None

Abstract: This rule will amend the regulations on locating, filing, and maintaining mining claims or sites by consolidating the remaining provisions scattered in various portions of Groups 3700 and 3800 that address lands available for location of mining claims or sites, and certain statutes requiring a mining claimant to meet them in order to maintain claim.

Timetable:

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

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Roger A. Haskins, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240

Phone: 202 452-0355

Fax: 202 653-7397

Email: roger_haskins@blm.gov

RIN: 1004-AD79**1762. • GEOTHERMAL RESOURCE LEASING; GEOTHERMAL RESOURCES UNIT AGREEMENTS: UNPROVEN AREAS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1001 et seq; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 221 et seq**CFR Citation:** 43 CFR 3200; 43 CFR 3280**Legal Deadline:** None

Abstract: The rule will implement changes in geothermal leasing and geothermal unitization regulations—an all competitive leasing system, new royalty and fee structures, and production incentives—required by the Energy Policy Act of 2005, and will also include some other technical changes. The Energy Policy Act of 2005 (Act), subtitle B, Geothermal Energy, requires new regulations.

Timetable:

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

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

Agency Contact: Kermit Witherbee, National Geothermal Program Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240
Phone: 202 452-0385

Fax: 202 452-0386

Email: kermit_witherbee@blm.gov

RIN: 1004-AD86**1763. • SALES: FEDERAL LAND POLICY AND MANAGEMENT ACT****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 43 USC 1713; 43 USC 1740**CFR Citation:** 43 CFR 2710**Legal Deadline:** None

Abstract: This rule will provide for improved administration of sales of public land under the Federal Land Policy and Management Act. It will expand provision for temporary segregation in aid of sale; provide for determining value by using commonly acceptable appraisal procedures; require notices of decision to sell public land to include a prospectus; require the applicant to comply with laws and regulations on hazardous materials before a patent is issued; limit the issuance of patents to the sale proponent or qualified high bidder; and remove obsolete provisions and reorganize the regulations for clarity.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

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

Undetermined

URL For Public Comments:

www.regulations.gov

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land

DOI—BLM

Proposed Rule Stage

Management, 1849 C Street NW,
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Phone: 202 452-7779
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Email: jeff_holdren@blm.gov

RIN: 1004-AD88

1764. • COLOR-OF-TITLE AND OMITTED LANDS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 43 USC 1068 to 1068a; 43 USC 1721; 43 USC 1740; 43 USC 178; 43 USC 992 to 993

CFR Citation: 43 CFR 2540

Legal Deadline: None

Abstract: This rule will revise the regulations on sale of public lands to persons with color-of-title, sale of erroneously meandered lands in Arkansas, Louisiana, and Wisconsin, and sale of certain omitted lands to improve their clarity, reduce duplication, streamline requirements, reduce burdens, and remove obsolete provisions.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/06 | |

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

URL For Public Comments: www.regulations.gov

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RIN: 1004-AD89

Department of the Interior (DOI)

Final Rule Stage

Bureau of Land Management (BLM)

1765. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA

Priority: Other Significant

Legal Authority: 43 USC 1181d; 43 USC 1740; 43 USC 315; 43 USC 315a to 315r

CFR Citation: 43 CFR 4100

Legal Deadline: None

Abstract: This rule will ensure that BLM documents its consideration of the social, cultural, environmental, and economic consequences of grazing changes; provide that changes in grazing use will be phased in under certain circumstances; allow BLM to share title with permittees and lessees to range improvements in certain circumstances; make clear how BLM will authorize grazing if a BLM decision affecting a grazing permit is stayed pending administrative appeal; remove provisions in the present regulations concerning conservation use grazing permits; ensure adequate time for developing and successfully implementing an appropriate management action when BLM finds that rangelands do not meet standards and guidelines for rangeland health and that authorized grazing is a significant factor in not achieving one or more land health standards or not conforming with guidelines for grazing administration; and revise some administrative service charges.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| ANPRM | 03/03/03 | 68 FR 9964 |
| NPRM | 12/08/03 | 68 FR 68452 |

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| NPRM | 10/07/05 | 70 FR 58654 |
| Comment Period End | 12/06/05 | |
| Final Rule | 04/00/06 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Affairs Group (WO-630), 1849 C Street NW, Washington, DC 20240
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RIN: 1004-AD42

1766. ALASKA NATIVE VETERAN ALLOTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 270-1 to 270-3

CFR Citation: 43 CFR 2568

Legal Deadline: None

Abstract: This proposed rule would delete the requirement at 43 CFR 2568.77 that a veteran applicant must have posted the corners of his or her claim prior to filing an application with BLM. Removal of this requirement would place veteran allotment applicants on the same footing as thousands of applicants who filed under the original 1906 Alaska Native Allotment Act.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| NPRM | 10/07/05 | 70 FR 58654 |
| Comment Period End | 12/06/05 | |
| Final Rule | 04/00/06 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mike Haskins, Native Allotment Coordinator, Department of the Interior, Bureau of Land Management, 222 W. 7th Avenue, No. 13, Anchorage, AK 99513
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RIN: 1004-AD60

1767. PERMITS FOR RECREATION ON PUBLIC LANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 460l-6a; 43 USC 1740; Pub L 108-447

CFR Citation: 43 CFR 2930

Legal Deadline: None

Abstract: This rule will implement the Federal Lands Recreation Enhancement Act of 2004 (the Act), which replaces the permit fee authority of the Land and Water Conservation Fund Act, by changing the authority references in the regulations. The rule will also establish a \$100 maximum penalty for a first offender's failure to pay a recreation fee, in accordance with the Act.

DOI—BLM

Final Rule Stage

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 11/22/05 | 70 FR 70570 |
| Commend Period Extended | 01/18/06 | 71 FR 2899 |
| NPRM Comment Period End | 01/24/06 | |
| Comment Period End | 03/20/06 | |
| Final Rule | 10/00/06 | |

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

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RIN: 1004-AD68**1768. SALES OF FOREST PRODUCTS; PREPARATION FOR SALE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1181e**CFR Citation:** 43 CFR 5420**Legal Deadline:** None

Abstract: This rule will make thinning timber sales more efficient by allowing third party scaling on any thinning timber sale that imposes an upper limit on the average diameter at breast height (DBH) of the trees to be harvested, such as 20 inches DBH. The rule will also establish procedures to minimize the potential for log theft.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 11/17/05 | 70 FR 69714 |
| NPRM Comment Period End | 01/17/06 | |
| Final Rule | 06/00/06 | |

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

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RIN: 1004-AD70**1769. SEGREGATION OF LANDS PROPOSED FOR SALE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2091; 43 CFR 2710**Legal Deadline:** None

Abstract: BLM is issuing this final rule to extend the time period for land segregations from 270 days to two years to facilitate the processing of land sales applications.

Timetable:

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

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

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RIN: 1004-AD74**1770. OIL AND GAS; COMBINED HYDROCARBONS LEASING; TAR SANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** Energy Policy Act of 2005**CFR Citation:** 43 CFR 3141**Legal Deadline:** None

Abstract: This rule will amend current regulations to reflect provisions in the Energy Policy Act of 2005 pertaining to combined hydrocarbon leasing. Section 350 of the Act amends the Mineral Leasing Act of 1920 to allow the Secretary to issue separate leases for tar sands and for oil and gas in specially designated tar sands areas.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 10/07/05 | 70 FR 58610 |
| Interim Final Rule Comment Period End | 12/06/05 | |
| Final Rule | 05/00/06 | |

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

Agency Contact: Ron Teseneer, Minerals Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240

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RIN: 1004-AD76**1771. • RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT****Priority:** Routine and Frequent**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2800; 43 CFR 2880**Legal Deadline:** None

Abstract: This rule will revise the Cost Recovery Processing and Monitoring Fees Schedules for FLPMA and MLA Rights-of-Way; Linear Rights-of-Way Rent Schedule; Communications Use Rental Schedule; and Strict Liability Cap. The rule will implement provisions in a final rule published on April 22, 2005, that require that we annually adjust the fees to take into account changes in certain economic indicators.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 04/00/06 | |

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

URL For Public Comments:
www.regulations.gov

Agency Contact: Kelly D. Odom, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW. 401 LS, Washington, DC 20240

DOI—BLM

Final Rule Stage

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Department of the Interior (DOI)
Bureau of Land Management (BLM)

Completed Actions

1772. COST RECOVERY; MINERAL FILINGS AND OPERATIONS**Priority:** Other Significant**CFR Citation:** 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800**Completed:**

| Reason | Date | FR Cite |
|--------------------------------------|----------|-------------|
| NPRM | 12/15/00 | 65 FR 78440 |
| Second NPRM | 07/19/05 | 70 FR 41533 |
| Second NPRM Comment Period End | 08/18/05 | |
| Final Rule | 10/07/05 | 70 FR 58854 |
| Final Rule Effective | 11/07/05 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Energy Effects:** Statement of Energy Effects planned as required by Executive Order 13211.**Agency Contact:** Cynthia Ellis

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RIN: 1004-AC64

1773. APPEALS PROCEDURES; HEARINGS PROCEDURES**Priority:** Info./Admin./Other**CFR Citation:** 43 CFR 1840; 43 CFR 1850**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/01/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Cynthia Ellis

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RIN: 1004-AC99

1774. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3730; 43 CFR 3740; 43 CFR 3820; 43 CFR 3860; 43 CFR 3870**Completed:**

| Reason | Date | FR Cite |
|--|----------|---------|
| Withdrawn – No further action anticipated. | 02/01/06 | |

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

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RIN: 1004-AD32

1775. CONSERVATION; HELIUM LEASING**Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 16; 43 CFR 3196**Completed:**

| Reason | Date | FR Cite |
|---|----------|---------|
| Withdrawn – No further action anticipated | 02/01/06 | |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Joseph B. Peterson

Phone: 806 324-1030

RIN: 1004-AD35

1776. STRIPPER WELL ROYALTY REDUCTIONS; RECORDS RETENTION**Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3100**Completed:**

| Reason | Date | FR Cite |
|-------------------|----------|-------------|
| Direct final Rule | 09/07/05 | 70 FR 53072 |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rudy Baier

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RIN: 1004-AD71

1777. MINING CLAIM AND SITE MAINTENANCE FEES—FEE ADJUSTMENT**Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3834**Completed:**

| Reason | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 09/01/05 | 70 FR 52028 |

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Frank Bruno

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RIN: 1004-AD75

1778. • APPLICATION PROCEDURES AND FILING OF FORMS; CORRECTION OF STATE OFFICE ADDRESS FOR FILINGS AND RECORDINGS**Priority:** Info./Admin./Other**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 1821**Legal Deadline:** None**Abstract:** This rule updates the address of the Arizona State Office to reflect relocation of the office.**Timetable:**

| Action | Date | FR Cite |
|--------------|----------|-------------|
| Final Action | 11/17/05 | 70 FR 69687 |

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

DOI—BLM

Completed Actions

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RIN: 1004-AD77

1779. • ONSHORE OIL AND GAS OPERATIONS; CORRECTING AMENDMENT

Priority: Info./Admin./Other
Legal Authority: 43 USC 1740
CFR Citation: 43 CFR 3160
Legal Deadline: None

Abstract: This administrative rule corrects a cross-reference relating to onshore oil and gas operations.

Timetable:

| Action | Date | FR Cite |
|----------------------|----------|-------------|
| Final Rule | 12/22/05 | 70 FR 75954 |
| Final Rule Effective | 12/22/05 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments: www.regulations.gov

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RIN: 1004-AD80

1780. • OIL AND GAS LEASE ACREAGE LIMITATION EXEMPTIONS; REINSTATEMENT OF OIL AND GAS LEASES

Priority: Substantive, Nonsignificant
Legal Authority: 30 USC 189; 30 USC 359; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, secs 352 and 371
CFR Citation: 43 CFR 3100

Legal Deadline: None

Abstract: This rule will amend the regulations on Oil and Gas Leasing to respond to provisions of the Energy Policy Act of 2005 (EPAAct) that change BLM's oil and gas lease acreage limitations and oil and gas lease reinstatement procedures. Section 352 of the EPAAct expands the types of lease holdings that are exempt from the lease acreage holding limitations. Section 371 of the EPAAct extends the maximum time to file a lease reinstatement petition from 15 months to 24 months.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| Final Rule | 03/24/06 | 71 FR 14821 |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For Public Comments: www.regulations.gov

Agency Contact: Ian Senio, Group Manager, Regulatory Affairs,

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RIN: 1004-AD83

1781. • APPLICATION PROCEDURES AND FILING OF FORMS; CORRECTION OF STATE OFFICE ADDRESS FOR FILINGS AND RECORDINGS

Priority: Info./Admin./Other
Legal Authority: 43 USC 1740
CFR Citation: 43 CFR 1821.10
Legal Deadline: None

Abstract: This rule updates the address of the Montana State Office to reflect a change in the office address.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| Final Rule | 03/03/06 | 71 FR 10844 |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1004-AD85
BILLING CODE 4310-84-S

**Department of the Interior (DOI)
 Office of the Secretary (OS)**

Final Rule Stage

1782. • MAKING MOTION PICTURES, TELEVISION PRODUCTIONS, OR SOUNDTRACKS ON DOI LANDS

Priority: Other Significant
Legal Authority: PL 106-206
CFR Citation: 43 CFR 5
Legal Deadline: None

Abstract: This rule implements legislation that directs establishment of a reasonable fee for commercial filming activities or similar projects, such as still photography, where a permit is required. Public Law 106-206 directs

the Secretaries of the Interior and Agriculture to establish a reasonable fee system for commercial filming and some still photography activities on lands under their jurisdiction. To comply with a GAO recommendation to expedite implementation of Public Law 106-206, the Department is publishing this final rule to remove from 43 CR 5.1(a) the statement that prohibits NPS from charging a fee for the making of motion pictures, television productions or sound tracks.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jerry Case, Regulations Program Manager, Department of the Interior, Office of the Secretary, National Park Service, 1849 C Street NW, Washington, DC 20240

DOI—OS

Final Rule Stage

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RIN: 1093-AA10

[FR Doc. 06-2945 Filed 04-21-06; 8:45 am]

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