



Federal Register

**Monday,
December 22, 2003**

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

36 CFR Ch. I

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Regulatory Agenda

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual regulatory agenda.

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

2003 and spring 2004. 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 Executive Secretariat, 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.

For this edition of the Department's regulatory agenda, we have included the most important significant regulatory actions in the Regulatory Plan, which appears in part II of today's **Federal Register**. The table of contents below lists the Regulatory Plan entries and denotes them by a bracketed bold reference that directs the reader to the appropriate Sequence Number in part II.

Date: September 23, 2003.

Richard A. Stephan,
Federal Register Liaison Officer.

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

Sequence Number	Title	Regulation Identification Number
1627	Natural Resource Damage Assessments: Type B Procedures	1090-AA29
1628	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals	1090-AA68
1629	Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division	1090-AA73
1630	Amendment of Authority to Grant Stays of BLM Grazing Decisions	1090-AA84
1631	Mandatory Conditions Review Process	1090-AA91
1632	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1090-AA92

Assistant Secretary for Policy, Management and Budget—Completed Actions

Sequence Number	Title	Regulation Identification Number
1633	Nondiscrimination in Federally Assisted Programs of the Department of the Interior on the Basis of Race, Color, National Origin, Handicap, or Age	1090-AA77
1634	Nonprocurement Suspension and Debarment; Drug-Free Workplace Grant Requirements	1090-AA79
1635	Amendment of Authority To Grant Stays of Grazing Decisions	1090-AA83

United States Fish and Wildlife Service—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1636	Partners for Fish and Wildlife Program	1018-AH98
1637	Release of Captive-Reared Mallards	1018-AI05
1638	North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies	1018-AI13
1639	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes	1018-AI97
1640	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AJ24
1641	Injurious Wildlife Species; Boiga Snakes	1018-AT28
1642	Migratory Bird Hunting; Approval of Hevi-Steel as a Nontoxic Shot Material for Waterfowl Hunting	1018-AT32
1643	Injurious Wildlife; Bighead Carp (<i>Hypophthalmichthys Nobilis</i>)	1018-AT49

DOI

United States Fish and Wildlife Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1644	Seizure and Forfeiture Procedures—50 CFR Part 12	1018-AC89
1645	Convention on International Trade in Endangered Species (CITES)	1018-AD87
1646	Migratory Bird Permits: Scientific Collecting Permits	1018-AE63
1647	U.S. Proposals for CITES Appendix III; American Eel	1018-AF09
1648	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AF27
1649	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14	1018-AF46
1650	Endangered and Threatened Wildlife and Plants; Tibetan Antelope	1018-AF49
1651	Injurious Wildlife; Addition of the Asian Swamp Eel	1018-AF53
1652	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
1653	Federal Falconry Standards and Falconry Permitting	1018-AG11
1654	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
1655	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species	1018-AG64
1656	Injurious Wildlife—Addition of Black Carp	1018-AG70
1657	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Boulder Darter and the Spottfin Chub in Shoal Creek, Alabama and Tennessee	1018-AH44
1658	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Gila Trout From Endangered to Threatened	1018-AH57
1659	Export of Live Alligators	1018-AH65
1660	Eagle Permits: New Definitions, Permits for Incidental Taking of Bald Eagles Necessary To Protect Other Interests in Any Particular Locality	1018-AH74
1661	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act	1018-AH93
1662	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species	1018-AI04
1663	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations	1018-AI38
1664	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the American Crocodile From Endangered to Threatened	1018-AI41
1665	Endangered and Threatened Wildlife and Plants; Listing the Southwest Alaskan Distinct Population Segment of the Northern Sea Otter	1018-AI44
1666	Migratory Bird Permits; Eiderdown From Iceland	1018-AI64
1667	Import of Polar Bear Trophies From Canada; Finding for the Gulf of Boothia Population	1018-AI65
1668	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Appalachian Mussels	1018-AI76
1669	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milkvetch	1018-AI78
1670	Endangered and Threatened Wildlife and Plants; Delisting of a Plant, the Arizona Agave	1018-AI79
1671	Endangered and Threatened Wildlife and Plants; Proposed Nonessential Experimental Population of the Northern Aplomado Falcon	1018-AI80
1672	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened	1018-AI83
1673	Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Revisions to the Regulations	1018-AI85
1674	U.S. Proposals for CITES Appendix III; Black Cohosh	1018-AI91
1675	Migratory Bird Permits; Military Readiness Exemption	1018-AI92
1676	Endangered Species and Pesticide Regulation (Reg Plan Seq No. 72)	1018-AI95
1677	Revision of Migratory Bird Hunting Regulations	1018-AI98
1678	Revision of the Regulations Governing the Transport of Eagle Feathers	1018-AJ00
1679	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf	1018-AJ03
1680	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf	1018-AJ04
1681	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Colorado Butterfly Plant	1018-AJ07
1682	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk Vetch	1018-AJ09
1683	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion	1018-AJ10
1684	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River Population Segments of Bull Trout	1018-AJ12
1685	Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle	1018-AJ13
1686	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AJ15
1687	Endangered and Threatened Wildlife and Plants; Removal of the Eggert's Sunflower From the List of Endangered and Threatened Species	1018-AJ17

DOI

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

Sequence Number	Title	Regulation Identification Number
1688	Endangered and Threatened Wildlife and Plants; De-designation of Manatee Protection Areas in Florida	1018-AJ23
1689	Injurious Wildlife; Silver Carp (<i>Hypophthalmichthys Molitrix</i>)	1018-AT29
1690	Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds	1018-AT30
1691	Endangered and Threatened Wildlife and Plants; Delisting of Mexican Bobcat from List of Endangered Species	1018-AT31
1692	Endangered and Threatened Wildlife and Plants; Removal of the Virginia Roundleaf From the List of Endangered and Threatened Species	1018-AT33
1693	Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program	1018-AT34
1694	Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Downlisting of the Pahump Poolfish From the List of Endangered and Threatened Species	1018-AT35
1695	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Virginia Northern Flying Squirrel From Endangered to Threatened	1018-AT37
1696	Endangered and Threatened Wildlife and Plants; Proposed Removal of the Yellowstone Grizzly Bear Population From the List of Endangered and Threatened Species	1018-AT38
1697	2004–2005 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AT40
1698	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Arroyo Toad	1018-AT42
1699	Endangered and Threatened Wildlife and Plants; Listing the Boreal Toad	1018-AT43
1700	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander Santa Barbara County Distinct Population Segment	1018-AT44
1701	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Riverside Fairy Shrimp	1018-AT45
1702	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2005–2006 Subsistence Taking of Fish and Shellfish Regulations	1018-AT46
1703	Marine Mammals: Revised Definition of “Authentic Native Articles of Handicrafts and Clothing”	1018-AT48
1704	Revised Definition of “Destruction or Adverse Modification” for Endangered Species Act Section 7 Consultations ..	1018-AT50
1705	Listing the Miami Blue Butterfly as Endangered; Listing the Cassius Blue, Ceraunus Blue, and Nickerbean (Ammon) Blue Butterflies as Threatened Due to Similarity of Appearance to the Miami Blue	1018-AT51
1706	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AT52

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

United States Fish and Wildlife Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1707	List of Migratory Birds	1018-AB72
1708	General Provisions and General Permit Procedures—50 CFR Part 13	1018-AC57
1709	Endangered and Threatened Wildlife and Plants; Removal of the Bald Eagle Throughout the Lower 48 States From the List of Endangered and Threatened Species	1018-AF21
1710	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries	1018-AF44
1711	Policy on General Conservation Permits	1018-AF63
1712	U.S. Proposals for CITES Appendix III; Certain Turtle Species	1018-AF69
1713	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Plants From the Mariana Islands and Guam	1018-AG09
1714	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands	1018-AG23
1715	Endangered and Threatened Wildlife and Plants; Delisting the Hoover’s Woolly-Star From the List of Endangered and Threatened Species	1018-AG41
1716	National Wildlife Refuge System; Mission, Goals, and Purposes	1018-AG46
1717	Endangered and Threatened Wildlife and Plants; Critical Habitat for Three Coastal California Plants	1018-AG88
1718	Endangered and Threatened Wildlife and Plants; Removal of the Truckee Barberry From the List of Endangered and Threatened Species	1018-AH47
1719	Endangered and Threatened Wildlife and Plants; Removal of the Guam Broadbill and Mariana Mallard From the List of Endangered and Threatened Species	1018-AH50
1720	Endangered and Threatened Wildlife and Plants; Removal of the Johnston’s Frankenia From the List of Endangered and Threatened Species	1018-AH53
1721	Endangered and Threatened Plants; Reclassification of the Missouri Bladderpod From Endangered to Threatened	1018-AH59
1722	Addition of the Great White Shark and the Cape Stag Beetles to Appendix III Under CITES	1018-AH66
1723	Audit Resolution Policy	1018-AH69

DOI

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

Sequence Number	Title	Regulation Identification Number
1724	Migratory Bird Permits; Regulations Governing Rehabilitation Activities	1018-AH87
1725	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
1726	Marine Mammals: Incidental Take During Specified Activities (Beaufort Sea Polar Bear and Walrus)	1018-AH92
1727	Public Notice for CITES Appendix III Listing of Spanish Cedar and Bigleaf Mahogany by the Government of Peru	1018-AH99
1728	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations	1018-AI07
1729	Addition by Indonesia of Ramin to Appendix III Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI08
1730	Endangered and Threatened Wildlife and Plants; Beluga Sturgeon	1018-AI11
1731	Endangered and Threatened Wildlife and Plants; Removal of the Tinian Monarch Flycatcher From the List of Endangered and Threatened Species	1018-AI14
1732	Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod	1018-AI15
1733	Endangered and Threatened Wildlife and Plants; Listing of the Rota Bridled White-Eye	1018-AI16
1734	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Topeka Shiner	1018-AI20
1735	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Ventura Marsh Milkvetch	1018-AI21
1736	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations	1018-AI32
1737	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl	1018-AI48
1738	Endangered and Threatened Wildlife and Plants; Listing the Slickspot Peppergrass	1018-AI50
1739	Endangered and Threatened Wildlife and Plants; Listing of the Central California Distinct Population Segment of the California Tiger Salamander; Reclassification of the Sonoma County and Santa Barbara	1018-AI68
1740	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Desert Yellowhead	1018-AI69
1741	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp	1018-AI71
1742	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher	1018-AI72
1743	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 11 Mobile River Basin Freshwater Mussels	1018-AI73
1744	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Braun's Rockcress	1018-AI74
1745	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Pierson's Milkvetch	1018-AI77
1746	Endangered and Threatened Wildlife and Plants; Endangered Status for the Dugong in the Republic of Palau	1018-AI81
1747	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle	1018-AI82
1748	Subsistence Management Regulations for Public Lands in Alaska, Subparts C and D; 2004-2005 Subsistence Taking of Fish and Shellfish	1018-AI89
1749	Changes in List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI90
1750	Endangered Species Act Counterpart Section 7 Consultation Regulations for Implementing the National Fire Plan	1018-AJ02
1751	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2004-2005 Subsistence Taking of Fish and Wildlife	1018-AJ25
1752	Proposal To Extend Existing Amended 4(d) Rule for Preble's Meadow Jumping Mouse in Colorado and Wyoming	1018-AJ26
1753	Migratory Bird Subsistence Harvest in Alaska; Proposed Spring/Summer Subsistence Annual Harvest Regulations for Migratory Birds in Alaska During the 2004 Subsistence Season	1018-AJ27
1754	Endangered and Threatened Wildlife and Plants; Amendment To Manatee Protection Areas in Florida (Barge Canal Exception)	1018-AT39

United States Fish and Wildlife Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1755	Implementation of the 1994 Amendments to the Marine Mammal Protection Act	1018-AE72
1756	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
1757	Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub	1018-AG16
1758	Endangered and Threatened Wildlife and Plants; Listing of the Miami Blue Butterfly	1018-AH30
1759	Interagency Guidance for the Prescription of Fishways Pursuant to Section 18 of the Federal Power Act	1018-AH42

DOI

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

Sequence Number	Title	Regulation Identification Number
1760	Endangered and Threatened Wildlife; Reclassification of the Marianna Fruit Bat on Guam From Endangered to Threatened	1018-AH55
1761	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
1762	Corrections to Rights-of-Way Regulations	1018-AI12
1763	Endangered and Threatened Wildlife and Plants; Critical Habitat for 6 Guam Species	1018-AI25
1764	Endangered and Threatened Wildlife and Plants; Listing of the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox	1018-AI28
1765	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout	1018-AI52
1766	Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21	1018-AI66
1767	Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species	1018-AI67
1768	Migratory Bird Permits; Revisions to General Exceptions	1018-AI96
1769	Endangered and Threatened Wildlife and Plants; Prudency Determination and Designation of Critical Habitat for Eggert's Sunflower	1018-AJ08
1770	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia and the San Jacinto Valley Crownscale	1018-AJ11
1771	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-legged Frog	1018-AJ16
1772	Endangered and Threatened Wildlife and Plants; Proposed Amendment to the Nonessential Experimental Population Rule for the Mexican Gray Wolf	1018-AT36
1773	Land Conservation Planning (Refuge Manual Chapter 602 FW 2)	1018-AT41
1774	Subsistence Management Regulations for Public Lands in Alaska, Subpart A and Subpart B	1018-AT47

United States Fish and Wildlife Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1775	Endangered and Threatened Wildlife and Plants; Removal of the Douglas County, Oregon, Population of the Columbia White-Tailed Deer From the List of Endangered and Threatened Species	1018-AF43
1776	Endangered and Threatened Wildlife and Plants; Critical Habitat for 47 Plants in Hawaii	1018-AH02
1777	Endangered and Threatened Wildlife and Plants; Critical Habitat for Plants of the Northwest Islands, Hawaii	1018-AH09
1778	Endangered and Threatened Wildlife and Plants; Listing of the Sacramento Mountains Checkerspot Butterfly and Proposed Designation of Critical Habitat	1018-AH40
1779	Endangered and Threatened Wildlife; Removal of the San Marcos Gambusia From the List of Endangered and Threatened Species	1018-AH52
1780	Endangered and Threatened Wildlife and Plants: Reproposed Determinations of Prudency and Proposed Designations of Critical Habitat for Plants From Maui and Kahoolawe, Hawaii	1018-AH70
1781	Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on the Threatened Status of the Sacramento Splittail (Pogonichthys Macrolepidotis)	1018-AH73
1782	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Blackburn's Sphinx Moth	1018-AH94
1783	Civil Procedures; 50 CFR Part 11	1018-AH97
1784	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana; Removal of Regulations	1018-AI03
1785	Endangered and Threatened Wildlife and Plants; Critical Habitat for 103 Oahu, Hawaii, Plants	1018-AI24
1786	Endangered and Threatened Wildlife and Plants; Critical Habitat for Four Fairy Shrimp and 11 Plants in California	1018-AI26
1787	Migratory Bird Permits; Regulations for Managing Double-Crested Cormorant Damages	1018-AI39
1788	Endangered and Threatened Wildlife and Plants; Reclassification of the Gray Bat From Endangered to Threatened	1018-AI40
1789	Endangered and Threatened Wildlife and Plants; Listing the Mountain Plover With a Special Rule	1018-AI45
1790	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Preble's Meadow Jumping Mouse	1018-AI46
1791	Tribal Wildlife Grants Program Implementation Guidelines for Fiscal Year (FY) 2002	1018-AI58
1792	Tribal Landowner Incentive Program (T-LIP) Implementation Guidelines for Fiscal Year (FY) 2002	1018-AI59
1793	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Black-Footed Ferret in South-Central South Dakota	1018-AI60
1794	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2003–2004 Subsistence Taking of Wildlife Regulations	1018-AI62
1795	2003–2004 Refuge Specific Hunting and Sport Fishing Regulations	1018-AI63

DOI

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

Sequence Number	Title	Regulation Identification Number
1796	Migratory Bird Subsistence Harvest in Alaska; Regulations for the Spring and Summer 2003 Season	1018-AI84
1797	Migratory Bird Hunting; Proposed 2003–2004 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals	1018-AI93
1798	Endangered and Threatened Wildlife and Plants; Removal of the Water Howellia (Howellia aquatilis) From the List of Endangered and Threatened Species	1018-AI94
1799	Revision of Airborne Hunting Regulations	1018-AI99
1800	Fiscal Year 2004 Private Stewardship Grants Program; Program Implementation	1018-AJ01
1801	Endangered and Threatened Wildlife and Plants; Reclassification of the Cui-ui From the List of Endangered and Threatened Species and Establishment of a 4(d) Rule	1018-AJ05
1802	Endangered and Threatened Wildlife and Plants; Designation of Additional Manatee Protection Areas in Florida	1018-AJ06
1803	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-Footed Ferret in Wyoming	1018-AJ18
1804	Endangered and Threatened Wildlife and Plants; Reclassification of the Uncompahgre Fritillary Butterfly From Endangered to Threatened	1018-AJ19
1805	Endangered and Threatened Wildlife and Plants; Removal of Arctic Russian Population of Spectacled Eiders From the List of Endangered and Threatened Species; Classification of U.S. Popul. as Threatened	1018-AJ20
1806	Guidance for the Establishment, Use, and Operation of Conservation Banks	1018-AJ22

National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1807	Big Thicket National Preserve; Personal Watercraft	1024-AC92
1808	Pictured Rocks National Lakeshore; Personal Watercraft	1024-AC93
1809	Fire Island National Seashore; Personal Watercraft	1024-AC94
1810	Gateway National Recreation Area; Personal Watercraft	1024-AC95
1811	Bighorn Canyon National Recreation Area; Personal Watercraft	1024-AC96
1812	Lake Meredith Recreation Area; Personal Watercraft	1024-AC97
1813	Chickasaw Recreation Area; Personal Watercraft	1024-AC98
1814	Curecanti Recreation Area; Personal Watercraft	1024-AC99
1815	Amistad Recreation Area; Personal Watercraft	1024-AD00
1816	Lake Roosevelt Recreation Area; Personal Watercraft	1024-AD01
1817	Native American Graves Protection and Repatriation Act; Future Applicability	1024-AD05
1818	Boating and Water Use Activities	1024-AD07
1819	Alaska Park Units; Special Regulations	1024-AD13
1820	Delaware Water Gap NRA Commercial Vehicle Fees	1024-AD14
1821	Revisions to Right-of-Way Regulations	1024-AD16
1822	Cost Recovery for Special Park Uses	1024-AD18
1823	Ceremonies at First Division Monument	1024-AD19

National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1824	Procedures for State, Tribal, and Local Government Historic Preservation Programs	1024-AC79
1825	Commercial Use Authorizations	1024-AC85
1826	Snowmobile Regulations for Yellowstone and Grand Teton National Parks and JDR Parkway (Reg Plan Seq No. 73)	1024-AD11
1827	Rocky Mountain National Park Snowmobile Use	1024-AD15
1828	Use of Service Animals in National Park Areas	1024-AD17

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

DOI

National Park Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1829	Special Regulations of the National Park System; Religious Ceremonial Collection of Golden Eaglets in Wupatki National Monument	1024-AC86
1830	Golden Gate National Recreation Area; Special Regulations	1024-AD03

National Park Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1831	Vehicles and Traffic Safety; Operating Under the Influence of Alcohol or Drugs	1024-AC69
1832	Native American Graves Protection and Repatriation Act Regulations; Civil Penalties	1024-AC84
1833	Virgin Islands Coral Reef National Monument; Special Regulations	1024-AC89
1834	Glen Canyon National Recreation Area; Personal Watercraft	1024-AC90
1835	Assateague Island National Seashore; Personal Watercraft	1024-AD02
1836	Saguaro National Monument Mountain Bike Special Regulations	1024-AD10
1837	Special Regulations; Areas of the National Park System; New River Gorge National River—Hunting	1024-AD12

Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1838	Buy Indian Act Regulations	1076-AE07
1839	Tribal Revenue Allocation Plans	1076-AE24
1840	Indian Country Law Enforcement	1076-AE35
1841	Leases and Permits on Indian Trust and Restricted Lands	1076-AE36
1842	Reindeer in Alaska	1076-AE37
1843	Proclamation of Reservations	1076-AE40
1844	Loan Guaranty, Insurance, and Interest Subsidy	1076-AE42
1845	Use or Distribution of Indian Judgment Funds	1076-AE43
1846	Navajo Partitioned Lands Grazing Permits	1076-AE46
1847	Indian Highway Safety Program	1076-AE47
1848	Appeals from Administrative Actions	1076-AE48
1849	No Child Left Behind Act of 2001	1076-AE49

Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1850	Irrigation Projects and Systems	1076-AD44
1851	Certificates of Degree of Indian Blood	1076-AD97
1852	Alaska Resupply Operation	1076-AE04
1853	Indian Reservation Roads Program	1076-AE17

Bureau of Indian Affairs—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1854	Indian Electric Power Utilities	1076-AD45
1855	Preparation of Rolls of Indians	1076-AE44
1856	Standards for Approving Tribal Per Capita Distributions	1076-AE45

DOI

Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identification Number
1857	Protection of Products of Indian Art and Craftsmanship	1076-AE16
1858	Amendment to the List of Courts of Indian Offenses	1076-AE41

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1859	Late and Overpayment Interest	1010-AC27
1860	Takes vs. Entitlements Reporting	1010-AC29
1861	Prepayment of Royalties	1010-AC31
1862	Incident Reporting	1010-AC57
1863	Royalty Relief Terms	1010-AC58
1864	Appeals of Minerals Management Service Orders	1010-AC80
1865	Reporting Amendments	1010-AC90
1866	Blowout Prevention for Production Tree Coiled Tubing Workover Operations	1010-AC96
1867	Data Release and Definitions	1010-AC99
1868	Valuation of Oil From Indian Leases	1010-AD00
1869	Reduction to Royalty Relief in Special Circumstances	1010-AD02
1870	Federal Oil Valuation	1010-AD04
1871	Federal Gas Valuation	1010-AD05
1872	Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf	1010-AD06

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1873	Accounting Relief for Marginal Properties	1010-AC30
1874	Plans and Information	1010-AC47
1875	Proprietary Terms and Data Disclosure	1010-AC81
1876	Documents Incorporated by Reference for Offshore Floating Production Facilities	1010-AC85
1877	Rights-of-Use and Easements and Pipeline Rights-of-Way	1010-AC91
1878	Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration	1010-AC95
1879	Relief or Reduction in Royalty Rates—Deep Gas Provisions (Reg Plan Seq No. 74)	1010-AD01

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

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1880	Dealing With Sustained Casing Pressure	1010-AC83
1881	Definition of Control	1010-AC88
1882	Documents Incorporated by Reference—API RP 14F and API 510	1010-AC89
1883	Fixed Platforms—Documents Incorporated by Reference	1010-AD03
1884	Increase in Maximum Daily Civil Penalty Amount	1010-AD07

DOI

Office of Surface Mining Reclamation and Enforcement—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1885	Abandoned Mine Reclamation Fees	1029-AC46

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1886	Abandoned Coal Refuse Sites	1029-AB70
1887	Revegetation	1029-AC02
1888	Placement of Excess Spoil	1029-AC04
1889	Financial Assurances	1029-AC05
1890	Processing State Program Amendments	1029-AC06
1891	Ownership and Control Settlement Rule	1029-AC08

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1892	Indian Lands	1029-AB83
1893	Financing Abandoned Mine Land Reclamation	1029-AC07

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1894	Public Conduct on Reclamation Lands and Projects	1006-AA45

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identification Number
1895	Trespass on Reclamation Lands and Facilities	1006-AA44
1896	Public Conduct on Bureau of Reclamation Lands and Projects; Removal of Expiration Date	1006-AA46

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1897	Sales—Federal Land Policy and Management Act	1004-AB77
1898	Desert Land Entries	1004-AC56
1899	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1900	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1901	Grazing Administration—Exclusive of Alaska	1004-AD42
1902	Resource Management Planning	1004-AD57

DOI

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1903	Indian Allotments	1004-AC77
1904	Permits for Recreation on Public Lands	1004-AD45
1905	Wilderness Management	1004-AD46
1906	Oil and Gas Leasing Operations; Bonding	1004-AD56

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1907	Leases, Permits, and Easements	1004-AB51
1908	Coalbed Methane Development	1004-AC27
1909	Cost Recovery; Mineral Filings and Operations	1004-AC64
1910	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1911	Carey Act Grants	1004-AC80
1912	Oil and Gas Leasing and Operations	1004-AC94
1913	Appeals Procedures; Hearings Procedures	1004-AC99
1914	Conservation; Helium Leasing	1004-AD35
1915	Hazardous Materials Compliance	1004-AD38
1916	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument	1004-AD40
1917	Mining Claims Under the General Mining Laws; Surface Management	1004-AD53
1918	Wilderness Management	1004-AD54

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
1919	Location Recording and Maintenance of Mining Claims and Sites	1004-AD31
1920	Surface Management; Segregated or Withdrawn Lands	1004-AD51

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
1921	Wild and Scenic Rivers	1093-AA08

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1627. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES

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

Legal Authority: 42 USC 9651(c)

CFR Citation: 43 CFR 11

Legal Deadline: None

Abstract: CERCLA and the Clean Water Act allow natural resource trustees to

bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for

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

DOI—ASPMB

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment Period End	09/16/96	
NPRM	05/00/04	
NPRM Comment Period End	07/00/04	

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

Undetermined

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

Phone: 202 208-4143

RIN: 1090-AA29

1628. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant**Legal Authority:** 43 USC 1201

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

Legal Deadline: None

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

Timetable:

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

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

Undetermined

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

Quincy Street, Suite 300, Arlington, VA 22203

Phone: 703 235-8349

RIN: 1090-AA68

1629. DEPARTMENT HEARINGS AND APPEALS; PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 372; 25 USC 373; 25 USC 373a; 25 USC 373b; 25 USC 374; 30 USC 1201 et seq; 43 USC 1201; 5 USC 571 to 583

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

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

Undetermined

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

Phone: 703 235-3810

RIN: 1090-AA73

1630. AMENDMENT OF AUTHORITY TO GRANT STAYS OF BLM GRAZING DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 315a; 43 USC 1201

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

Legal Deadline: None

Abstract: The Office of Hearings and Appeals is proposing to amend its existing regulations to authorize OHA administrative law judges to decide petitions for a stay of grazing decisions issued by the Bureau of Land Management and requests to place such

decisions into immediate effect. The proposal is designed to expedite administrative review by eliminating an inefficient bifurcation of authority.

Timetable:

Action	Date	FR Cite
NPRM	05/00/04	
NPRM Comment Period End	07/00/04	

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

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

Phone: 703 235-8349

RIN: 1090-AA84

1631. • MANDATORY CONDITIONS REVIEW PROCESS

Priority:**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This rule will update the Department's procedures and requirements relating to mandatory review procedures governing property and acquisition management.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

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

Undetermined

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

Phone: 202 208-5978

Fax: 202 208-4867

RIN: 1090-AA91

DOI—ASPMB

Proposed Rule Stage

1632. • SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

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

Legal Authority: 30 USC 1268(f)

CFR Citation: 43 CFR 4

Legal Deadline: None

Abstract: The Office of Hearings and Appeals is amending this rule to state

that the Office of Surface Mining has the ultimate burden or persuasion as to whether the individual identified in a company's filings under the Surface Mining Control and Reclamation Act (SMCRA) is a director, officer, or agent of the company.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 703 235-8349

RIN: 1090-AA92

Department of the Interior (DOI)

Completed Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

1633. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF THE INTERIOR ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, HANDICAP, OR AGE

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	08/26/03	68 FR 51333
Final Action Effective	09/25/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State

Agency Contact: Melvin C. Fowler
Phone: 202 208-3455

RIN: 1090-AA77

1634. NONPROCUREMENT SUSPENSION AND DEBARMENT; DRUG-FREE WORKPLACE GRANT REQUIREMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 42; 43 CFR 43

Completed:

Reason	Date	FR Cite
Final Action	11/26/03	68 FR 66533

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, Local, State, Tribal

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Debra E. Sonderman
Phone: 202 208-6431

RIN: 1090-AA79

1635. AMENDMENT OF AUTHORITY TO GRANT STAYS OF GRAZING DECISIONS

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Final Action	06/05/03	68 FR 33794

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Michael H. Schwartz
Phone: 202 452-5198
Email: michael_schwartz@blm.gov

RIN: 1090-AA83

BILLING CODE 4310-55-S

Department of the Interior (DOI)

Prerule Stage

United States Fish and Wildlife Service (FWS)

1636. PARTNERS FOR FISH AND WILDLIFE PROGRAM

Priority: Info./Admin./Other

Legal Authority: 16 USC 742(a) to 754

CFR Citation: None

Legal Deadline: None

Abstract: Portions of the U.S. Fish and Wildlife Service manual are being revised to update policy on the implementation of the Partners for Fish and Wildlife Program. This program provides private landowners with cost-sharing and restoration expertise to restore fish and wildlife habitat. The program does not acquire lands and is

a voluntary incentive program. The revisions update policy, incorporate Office of Inspector General recommendations, and clarify technical assistance and cost-sharing in light of changes in U.S. Department of Agriculture conservation programs.

Timetable:

Action	Date	FR Cite
Notice of Availability	11/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AH98

1637. RELEASE OF CAPTIVE-REARED MALLARDS

Priority: Substantive, Nonsignificant

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

DOI—FWS

Prerule Stage

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Notice of Intent	08/28/01	66 FR 45274
Notice of Availability	08/26/03	68 FR 51231
Comment Period End	12/20/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

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

RIN: 1018-AI05

1638. NORTH AMERICAN WETLANDS CONSERVATION ACT AND NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT GRANT ADMINISTRATION POLICIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 4401 et seq

CFR Citation: None

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	01/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Dr. Keith A. Morehouse, Department of the Interior,

United States Fish and Wildlife Service, MS 110, U.S. Fish and Wildlife Service, Div. of Bird Habitat Conservation, 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

1639. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING POSSESSION OF MIGRATORY BIRDS FOR EDUCATIONAL PURPOSES

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AI97

1640. • HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES, AND AMPHIBIANS TO THE UNITED STATES

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

Unfunded Mandates: Undetermined

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

CFR Citation: 50 CFR 14

Legal Deadline: None

Abstract: The service proposes to publish an advance notice of proposed rulemaking to ask the public for comments and input into the best process and spectrum of updates needed to amend the regulations that establish standards for the humane and healthful transport of wild birds and mammals (not significant, Q301). These have not been amended in more than 10 years and are currently not completely in accordance with the international requirements.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/03	
NPRM	05/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

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

RIN: 1018-AJ24

1641. • INJURIOUS WILDLIFE SPECIES; BOIGA SNAKES

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

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: FWS 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	
NPRM	03/00/04	

DOI—FWS

Prerule Stage

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

Agency Contact: Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Branch of Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Room 810-B, Arlington, VA 22203
Phone: 703 358-2464
Fax: 703 358-1800
Email: kari_duncan@fws.gov

RIN: 1018-AT28

50 CFR 20.21 by adding hevi-Steel to the list of approved nontoxic shot types. We seek public comment on whether we should pursue approval of Hevi-Steel as nontoxic shot for waterfowl hunting.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/03	

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

Agency Contact: John J. Kreilich Jr., Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Fax: 703 358-2272
Email: john_kreilich@fws.gov

RIN: 1018-AT32**1642. ● MIGRATORY BIRD HUNTING; APPROVAL OF HEVI-STEEL AS A NONTOXIC SHOT MATERIAL FOR WATERFOWL HUNTING****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 703 to 712; 16 USC 742**CFR Citation:** 50 CFR 20**Legal Deadline:** None

Abstract: Environ-Metal has applied to the Service for approval of Hevi-Steel as nontoxic for waterfowl hunting in the United States. The information included in Environ-Metal's application is conclusive as to Hevi-Steel's nontoxicity. We will now evaluate whether we should propose to amend

Legal Authority: 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None

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

Timetable:

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

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Agency Contact: Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Branch of Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Room 810-B, Arlington, VA 22203
Phone: 703 358-2464
Fax: 703 358-1800
Email: kari_duncan@fws.gov

RIN: 1018-AT49**Department of the Interior (DOI)****United States Fish and Wildlife Service (FWS)****Proposed Rule Stage****1644. SEIZURE AND FORFEITURE PROCEDURES—50 CFR PART 12****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3371 et seq**CFR Citation:** 50 CFR 12**Legal Deadline:** None

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

consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service. In August 2000, the Civil Asset Forfeiture Reform Act became law. CAFRA mandated many changes to 50 CFR 12 that are incorporated in this proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58468
Second NPRM	12/00/03	

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

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 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**1645. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

DOI—FWS

Proposed Rule Stage

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

Timetable:

Action	Date	FR Cite
NPRM	05/08/00	65 FR 26663
Correction	06/29/00	65 FR 40167
Second NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

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

RIN: 1018-AD87

1646. MIGRATORY BIRD PERMITS: SCIENTIFIC COLLECTING PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: This rule would amend the regulations governing permits for scientific collecting of migratory birds under the Migratory Bird Treaty Act. The rule will establish standard conditions and criteria for permit issuance.

Timetable:

Action	Date	FR Cite
NPRM	05/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: 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, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1714
Email: brian_millsap@fws.gov

RIN: 1018-AE63

1647. U.S. PROPOSALS FOR CITES APPENDIX III; AMERICAN EEL

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 23

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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

RIN: 1018-AF09

1648. 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	11/00/03	
Final Action	09/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AF27

1649. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE, 50 CFR PART 14

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 14

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	07/15/98	63 FR 38143
NPRM	03/00/04	

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

DOI—FWS

Proposed Rule Stage

1650. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Other, Statutory, October 6, 2000, Other.

Abstract: We received a petition to list the Tibetan antelope as endangered. We must determine if status review shows that the petitioned action is warranted. If so, we will propose endangered status for the Tibetan antelope, or chiru (*Pantholops hodgsoni*). The antelope is a wild ungulate native to Tibet, Kashmir, and north-central China. It is threatened by illegal trade in its wool, known as shahtoosh, which is exceptionally fine. The wool and shawls made from it are in great demand on the black market, resulting in the slaughter of thousands of these animals annually. The species has experienced dramatic declines in recent years despite efforts by range countries to control poaching, as well as a prohibition on international commercial trade through listing in appendix I of CITES.

Timetable:

Action	Date	FR Cite
Notice	04/25/00	65 FR 24171
NPRM	10/06/03	68 FR 57646
NPRM Comment Period End	01/05/04	

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

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

RIN: 1018-AF49**1651. INJURIOUS WILDLIFE; ADDITION OF THE ASIAN SWAMP EEL****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None

Abstract: We will review economic and biologic information on the 17 species in the swamp eel family, Synbranchidae, for possible addition to the list of injurious wildlife under the Lacey Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

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

Agency Contact: Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Branch of Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Room 810-B, Arlington, VA 22203
Phone: 703 358-2464
Fax: 703 358-1800
Email: kari_duncan@fws.gov

RIN: 1018-AF53**1652. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT-HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALUCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We received a petition to reclassify a certain population of the straight-horned markhor from endangered to threatened. We must determine whether a status review shows that the petitioned action is warranted; if so, we will propose to change the classification of the straight-horned markhor population of the Torghtar Hills region of Baluchistan Province, Pakistan, from endangered to threatened under the Endangered Species Act of 1973. The markhor is a species of wild goat that occurs in small, isolated populations in rugged, arid mountain habitats in Afghanistan, India, Pakistan, Tajikistan, Turkmenistan, and Uzbekistan.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

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

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

RIN: 1018-AG00**1653. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712**CFR Citation:** 50 CFR 21.28; 50 CFR 21.29**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

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

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

RIN: 1018-AG11

DOI—FWS

Proposed Rule Stage

1654. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE GULF COAST DISTINCT POPULATION SEGMENT OF THE BROWN PELICAN POPULATION IN THE SOUTHEASTERN UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to remove the Gulf Coast population of the brown pelican (Texas, Louisiana, Mississippi) from the List of Threatened and Endangered Species.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Email: patrick_leonard@fws.gov

RIN: 1018-AG40

1655. WILD BIRD CONSERVATION ACT: REVIEW OF APPROVED LIST OF CAPTIVE-BRED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 4901 to 4916

CFR Citation: 50 CFR 15

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Notice	05/29/01	66 FR 29072
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael Kreger, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276

Email: michael_kreger@fws.gov

RIN: 1018-AG64

1656. INJURIOUS WILDLIFE—ADDITION OF BLACK CARP

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/30/02	67 FR 49280
NPRM Comment Period Reopened	06/04/03	68 FR 33431
Other/Second NPRM—Notice of draft envir. assess/econ. analysis	01/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Branch of Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Room 810-B, Arlington, VA 22203
Phone: 703 358-2464
Fax: 703 358-1800

Email: kari_duncan@fws.gov

RIN: 1018-AG70

1657. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR THE BOULDER DARTER AND THE SPOTFIN CHUB IN SHOAL CREEK, ALABAMA AND TENNESSEE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose the establishment of two nonessential experimental populations, the Boulder darter and Spotfin chub, in Shoal Creek, Alabama and Tennessee.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Email: patrick_leonard@fws.gov

RIN: 1018-AH44

1658. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to reclassify the Gila trout from endangered to threatened. This action is based on recovery.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis Required: No

DOI—FWS

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AH57

1659. EXPORT OF LIVE ALLIGATORS

Priority: Substantive, Nonsignificant

Legal Authority: EO 13112

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal, Federal

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

RIN: 1018-AH65

1660. EAGLE PERMITS: NEW DEFINITIONS, PERMITS FOR INCIDENTAL TAKING OF BALD EAGLES NECESSARY TO PROTECT OTHER INTERESTS IN ANY PARTICULAR LOCALITY

Priority: Other Significant

Legal Authority: 16 USC 668a

CFR Citation: 50 CFR 22

Legal Deadline: None

Abstract: This rule would allow take of bald eagles under the Bald and Golden Eagle Protection Act, incidental

to otherwise lawful activities, in the event the species is removed from the U.S. Endangered Species List.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Tribal

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

RIN: 1018-AH74

1661. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISIONS TO THE REGULATIONS APPLICABLE TO PERMITS ISSUED UNDER THE ENDANGERED SPECIES ACT

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 13; 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/10/03	68 FR 53327
NPRM Comment	11/10/03	
Period End		
Final Action	09/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

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

RIN: 1018-AH93

1662. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF TWO AUSTRALIAN PARAKEETS FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/02/03	68 FR 52169
NPRM Comment	12/01/03	
Period End		
Other/Final Rule	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AI04

1663. 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

DOI—FWS

Proposed Rule Stage

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

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

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-AI38

1664. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE AMERICAN CROCODILE FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AI41

1665. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SOUTHWEST ALASKAN DISTINCT POPULATION SEGMENT OF THE NORTHERN SEA OTTER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AI44

1666. MIGRATORY BIRD PERMITS; EIDERDOWN FROM ICELAND

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/05/03	68 FR 52727

Action	Date	FR Cite
NPRM Comment Period End	12/04/03	
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1714

Email: brian_millsap@fws.gov

RIN: 1018-AI64

1667. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDING FOR THE GULF OF BOOTHIA POPULATION

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18.30

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AI65

1668. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR FIVE APPALACHIAN MUSSELS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

DOI—FWS

Proposed Rule Stage

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, May 19, 2003, NPRM.

Abstract: We will propose designation of critical habitat, if prudent, for five species of Appalachian bivalves, or freshwater mussels (Cumberland elktoe, Cumberland combshell, oyster mussel, rough rabbitsfoot, and purple bean).

Timetable:

Action	Date	FR Cite
NPRM	06/03/03	68 FR 33234
NPRM Technical Correction; Reopening of Comment Period	10/06/03	68 FR 57643
NPRM Comment Period End	12/05/03	
Final Action	08/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

RIN: 1018-AI76

1669. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE LANE MOUNTAIN MILKVETCH

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 15, 2003, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and

Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov

RIN: 1018-AI78

1670. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF A PLANT, THE ARIZONA AGAVE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to remove the Arizona agave (Agave arizonica) from the list of threatened and endangered species.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AI79

1671. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED NONESSENTIAL EXPERIMENTAL POPULATION OF THE NORTHERN APLOMADO FALCON

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to establish a nonessential experimental population for the Northern aplomado falcon (*Falco femoralis septentrionalis*), to facilitate the recovery of this endangered species and to ensure that its reintroduction will not impose new restrictions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AI80

1672. 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	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy_gabel@fws.gov

RIN: 1018-AI83

DOI—FWS

Proposed Rule Stage

1673. SAFE HARBOR AGREEMENTS AND CANDIDATE CONSERVATION AGREEMENTS WITH ASSURANCES; REVISIONS TO THE REGULATIONS**Priority:** Other Significant**Legal Authority:** 16 USC 1531**CFR Citation:** 50 CFR 13.25; 50 CFR 17.22; 50 CFR 17.32**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	09/10/03	68 FR 53320
NPRM Comment Period End	11/10/03	
Final Action	09/00/04	

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

Agency Contact: Marjorie Nelson, Biologist, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-2434
Email: marjorie_nelson@fws.gov

RIN: 1018-AI85**1674. U.S. PROPOSALS FOR CITES APPENDIX III; BLACK COHOSH****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 23**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

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

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

RIN: 1018-AI91**1675. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION****Priority:** Other Significant**Legal Authority:** PL 107-314**CFR Citation:** 50 CFR 21**Legal Deadline:** Final, Statutory, December 2, 2003, Final.

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

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

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

RIN: 1018-AI92**1676. ENDANGERED SPECIES AND PESTICIDE REGULATION****Regulatory Plan:** This entry is Seq. No. 72 in part II of this issue of the Federal Register.**RIN:** 1018-AI95**1677. 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:

Action	Date	FR Cite
NPRM	09/00/04	

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**1678. 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.

DOI—FWS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal, Tribal

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

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AJ00

1679. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE EASTERN 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 are planning to propose to remove the eastern Distinct Population Segment (DPS) of the gray wolf, consisting of 21 States, from the list of Endangered and Threatened Species. The reasons for this action are the following: the achievement of all recovery criteria and completion of suitable state wolf management plans by Minnesota, Wisconsin, and Michigan.

Timetable:

Action	Date	FR Cite
ANPRM	04/01/03	68 FR 15876
NPRM	03/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Agency Contact: Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AJ03

1680. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

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

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

Timetable:

Action	Date	FR Cite
ANPRM	04/01/03	68 FR 15879
NPRM	03/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Agency Contact: Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AJ04

1681. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLORADO BUTTERFLY PLANT

Priority: Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, December 30, 2003, NPRM.

Final, Judicial, December 30, 2004, Final.

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

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AJ07

1682. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE FISH SLOUGH MILK VETCH

Priority: Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, November 15, 2003, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM—proposed critical habitat	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and

DOI—FWS

Proposed Rule Stage

Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov

RIN: 1018-AJ09

1683. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MUNZ'S ONION

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	05/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AJ10

1684. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COASTAL-PUGET SOUND, ST. MARY-BELLY RIVER, AND JARBIDGE RIVER POPULATION SEGMENTS OF BULL TROUT

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, October 1, 2003, NPRM.

Abstract: We will designate critical habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River population segments of bull trout. The Coastal-Puget Sound bull trout

population segment encompasses all Pacific Coast drainages within Washington, including Puget Sound. The St. Mary-Belly River bull trout population segment occurs in northwest Montana. The Jarbidge River population segment occurs in Nevada.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AJ12

1685. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SALT CREEK TIGER BEETLE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 30, 2005, NPRM.

Abstract: We will list the Salt Creek tiger beetle (*Cicindela nevadica lincolniana*) as endangered pursuant to the Endangered Species Act of 1973, as amended (Act). This subspecies is endemic to eastern Nebraska saline wetlands and associated streams in the northern third of Lancaster County and southern margin of Saunders County in Nebraska.

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	
Final Action	09/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and

Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov

RIN: 1018-AJ13

1686. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MEXICAN SPOTTED OWL

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, October 13, 2003, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AJ15

1687. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE EGGERT'S SUNFLOWER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We propose to remove the Eggert's sunflower from the List of Endangered and Threatened Species.

DOI—FWS

Proposed Rule Stage

This action is based on the recent completion of population and distribution studies, the commitment of land managers to the protection and management of several populations, and the discovery of previously undocumented populations throughout the species' range.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

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

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

RIN: 1018-AJ17**1688. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DE-DESIGNATION OF MANATEE PROTECTION AREAS IN FLORIDA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq.; 16 USC 1361-1407**CFR Citation:** 50 CFR 17.108**Legal Deadline:** None

Abstract: We intend to propose to de-designate two Manatee Refuges in FL: Pansy Bayou Manatee Refuge, in Sarasota County, and Cocoa Beach Manatee Refuge in Brevard County. These Refuges were designated on November 8, 2002 (67 Federal Register 68450). We will propose to de-designate these Refuges because the State of Florida has instituted additional manatee protection measures at these sites, making federal designation unnecessary.

Timetable:

Action	Date	FR Cite
NPRM	10/22/03	68 FR 60316
NPRM Comment Period End	11/21/03	

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

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

RIN: 1018-AJ23**1689. • INJURIOUS WILDLIFE; SILVER CARP (HYPOPHthalmichthys MOLITRIX)****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
ANPRM	07/23/03	68 FR 43482
ANPRM Comment Period End	09/22/03	
NPRM	02/00/04	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Undetermined**Federalism:** Undetermined

Agency Contact: Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Branch of Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Room 810-B, Arlington, VA 22203 Phone: 703 358-2464 Fax: 703 358-1800 Email: kari_duncan@fws.gov

RIN: 1018-AT29**1690. • WILD BIRD CONSERVATION ACT; REVIEW OF REGULATIONS TO ALLOW IMPORTS OF EXOTIC WILD BIRDS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15.41; 50 CFR 15.42**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

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

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

RIN: 1018-AT30**1691. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF MEXICAN BOBCAT FROM LIST OF ENDANGERED SPECIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

DOI—FWS

Proposed Rule Stage

a rule to delist the Mexican bobcat (*Lynx rufus escuinapae*) and remove it from the List of Endangered Species.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AT31

1692. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE VIRGINIA ROUNDEAF FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to remove the Virginia roundleaf from the List of Endangered and Threatened Species.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AT33

1693. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED TERMINATION OF THE SOUTHERN SEA OTTER TRANSLOCATION PROGRAM

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 propose to terminate the southern sea otter translocation program and change regulations to allow sea otters residing in designated translocation and management zones to remain after the zones are abolished. The southern sea otter translocation program, established under authority of Public Law 99-625, has failed to meet its established goals and objectives. A draft supplemental environmental impact statement (SEIS), to be released for public comment in the fall of 2003, includes a full evaluation of the southern sea otter translocation program and alternatives for the future of the program. The proposed rule describes the actions necessary to implement the proposed action identified in the SEIS. This decision is consistent with recommendations from the southern sea otter recovery team and resolves conflicts that have arisen between Fish and Wildlife Service mandates under the ESA and PL 99-625.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

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

RIN: 1018-AT34

1694. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; WITHDRAWAL OF PROPOSED DOWNLISTING OF THE PAHRUMP POOLFISH FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to withdraw the previous proposed rule to reclassify the Pahrump poolfish from endangered to threatened. Because of a change in status, reclassification is no longer warranted. The species only occurs in three refugia populations, and one of those populations has been recently lost.

Timetable:

Action	Date	FR Cite
NPRM	09/22/93	58 FR 49279
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AT35

1695. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE VIRGINIA NORTHERN FLYING SQUIRREL FROM ENDANGERED TO THREATENED

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to propose reclassifying the Virginia northern flying squirrel from endangered to threatened.

DOI—FWS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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

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

RIN: 1018-AT37

1696. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED REMOVAL OF THE YELLOWSTONE GRIZZLY BEAR POPULATION FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

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

Legal Authority: 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service is planning to propose to delist the Yellowstone population of grizzly bears from the List of Endangered and Threatened Species.

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

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

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

RIN: 1018-AT38

1697. • 2004-2005 REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS

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

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

CFR Citation: 50 CFR 32**Legal Deadline:** None

Abstract: We propose to open additional national wildlife refuges to hunting and/or sport fishing and to provide refuge-specific regulations for those activities. This is an annual update for the National Wildlife Refuge System that ensures adequate public notice of openings/changes each fall. We operate hunting/fishing programs on national wildlife 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	07/00/04	

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

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

RIN: 1018-AT40

1698. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE ARROYO TOAD

Priority: Substantive, Nonsignificant. 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, April 1, 2004, NPRM.

Abstract: We will propose designation of critical habitat for the arroyo toad, an endangered species known from California and Mexico.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

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

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

RIN: 1018-AT42

1699. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE BOREAL TOAD

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

Legal Authority: 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, September 30, 2005, Final.

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

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

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

RIN: 1018-AT43

DOI—FWS

Proposed Rule Stage

1700. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER SANTA BARBARA COUNTY DISTINCT POPULATION SEGMENT

Priority: Substantive, Nonsignificant. 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 15, 2004, NPRM.

Abstract: We will propose designation of critical habitat for the Santa Barbara County Distinct Population Segment of the California tiger salamander, an endangered species in California.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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

RIN: 1018-AT44

1701. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE RIVERSIDE FAIRY SHRIMP

Priority: Substantive, Nonsignificant. 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, April 1, 2004, NPRM.

Abstract: We will propose designation of critical habitat for the Riverside fairy shrimp, an endangered species in California.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

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

RIN: 1018-AT45

1702. ● SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D; 2005-2006 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

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

Legal Authority: 16 USC 3124

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

Abstract: This rule will revise the regulations for seasons, harvest limits, methods, and means for the subsistence taking of fish and shellfish during the 2005-06 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review cycle.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AT46

1703. ● MARINE MAMMALS: REVISED DEFINITION OF "AUTHENTIC NATIVE ARTICLES OF HANDICRAFTS AND CLOTHING"

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

Legal Authority: 16 USC 1631

CFR Citation: 50 CFR 18.3

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Tribal

Agency Contact: Martin Kodis, Chief, Division of Federal Program Activities, Branch of Management Support, Department of the Interior, United States Fish and Wildlife Service, U.S. Fish and Wildlife Service, 400 ARL SQ, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-5496
Fax: 703 358-1869
Email: martin_kodis@fws.gov

RIN: 1018-AT48

1704. ● REVISED DEFINITION OF "DESTRUCTION OR ADVERSE MODIFICATION" FOR ENDANGERED SPECIES ACT SECTION 7 CONSULTATIONS

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 402.02

Legal Deadline: None

DOI—FWS

Proposed Rule Stage

Abstract: Fish and Wildlife Service and National Marine Fisheries Service will revise definition of “destruction or adverse modification” to reflect the 5th Circuit Court of Appeals’ 2001 decision that the existing regulation is invalid.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 1849 C Street NW, Mailstop ARL-SQ 420, Washington, DC 20240

Phone: 703 358-2106

Fax: 703 358-1735

Email: rick_sayers@fws.gov

RIN: 1018-AT50

1705. ● LISTING THE MIAMI BLUE BUTTERFLY AS ENDANGERED; LISTING THE CASSIUS BLUE, CERAUNUS BLUE, AND NICKERBEAN (AMMON) BLUE BUTTERFLIES AS THREATENED DUE TO SIMILARITY OF APPEARANCE TO THE MIAMI BLUE

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

Legal Authority: 16 USC 1361-1407; 16 USC 1531-1544; 16 USC 4201-4245; Pub L 99-625, 100 Stat 3500

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: FWS proposes to emergency list the Miami blue butterfly as endangered under the Endangered Species Act of 1973, as amended. The geographic range of this butterfly, which once extended north along the

Florida coasts to about St. Petersburg and Daytona, has been severely reduced and is now restricted to Bahia Honda Key, Monroe County, Florida. The wild population of Miami blue is estimated at 45 to 50 adults, the number found consistently during survey efforts, while the documented range of the population fluctuates between 15 and 135 adults, depending on season and other environmental factors. We also determine the cassius blue butterfly (*Leptotes cassius theonus*), ceraunus blue butterfly (*Hemiargus ceraunus antibubastus*), and nickerbean (ammon) blue butterfly (*Cyclargus (Hemiargus) ammon ammon*) to be threatened due to similarity of appearance to the Miami blue, with a special rule pursuant to section 4(e) of the ESA.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	
Other/Final Rule— Emergency rule	11/00/03	
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AT51

1706. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MEXICAN SPOTTED OWL

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: NPRM, Judicial, November 7, 2003, NPRM. Final, Judicial, April 13, 2004, Final.

Abstract: We propose the designation of critical habitat pursuant to the Endangered Species Act of 1973, as amended, for the Mexican spotted owl (*Strix occidentalis lucida*). The owl inhabits canyon and montane forest habitats across a range that extends from southern Utah and Colorado, through Arizona, New Mexico, and west Texas, to the mountains of central Mexico. We propose to designate approximately 5.5 million hectares (ha) (13.5 million acres (ac)) of critical habitat in Arizona, Colorado, New Mexico, and Utah, mostly on Federal lands.

Timetable:

Action	Date	FR Cite
NPRM	11/18/03	68 FR 65020
NPRM Comment Period End	12/18/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AT52

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

Final Rule Stage

1707. LIST OF MIGRATORY BIRDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 704; 16 USC 712

CFR Citation: 50 CFR 10.13

Legal Deadline: None

Abstract: The List of Migratory Birds found at 50 CFR 10.13 is being revised

to (1) bring the list into conformity with generally accepted taxonomy and nomenclature—English (common) and scientific names, as reflected in four published supplements to the 6th

DOI—FWS

Final Rule Stage

(1983) edition of the American Ornithologists' Union Checklist of North American Birds; and (2) add species that are of regular occurrence in the United States that are not included on the current list.

Timetable:

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
Second NPRM	10/12/01	66 FR 52281
Final Action	04/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AB72

1708. GENERAL PROVISIONS AND GENERAL PERMIT PROCEDURES—50 CFR PART 13

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 13

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/26/03	68 FR 51222
Final Action	09/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Local

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

Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Email: brian_millsap@fws.gov

RIN: 1018-AC57

1709. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE BALD EAGLE THROUGHOUT THE LOWER 48 STATES FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: 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 bald eagle from the List of Endangered and Threatened Species. This action is based on continued recovery gains and increasing population trends.

Timetable:

Action	Date	FR Cite
NPRM	07/06/99	64 FR 36454
Final Action	09/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AF21

1710. IMPORTATION OF CAPTIVE-BRED EXOTIC BIRDS INTO THE UNITED STATES FROM BREEDING FACILITIES IN OTHER COUNTRIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 4901 to 4916

CFR Citation: 50 CFR 15

Legal Deadline: None

Abstract: We will establish the information requirements and approval criteria for the import of captive-bred wild exotic birds from overseas

breeding facilities. This rule applies primarily to species listed in the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which are otherwise prohibited from import by the Wild Bird Conservation Act of 1992. The rule also describes the process for handling petitions to approve qualifying facilities, establishes the duration of approval, provides for the suspension and revocation of approval, and provides for notice of approved facilities in the Federal Register.

Timetable:

Action	Date	FR Cite
NPRM	03/17/94	59 FR 12784
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy_gabel@fws.gov

RIN: 1018-AF44

1711. POLICY ON GENERAL CONSERVATION PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq; 16 USC 1361 et seq; 16 USC 703 et seq

CFR Citation: None

Legal Deadline: None

Abstract: This policy will contain provisions to issue permits under a number of wildlife and plant laws and treaties to qualified organizations to conduct general conservation activities over a specified period of time instead of issuing multiple permits for each activity. This policy recognizes scientific and conservation professionals and institutions as partners in resource conservation and management and provides incentives for them to work with protected species and their habitats.

DOI—FWS

Final Rule Stage

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	10/28/99	64 FR 58086
Final Action	09/00/04	

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

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

RIN: 1018-AF63**1712. U.S. PROPOSALS FOR CITES APPENDIX III; CERTAIN TURTLE SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4217
Final Action	11/00/03	

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

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

RIN: 1018-AF69**1713. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THREE PLANTS FROM THE MARIANA ISLANDS AND GUAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

Timetable:

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

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

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

RIN: 1018-AG09**1714. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR 12 SPECIES OF PICTURE-WING FLIES FROM THE HAWAIIAN ISLANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory, January 2002, Final.

Abstract: We propose endangered status pursuant to the Endangered Species Act of 1973, as amended, for

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

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3964
Final Action	05/00/04	

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

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

RIN: 1018-AG23**1715. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE HOOVER'S WOOLLY-STAR FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We plan to make a final determination on the proposed rule to remove the Hoover's Woolly-Star from the list of Endangered and Threatened Plants because of recovery. This action is based on information that indicates this plant is more widespread and abundant than previously thought, more resilient and less vulnerable to certain activities than previously thought, and adequately protected on public lands.

DOI—FWS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	03/06/01	66 FR 13474
Final Action	10/07/03	68 FR 57829

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AG41

1716. NATIONAL WILDLIFE REFUGE SYSTEM; MISSION, GOALS, AND PURPOSES

Priority: Substantive, Nonsignificant

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

CFR Citation: None

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Proposed Policy	01/16/01	66 FR 3668
Comment Period Extended	03/15/01	66 FR 15136
NPRM Comment Period Reopened	05/15/01	66 FR 26879
NPRM Comment Period Reopened	06/21/01	66 FR 33268
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Federal

Agency Contact: James W. Kurth, Deputy Chief, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240

Phone: 703 358-1744

RIN: 1018-AG46

1717. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THREE COASTAL CALIFORNIA PLANTS

Priority: Other Significant

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

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 30, 2001, NPRM.

Abstract: We designate critical habitat for three coastal plants in California: LaGraciosa thistle, Lompac Yerba Santa, and Gaviota tarplant.

Timetable:

Action	Date	FR Cite
NPRM	11/15/01	66 FR 57559
NPRM Comment Period Reopened	05/07/02	67 FR 30641
Final Action for 2 plants	11/07/02	67 FR 67967
Final Action for 1 plant	08/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AG88

1718. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE TRUCKEE BARBERRY FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to make a final determination on the proposed rule to remove the Truckee barberry from the List of Endangered and Threatened

Species. This action is based on new information.

Timetable:

Action	Date	FR Cite
NPRM	09/03/02	67 FR 56254
Final Action	10/01/03	68 FR 56564

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AH47

1719. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE GUAM BROADBILL AND MARIANA MALLARD FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to make a final determination on the proposed rule to remove the Guam broadbill and the Mariana mallard from the List of Endangered and Threatened Wildlife because of extinction.

Timetable:

Action	Date	FR Cite
NPRM	01/25/02	67 FR 3675
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Fax: 703 358-1735

DOI—FWS

Final Rule Stage

Email: patrick_leonard@fws.gov

RIN: 1018-AH50

1720. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE JOHNSTON'S FRANKENIA FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	05/22/03	68 FR 27961
Final Action	04/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Email: patrick_leonard@fws.gov

RIN: 1018-AH53

1721. ENDANGERED AND THREATENED PLANTS; RECLASSIFICATION OF THE MISSOURI BLADDERPOD FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to make a final determination on the proposed rule to reclassify the Missouri bladderpod from endangered to threatened. This action is based on significant progress in finding additional populations and protecting and enhancing known populations.

Timetable:

Action	Date	FR Cite
NPRM	06/10/03	68 FR 34569
Final Action	10/15/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Email: patrick_leonard@fws.gov

RIN: 1018-AH59

1722. ADDITION OF THE GREAT WHITE SHARK AND THE CAPE STAG BEETLES TO APPENDIX III UNDER CITES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AH66

1723. AUDIT RESOLUTION POLICY

Priority: Substantive, Nonsignificant

Legal Authority: OMB Circular A-133

CFR Citation: 50 CFR 80; 43 CFR 12

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Policy	12/14/01	66 FR 64845
Policy—Request for Comments	10/29/03	68 FR 61681
Policy—Final Chapters	05/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

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

RIN: 1018-AH69

1724. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING REHABILITATION ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service will amend the Migratory Bird Permit regulations to create a permit category specifically to authorize rehabilitation of sick and injured migratory birds. Currently these permits are authorized under 50 CFR 21.27, Special Purpose Permits.

Timetable:

Action	Date	FR Cite
NPRM	12/06/01	66 FR 63349
Final Action	10/27/03	68 FR 61123

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714

DOI—FWS

Final Rule Stage

Email: brian_millsap@fws.gov

RIN: 1018-AH87

1725. IMPORTATION OF EXOTIC WILD BIRDS INTO THE UNITED STATES; ADDING BLUE-FRONTED AMAZON PARROTS FROM ARGENTINA'S APPROVED SUSTAINABLE USE MANAGEMENT PLAN TO THE APPROVED LIST OF NON-CAPTIVE BRED SPECIES

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	08/06/03	68 FR 46559
Other/Comment Period End	10/06/03	
Final Action	03/00/04	

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

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

RIN: 1018-AH89

1726. MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES (BEAUFORT SEA POLAR BEAR AND WALRUS)

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18**Legal Deadline:** None

Abstract: The Marine Mammal Protection Act authorizes issuance of regulations to allow the incidental

unintentional take of small numbers of marine mammals in activities (other than commercial fishing) in specific geographical areas. These regulations would authorize incidental take of polar bears and walrus in the Beaufort Sea during oil and gas energy activities for 1 year, after current regulations expire on March 31, 2003.

Timetable:

Action	Date	FR Cite
NPRM	07/25/03	68 FR 44020
NPRM Comment Period End	08/25/03	
Final Action	11/00/03	

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

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

RIN: 1018-AH92

1727. PUBLIC NOTICE FOR CITES APPENDIX III LISTING OF SPANISH CEDAR AND BIGLEAF MAHOGANY BY THE GOVERNMENT OF PERU

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 23**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/04	

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

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

Phone: 703 358-1708

Email: pat_ford@fws.gov

RIN: 1018-AH99

1728. MIGRATORY BIRD HUNTING AND PERMITS; REGULATIONS FOR MANAGING HARVEST OF LIGHT GOOSE POPULATIONS

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

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

Timetable:

Action	Date	FR Cite
NPRM	10/12/01	66 FR 52077
NPRM Correction	11/07/01	66 FR 56266
NPRM Comment Period Extended	12/10/01	66 FR 63665
Final Action	11/00/03	

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

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

RIN: 1018-AI07

DOI—FWS

Final Rule Stage

1729. ADDITION BY INDONESIA OF RAMIN TO APPENDIX III UNDER THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99–625**CFR Citation:** 50 CFR 23**Legal Deadline:** None

Abstract: This direct final rule notifies the public that, by unilateral action provided for in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Government of Indonesia has listed the tree species, Ramin, in CITES appendix III. This listing invokes certain permitting requirements to assist Indonesia in controlling trade in this species.

Timetable:

Action	Date	FR Cite
Direct Final Rule	05/00/04	

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

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

Phone: 703 358–1708

Email: pat_ford@fws.gov

RIN: 1018–AI08**1730. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; BELUGA STURGEON****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99–625**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: On the basis of comments received, we may finalize a rule to list the Beluga sturgeon (*Huso huso*) as endangered. This species historically inhabited the Caspian, Black, Azov, and Adriatic Seas and all rivers flowing into them. The Adriatic Sea population has been extirpated, and no wild Beluga sturgeon has been found in the Sea of Azov since the mid-1980s. This species has declined due to fishing pressure.

This species is highly valued for its caviar and is subject to substantial levels of both legal and illegal fishing. The Beluga sturgeon has also been impacted by dam building and other forms of habitat modification.

Timetable:

Action	Date	FR Cite
Notice	06/20/02	67 FR 41918
NPRM	07/31/02	67 FR 49657
NPRM Comment Period Reopened	11/06/02	67 FR 67586
Other/NPRM Comment Period Reopened	07/02/03	68 FR 39507
Final Action	01/00/04	

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

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

Phone: 703 358–1708

Email: marie_maltese@fws.gov

RIN: 1018–AI11**1731. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE TINIAN MONARCH FLYCATCHER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service is planning to make a final determination on the proposed rule to delist the Tinian monarch flycatcher from the list of endangered and threatened species, due to apparent increases in population numbers and likely improvement of habitat quality. This bird occurs on Tinian Island in the Marianas. The proposed rule was published in the Federal Register on February 22, 1999, page 8533, under RIN 1018–AE40.

Timetable:

Action	Date	FR Cite
NPRM	02/22/99	64 FR 8533
Final Action	12/00/03	

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

Agency Contact: Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203

Phone: 703 358–2171

Fax: 703 358–1735

Email: patrick_leonard@fws.gov

RIN: 1018–AI14**1732. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND DESIGNATION OF CRITICAL HABITAT FOR THREE SNAILS AND ONE AMPHIPOD****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99–625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, February 6, 2002, NPRM.

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

Timetable:

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

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

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

Phone: 703 358–2171

Fax: 703 358–1735

Email: chris_nolin@fws.gov

RIN: 1018–AI15

DOI—FWS

Final Rule Stage

1733. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE ROTA BRIDLED WHITE-EYE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat.3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, June 18, 2002, NPRM.**Abstract:** We propose to list a bird, the Rota bridled white-eye, which occurs in the Mariana Islands.**Timetable:**

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

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, Local, State, Tribal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI16**1734. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE TOPEKA SHINER****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, August 13, 2002, NPRM.**Abstract:** We propose to designate critical habitat for the fish, the Topeka shiner, which occurs in Iowa, Kansas, Minnesota, Missouri, and South Dakota.**Timetable:**

Action	Date	FR Cite
NPRM	08/21/02	67 FR 54261
Final Action	07/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, Local, State**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI20**1735. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE VENTURA MARSH MILKVETCH****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, October 1, 2002, NPRM.**Abstract:** This rule designates critical habitat for the plant, the Ventura Marsh milkvetch, which occurs in California.**Timetable:**

Action	Date	FR Cite
NPRM	10/09/02	67 FR 62926
NPRM Comment	03/20/03	68 FR 13663
Period Reopened		
Final Rule	05/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal, State, Local**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI21**1736. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 20**Legal Deadline:** None**Abstract:** This rule would establish a regulation authorizing State wildlife

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

Timetable:

Action	Date	FR Cite
NPRM	08/21/03	68 FR 50496
Final Action	03/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Tribal**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Email: brian_millsap@fws.gov**RIN:** 1018-AI32**1737. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, July 13, 2002, NPRM.**Abstract:** We will propose a new designation of critical habitat for the Cactus ferruginous pygmy owl distinct population segment found in Arizona.**Timetable:**

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

Regulatory Flexibility Analysis**Required:** Undetermined

DOI—FWS

Final Rule Stage

Government Levels Affected: Federal

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

RIN: 1018-AI48

1738. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SLICKSPOT PEPPERGRASS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, April 2003, Final.

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

Timetable:

Action	Date	FR Cite
NPRM	07/15/02	67 FR 46441
NPRM Comment Period Reopened	09/25/02	67 FR 60206
Other/NPRM Comment Period Reopened	07/18/03	68 FR 42666
Final Action	01/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

RIN: 1018-AI50

1739. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE CENTRAL CALIFORNIA DISTINCT POPULATION SEGMENT OF THE CALIFORNIA TIGER SALAMANDER; RECLASSIFICATION OF THE SONOMA COUNTY AND SANTA BARBARA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We are proposing to: (1) list the Central California distinct population segment (DPS) of the California Tiger Salamander (*Ambystoma californiense*) as a threatened species under the Endangered Species Act (ESA); (2) reclassify the Sonoma County and Santa Barbara County DPSs of the California Tiger Salamander from endangered to threatened under the ESA; and (3) exempt, under section 4(d) of the ESA, existing routine ranching activities on private or tribal lands from section 9 prohibitions for the three DPSs of the California tiger salamander.

Timetable:

Action	Date	FR Cite
NPRM	05/23/03	68 FR 28648
NPRM Comment Period Extended	07/03/03	68 FR 39892
NPRM Comment Period Reopened	09/30/03	68 FR 56261
NPRM Comment Period End	10/31/03	
Final Action	05/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

RIN: 1018-AI68

1740. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE DESERT YELLOWHEAD

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, March 8, 2003, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM	03/14/03	68 FR 12326
NPRM Comment Period End	05/13/03	
Final Action	03/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

RIN: 1018-AI69

1741. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	04/22/03	68 FR 19888
NPRM Comment Period End	06/06/03	
Final Action	04/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

RIN: 1018-AI71

DOI—FWS

Final Rule Stage

1742. 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, NPRM.**Abstract:** We will propose to designate critical habitat for the Coastal California gnatcatcher, a threatened bird found in southern California.**Timetable:**

Action	Date	FR Cite
NPRM	04/24/03	68 FR 20228
NPRM Comment Period End	06/23/03	
Final Action	04/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI72**1743. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR 11 MOBILE RIVER BASIN FRESHWATER MUSSELS****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, March 17, 2003, NPRM.**Abstract:** We will propose to designate critical habitat, if prudent, for three threatened and eight endangered species of Mobile River Basin freshwater mussels.**Timetable:**

Action	Date	FR Cite
NPRM	03/26/03	68 FR 14752

Action	Date	FR Cite
NPRM Comment Period Reopened	08/14/03	68 FR 48581
Final Action	05/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI73**1744. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BRAUN'S ROCKCRESS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 19, 2003, NPRM.**Abstract:** We will propose designation of critical habitat for Braun's rockcress, an endangered plant found in Kentucky and Tennessee.**Timetable:**

Action	Date	FR Cite
NPRM	06/03/03	68 FR 33058
Final Action	05/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI74**1745. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE PIERSON'S MILKVETCH****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, July 28, 2003, NPRM.**Abstract:** We will propose designation of critical habitat for Pierson's milkvetch, a threatened plant found in California.**Timetable:**

Action	Date	FR Cite
NPRM	08/05/03	68 FR 46143
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI77**1746. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE DUGONG IN THE REPUBLIC OF PALAU****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to reopen the comment period on the proposed listing, as endangered, of the dugong in the Republic of Palau. The proposed rule was published in the Federal Register on August 5, 1993 (58 FR 41688).**Timetable:**

Action	Date	FR Cite
NPRM	08/05/93	58 FR 41688
NPRM Comment Period Reopened	12/02/02	67 FR 71529
Final Action	11/00/03	

DOI—FWS

Final Rule Stage

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** The proposed rule was published in the Federal Register on August 5, 1993 (58 FR 41688).**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy_gabel@fws.gov**RIN:** 1018-AI81**1747. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE SCIMITAR-HORNED ORYX, ADDAX, AND DAMA GAZELLE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to reopen the comment period on the proposed listing of the Scimitar-Horned oryx, addax and the Dama gazelle as endangered. The proposed rule was published in the Federal Register on November 5, 1991.**Timetable:**

Action	Date	FR Cite
NPRM	11/05/91	56 FR 56491
NPRM Comment Period Reopened	07/24/03	68 FR 43706
NPRM Comment Period End	10/22/03	
Final Action	04/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy_gabel@fws.gov**RIN:** 1018-AI82**1748. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS C AND D; 2004-2005 SUBSISTENCE TAKING OF FISH AND SHELLFISH****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None**Abstract:** This rulemaking will revise the regulations for seasons, harvest limits, methods, and means related to taking of fish and shellfish in Alaska for subsistence uses during the 2004 regulatory year. This rulemaking is necessary because subpart D of the subsistence management regulations is subject to an annual review cycle. In the Fall 2002 Unified Agenda, this rulemaking appeared under the RIN 1018-AI37, which has been withdrawn.**Timetable:**

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal**Agency Contact:** William 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-AI89**1749. CHANGES IN LIST OF SPECIES IN APPENDICES TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 23**Legal Deadline:** None**Abstract:** We will announce the decisions made by the 12th Meeting of the Conference of the Parties (COP12) to the Convention on International Trade in Endangered Species of Wild

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

Timetable:

Action	Date	FR Cite
Final Action	11/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy_gabel@fws.gov**RIN:** 1018-AI90**1750. ENDANGERED SPECIES ACT COUNTERPART SECTION 7 CONSULTATION REGULATIONS FOR IMPLEMENTING THE NATIONAL FIRE PLAN****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 402.02; 50 CFR 418 to 423**Legal Deadline:** None**Abstract:** These counterpart regulations will revise the existing Endangered Species Act consultation procedures by allowing agencies implementing the National Fire Plan to make determinations that proposed actions are "not likely to adversely affect" threatened or endangered species or designated critical habitat without the need to obtain written concurrence from the Fish and Wildlife Service or the National Marine Fisheries Service. The regulation will streamline the consultation process for National Fire Plan projects and is expected to achieve the same protections presently afforded to species protected under the Endangered Species Act.**Timetable:**

Action	Date	FR Cite
NPRM	06/05/03	68 FR 33806
Final Action	10/09/03	68 FR 58292
Final Action	03/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

DOI—FWS

Final Rule Stage

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 1849 C Street NW, Mailstop ARL-SQ 420, Washington, DC 20240

Phone: 703 358-2106

Fax: 703 358-1735

Email: rick_sayers@fws.gov

RIN: 1018-AJ02

1751. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2004–2005 SUBSISTENCE TAKING OF FISH AND WILDLIFE

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

Legal Authority: 16 USC 3124

CFR Citation: 50 CFR 100; 36 CFR 100

Legal Deadline: None

Abstract: This proposed rule will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2004–05 regulatory year. This rulemaking is necessary because subpart D is subject to annual review.

Timetable:

Action	Date	FR Cite
NPRM	08/19/03	68 FR 49734
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Federalism: This action may have federalism implications as defined in EO 13132.

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-AJ25

1752. • PROPOSAL TO EXTEND EXISTING AMENDED 4(D) RULE FOR PREBLE'S MEADOW JUMPING MOUSE IN COLORADO AND WYOMING

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

Legal Authority: 16 USC 1531

CFR Citation: 17 CFR 40

Legal Deadline: None

Abstract: On May 22, 2001, the Fish and Wildlife Service adopted special regulations governing take of the threatened Preble's meadow jumping mouse (*Zapus hudsonius preblei*), which provide exemption from take provisions under section 9 of the Endangered Species Act for certain activities related to rodent control, ongoing agricultural activities, landscape maintenance, and existing uses of water. On October 1, 2002, the Service amended those regulations to provide exemptions for certain activities related to noxious weed control and ongoing ditch maintenance activities. This action proposes to extend the regulations, as amended, for 10 years. Current Amended 4(d) rule will expire in May 22, 2004.

Timetable:

Action	Date	FR Cite
NPRM	10/00/03	
Final Action	05/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AJ26

1753. • MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; PROPOSED SPRING/SUMMER SUBSISTENCE ANNUAL HARVEST REGULATIONS FOR MIGRATORY BIRDS IN ALASKA DURING THE 2004 SUBSISTENCE SEASON

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

Legal Authority: 16 USC 703-712

CFR Citation: 50 CFR 92

Legal Deadline: None

Abstract: The U.S. Fish and Wildlife Service is establishing spring/summer migratory bird subsistence harvest regulations in Alaska for the 2004 subsistence season. The rulemaking is necessary because the regulations governing the subsistence harvest of migratory birds in Alaska are subject to annual public review. This rulemaking sets regulations that expire on August 31, 2004, for the spring/summer subsistence harvest of migratory birds in Alaska. Seasons will open after March 11 and will close prior to September 1.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel Engeljohn, Executive Associate, Department of Agriculture, Food Safety and Inspection Service, 300-12th Street, Washington, DC 20250

Phone: 202 720-5627

Fax: 202-690-0486

Email: daniel.engeljohn@usda.gov

Tina Chouinard, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, Lake Ophelia NWR, 401 Island Road, Marksville, LA 71351

Phone: 318 253-4238

Fax: 318 253-7139

Email: tina_chouinard@fws.gov

RIN: 1018-AJ27

DOI—FWS

Final Rule Stage

1754. ● 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 (67 FR 18572; April 16,

2002) to create an exception to the regulations governing the Barge Canal manatee refuge in Brevard County, Florida. Under this exception, parties may apply for authorization to conduct otherwise prohibited activities in the refuge if they can demonstrate to the Service that the activity can be pursued in such a manner that manatees will not be taken.

Timetable:

Action	Date	FR Cite
NPRM	04/16/02	67 FR 18572
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AT39

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

Long-Term Actions

1755. IMPLEMENTATION OF THE 1994 AMENDMENTS TO THE MARINE MAMMAL PROTECTION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 to 1374

CFR Citation: 50 CFR 18

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AE72

1756. TAKING OF MARINE MAMMALS BY LEVEL B HARASSMENT; ISSUANCE OF GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH AND PERMITS FOR PHOTOGRAPHY, EDUCATIONAL, AND COMMERCIAL PURPOSES

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 18

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018-AF26

1757. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF ENDANGERED STATUS AND DESIGNATION OF CRITICAL HABITAT FOR THE GILA CHUB

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory, August 2003, Final.

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

Timetable:

Action	Date	FR Cite
NPRM	08/09/02	67 FR 51947
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AG16

DOI—FWS

Long-Term Actions

1758. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE MIAMI BLUE BUTTERFLY**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99–625 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We will complete a 12-month finding regarding whether the Miami blue butterfly in Florida should be added to the List of Endangered and Threatened Wildlife.**Timetable:**

Action	Date	FR Cite
Notice of Petition Finding	01/03/02	67 FR 280
NPRM	10/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris_nolin@fws.gov**RIN:** 1018–AH30**1759. INTERAGENCY GUIDANCE FOR THE PRESCRIPTION OF FISHWAYS PURSUANT TO SECTION 18 OF THE FEDERAL POWER ACT****Priority:** Other Significant**Legal Authority:** 16 USC 791(a) et seq**CFR Citation:** None**Legal Deadline:** None**Abstract:** This will make publicly available, and describe the intent of, internal guidance for us (the Fish and Wildlife Service) and the National Marine Fisheries Service regarding the prescription of fishways under section 18 of the Federal Power Act, for non-Federal hydropower projects licensed by the Federal Energy Regulatory Commission. It will also provide clarification of the terms “fish” and “fishway.” The guidance document will be reviewed following a 2-year trial period, and the information

obtained will be used to support a final action.

Timetable:

Action	Date	FR Cite
Notice	12/22/00	65 FR 80898
Notice of Availability	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Dr. Benjamin Tuggle, Chief, Division of Federal Program Activities, Department of the Interior, United States Fish and Wildlife Service, Room 400, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2161
Fax: 703 358–1869
Email: benjamin_tuggle@fws.gov**RIN:** 1018–AH42**1760. ENDANGERED AND THREATENED WILDLIFE; RECLASSIFICATION OF THE MARIANNA FRUIT BAT ON GUAM FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to reclassify the Marianna fruit bat on Guam from endangered to threatened.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: patrick_leonard@fws.gov**RIN:** 1018–AH55**1761. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE DOLLY VARDEN AS A THREATENED SPECIES IN WASHINGTON DUE TO SIMILARITY OF APPEARANCE TO BULL TROUT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We propose to list the Dolly Varden (*Salvelinus malma*) as threatened under the “Similarity of Appearance” provision of the Endangered Species Act in Washington, due to its similarity of appearance to the bull trout.**Timetable:**

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

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris_nolin@fws.gov**RIN:** 1018–AH68**1762. CORRECTIONS TO RIGHTS-OF-WAY REGULATIONS****Priority:** Info./Admin./Other**Legal Authority:** PL 101–475**CFR Citation:** 50 CFR 29**Legal Deadline:** None**Abstract:** The Service proposes to make revisions to the Rights-of-Way General Regulations in 50 CFR 29 subpart B. The revisions will correct the address of our Region 5 Office in 50 CFR 29.21–2(c)(5). We will also implement section 1 of Public Law 101–475 by correcting the names of the House and Senate Committees we must notify upon receipt of an application for a right-of-way for an oil and gas pipeline that is 24 inches or more in diameter and again before granting right-of-way. Finally, the proposed revised regulation

DOI—FWS

Long-Term Actions

will delete the reference to a 60-day waiting period after notification of our intent to grant the right-of-way. (The waiting period was repealed by Congress.)

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AI12

1763. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 6 GUAM SPECIES

Priority: Other Significant

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

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, October 1, 2004, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM	10/15/02	67 FR 63737
NPRM Comment Period Extended	12/05/02	67 FR 72407
NPRM Comment Period Reopened	01/28/03	68 FR 4159
NPRM Comment Period End	02/18/03	
Final Rule	10/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and

Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov

RIN: 1018-AI25

1764. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE SAN MIGUEL ISLAND FOX, SANTA ROSA ISLAND FOX, SANTA CRUZ ISLAND FOX, AND SANTA CATALINA ISLAND FOX

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, July 10, 2003, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM	12/10/01	66 FR 63654
Final Action—Final Listing, Proposed Critical Habitat	10/00/04	
Final Action—Final Critical Habitat	10/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, Local, State, Tribal

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

RIN: 1018-AI28

1765. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLUMBIA-KLAMATH DISTINCT POPULATION SEGMENT OF THE BULL TROUT

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, September 1, 2002, NPRM.

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

Timetable:

Action	Date	FR Cite
NPRM	11/29/02	67 FR 71235
NPRM Comment Period Reopened	02/11/03	68 FR 6863
NPRM Comment Period End	05/12/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

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

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

RIN: 1018-AI52

1766. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION; 50 CFR 17.21

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.21(g)

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

DOI—FWS

Long-Term Actions

Government Levels Affected: None

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

RIN: 1018-AI66

1767. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PERMITS FOR FOREIGN LISTED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	08/18/03	68 FR 49512
Final Action	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AI67

1768. 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	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions, Organizations, Businesses

Government Levels Affected: State, Federal

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

RIN: 1018-AI96

1769. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PRUDENCY DETERMINATION AND DESIGNATION OF CRITICAL HABITAT FOR EGGERT'S SUNFLOWER

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, December 29, 2003, NPRM.

Abstract: We will determine the prudence of proposing the designation of critical habitat for the Eggert's sunflower. On May 22, 1997, the Eggert's sunflower was designated as a threatened species. This species is known to occur in Alabama, Kentucky, and Tennessee.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and

Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov

RIN: 1018-AJ08

1770. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SPREADING NAVARRETTIA AND THE SAN JACINTO VALLEY CROWNSCALE

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, January 30, 2004, NPRM.

Abstract: We will designate critical habitat for the spreading navarettia and San Jacinto Valley crownscale. On October 13, 1998, the spreading navarettia, a plant species native to California and Mexico, was listed as a threatened species, and the San Jacinto Valley crownscale, a plant species endemic to California, was listed as endangered.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AJ11

1771. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA RED-LEGGED FROG

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, March 31, 2004, NPRM.

DOI—FWS

Long-Term Actions

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

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

RIN: 1018-AJ16

1772. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED AMENDMENT TO THE NONESSENTIAL EXPERIMENTAL POPULATION RULE FOR THE MEXICAN GRAY WOLF

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 currently exploring a revision to the Mexican wolf nonessential experimental population rule. In 2000, a panel of scientists recommended a proposed revision to the experimental population rule after conducting a 3-year review of the program. The Service intends to propose a revision to the rule allowing 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 propose a revision 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	10/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

RIN: 1018-AT36

1773. • LAND CONSERVATION PLANNING (REFUGE MANUAL CHAPTER 602 FW 2)

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

Legal Authority: 16 USC 668dd to 668ee

CFR Citation: None

Legal Deadline: None

Abstract: This policy chapter provides the process whereby new lands and waters are approved for addition to the National Wildlife Refuge System. The addition of lands and waters includes such methods as fee title acquisition, easements, donation, and transfers, and may apply to the significant expansion of an existing national wildlife refuge or creation of a new national wildlife refuge.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Ross Alliston, Refuge Program Specialist, Department of the Interior, United States Fish and Wildlife Service, National Wildlife Refuge System, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Arlington, VA 22204
Phone: 703 358-2388
Email: ross_alliston@fws.gov

RIN: 1018-AT41

1774. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART A AND SUBPART B

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

Legal Authority: 16 USC 3124

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

Abstract: This rule will revise the saltwater areas of jurisdiction, certain definitions, and clarify portions of the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

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-AT47

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

Completed Actions

1775. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE DOUGLAS COUNTY, OREGON, POPULATION OF THE COLUMBIA WHITE-TAILED DEER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	07/24/03	68 FR 43647

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patrick Leonard

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AF43

1776. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 47 PLANTS IN HAWAII

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	07/02/03	68 FR 39624

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AH02

1777. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR PLANTS OF THE NORTHWEST ISLANDS, HAWAII

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	05/22/03	68 FR 28054

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171
Fax: 703 358-1735
Email: chris_nolin@fws.gov
RIN: 1018-AH09

1778. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE SACRAMENTO MOUNTAINS CHECKERSPOT BUTTERFLY AND PROPOSED DESIGNATION OF CRITICAL HABITAT

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	09/11/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AH40

1779. ENDANGERED AND THREATENED WILDLIFE; REMOVAL OF THE SAN MARCOS GAMBUSIA FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	08/26/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patrick Leonard

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AH52

1780. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REPROPOSED DETERMINATIONS OF PRUDENCY AND PROPOSED DESIGNATIONS OF CRITICAL HABITAT FOR PLANTS FROM MAUI AND KAHOOLAWA, HAWAII

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	05/14/03	68 FR 25934

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AH70

1781. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REOPENING OF COMMENT PERIOD ON THE THREATENED STATUS OF THE SACRAMENTO SPLITTAIL (POGONICHTHYS MACROLEPIDOTIS)

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action—Notice of Remanded Determination of Status	09/22/03	68 FR 55140

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AH73

1782. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BLACKBURN'S SPHINX MOTH

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	06/10/03	68 FR 34710

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AH94

DOI—FWS

Completed Actions

1783. CIVIL PROCEDURES; 50 CFR PART 11**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 11**Completed:**

Reason	Date	FR Cite
Withdrawn	08/28/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Kevin Adams

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AH97**1784. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF GRIZZLY BEARS IN THE BITTERROOT AREA OF IDAHO AND MONTANA; REMOVAL OF REGULATIONS****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal, State**Agency Contact:** Patrick Leonard

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AI03**1785. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 103 OAHU, HAWAII, PLANTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	06/17/03	68 FR 35950

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

Phone: 703 358-2171

Fax: 703 358-1735
Email: chris_nolin@fws.gov**RIN:** 1018-AI24**1786. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR FOUR FAIRY SHRIMP AND 11 PLANTS IN CALIFORNIA****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Rule	08/06/03	68 FR 46684

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AI26**1787. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING DOUBLE-CRESTED CORMORANT DAMAGES****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 21**Completed:**

Reason	Date	FR Cite
Other/Notice—FEIS	08/11/03	68 FR 47603
Final Action	10/08/03	68 FR 58022

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

Phone: 703 358-1714

Email: brian_millsap@fws.gov

RIN: 1018-AI39**1788. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GRAY BAT FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AI40**1789. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE MOUNTAIN PLOVER WITH A SPECIAL RULE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	09/09/03	68 FR 53083

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AI45**1790. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE PREBLE'S MEADOW JUMPING MOUSE****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	06/23/03	68 FR 37275

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris_nolin@fws.gov

RIN: 1018-AI46**1791. TRIBAL WILDLIFE GRANTS PROGRAM IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002****Priority:** Other Significant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action	07/28/03	68 FR 44434

DOI—FWS

Completed Actions

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal**Agency Contact:** Patrick Durham

Phone: 202 208-4133

RIN: 1018-AI58

1792. TRIBAL LANDOWNER INCENTIVE PROGRAM (T-LIP) IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002**Priority:** Other Significant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action	07/28/03	68 FR 44424

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal**Agency Contact:** Patrick Durham

Phone: 202 208-4133

RIN: 1018-AI59

1793. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF THE BLACK-FOOTED FERRET IN SOUTH-CENTRAL SOUTH DAKOTA**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	05/16/03	68 FR 26498

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Patrick Leonard

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AI60

1794. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2003–2004 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 100; 36 CFR 242**Completed:**

Reason	Date	FR Cite
Final Action	06/27/03	68 FR 38464

Regulatory Flexibility Analysis

Required: 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-AI62

1795. 2003–2004 REFUGE SPECIFIC HUNTING AND SPORT FISHING REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 32**Completed:**

Reason	Date	FR Cite
NPRM	08/14/03	68 FR 48583
Final Action	10/02/03	68 FR 57308
Final Action Effective	10/02/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State**Agency Contact:** Leslie Marler

Phone: 703 358-2397

Email: leslie_marler@fws.gov

RIN: 1018-AI63

1796. MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; REGULATIONS FOR THE SPRING AND SUMMER 2003 SEASON**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 92**Completed:**

Reason	Date	FR Cite
Final Action	07/21/03	68 FR 43010

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State**Agency Contact:** Donna Dewhurst

Phone: 907 786-3499

Email: donna_dewhurst@fws.gov

RIN: 1018-AI84

1797. MIGRATORY BIRD HUNTING; PROPOSED 2003–2004 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUESTS FOR INDIAN TRIBAL PROPOSALS**Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 50 CFR 20**Completed:**

Reason	Date	FR Cite
NPRM	05/06/03	68 FR 24324
Other/Supplemental NPRM	06/23/03	68 FR 37362
Other/Supplemental NPRM	07/17/03	68 FR 42546
Other/Supplemental NPRM	08/08/03	68 FR 47424
Final Action	08/19/03	68 FR 50016
Final Action	08/27/03	68 FR 51658
Final Action	08/28/03	68 FR 51832
Final Action	08/29/03	68 FR 51919
Final Action	09/26/03	68 FR 55784
Final Action	09/29/03	68 FR 56048
Final Action	09/29/03	68 FR 56102

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: None**Agency Contact:** Ronald Kokel

Phone: 703 358-1714

Email: ronald_kokel@fws.gov

RIN: 1018-AI93

1798. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE WATER HOWELLIA (HOWELLIA AQUATILUS) FROM THE LIST OF ENDANGERED AND THREATENED SPECIES**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Patrick Leonard

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick_leonard@fws.gov

RIN: 1018-AI94

1799. REVISION OF AIRBORNE HUNTING REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 19

DOI—FWS

Completed Actions

Completed:

Reason	Date	FR Cite
Withdrawn	08/28/03	

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

Agency Contact: Kevin Adams
 Phone: 703 358-1949
 Fax: 703 358-1947
 Email: kevin_adams@fws.gov

RIN: 1018-AI99**1800. FISCAL YEAR 2004 PRIVATE STEWARDSHIP GRANTS PROGRAM; PROGRAM IMPLEMENTATION****Priority:** Other Significant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

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

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ01**1801. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE CUI-UI FROM THE LIST OF ENDANGERED AND THREATENED SPECIES AND ESTABLISHMENT OF A 4(D) RULE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

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

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ05**1802. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF ADDITIONAL MANATEE PROTECTION AREAS IN FLORIDA****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
NPRM	04/04/03	68 FR 16602
Final Action	08/26/03	68 FR 46870

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

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ06**1803. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF BLACK-FOOTED FERRET IN WYOMING****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/28/03	

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

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ18**1804. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE UNCOMPAGRE FRITILLARY BUTTERFLY FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

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

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ19**1805. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF ARCTIC RUSSIAN POPULATION OF SPECTACLED EIDERS FROM THE LIST OF ENDANGERED AND THREATENED SPECIES; CLASSIFICATION OF U.S. POPUL. AS THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/03	

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

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ20**1806. • GUIDANCE FOR THE ESTABLISHMENT, USE, AND OPERATION OF CONSERVATION BANKS****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** None**Legal Deadline:** None

Abstract: We are establishing interim guidance for the establishment, use, and operation of conservation banks. Conservation banks are a tool to offset adverse impacts to species listed as threatened or endangered under the Endangered Species Act of 1973, as amended. The purpose of this guidance is to help Service personnel evaluate and approve conservation banks in the context of fulfilling the purposes of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
Notice of Availability	05/08/03	68 FR 24753

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

DOI—FWS

Completed Actions

Government Levels Affected: None
Agency Contact: Patrick Leonard,
 Chief, Division of Consultation, Habitat
 Conservation Planning, Recovery and

State Grants, Department of the Interior,
 United States Fish and Wildlife
 Service, Room 420, 4401 North Fairfax
 Drive, Room 420, Arlington, VA 22203
 Phone: 703 358-2171

Fax: 703 358-1735
 Email: patrick_leonard@fws.gov

RIN: 1018-AJ22
BILLING CODE 4310-70-S

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

Proposed Rule Stage

**1807. BIG THICKET NATIONAL
 PRESERVE; PERSONAL
 WATERCRAFT**

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.85

Legal Deadline: None

Abstract: This proposed rulemaking
 would allow personal watercraft use in
 designated areas of the park. The
 rulemaking is necessary because the
 regulations that currently allow
 personal watercraft use in units of the
 National Park System expired on April
 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

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

RIN: 1024-AC92

**1808. PICTURED ROCKS NATIONAL
 LAKESHORE; PERSONAL
 WATERCRAFT**

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.32

Legal Deadline: None

Abstract: This proposed rulemaking
 would allow personal watercraft use in
 designated areas of the park. The
 rulemaking is necessary because the
 regulations that currently allow
 personal watercraft use in units of the

National Park System expired on April
 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

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

RIN: 1024-AC93

**1809. FIRE ISLAND NATIONAL
 SEASHORE; PERSONAL
 WATERCRAFT**

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.20

Legal Deadline: None

Abstract: This proposed rulemaking
 would allow personal watercraft use in
 designated areas of the park. The
 rulemaking is necessary because the
 regulations that currently allow
 personal watercraft use in units of the
 National Park System expired on April
 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

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

Fax: 202 208-4684
 Email: kym_hall@nps.gov

RIN: 1024-AC94

**1810. GATEWAY NATIONAL
 RECREATION AREA; PERSONAL
 WATERCRAFT**

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.29

Legal Deadline: None

Abstract: This proposed rulemaking
 would allow personal watercraft use in
 designated areas of the park. The
 rulemaking is necessary because the
 regulations that currently allow
 personal watercraft use in units of the
 National Park System expired on April
 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

**Regulatory Flexibility Analysis
 Required:** No

Government Levels Affected: None

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

RIN: 1024-AC95

**1811. BIGHORN CANYON NATIONAL
 RECREATION AREA; PERSONAL
 WATERCRAFT**

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.92

Legal Deadline: None

Abstract: This proposed rule would
 allow personal watercraft use in

DOI—NPS

Proposed Rule Stage

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	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1024-AC96

1812. LAKE MEREDITH RECREATION AREA; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.57

Legal Deadline: None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1024-AC97

1813. CHICKASAW RECREATION AREA; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.50

Legal Deadline: None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1024-AC98

1814. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.51

Legal Deadline: None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall, Regulations Program Manager, Department of the Interior, National

Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-4206
Fax: 202 208-4684
Email: kym_hall@nps.gov

RIN: 1024-AC99

1815. AMISTAD RECREATION AREA; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.79

Legal Deadline: None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in areas of the National Park System expired on April 22, 2002.

Timetable:

Action	Date	FR Cite
NPRM	10/22/03	68 FR 60305
NPRM Comment Period End	12/22/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1024-AD00

1816. LAKE ROOSEVELT RECREATION AREA; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.55

Legal Deadline: None

Abstract: This proposed rulemaking would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in areas of the National Park System expired on April 22, 2002.

DOI—NPS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1024-AD01

1817. 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	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Robbins, Assistant Director, Cultural Resources, Department of the Interior, National Park Service, NC340, 1849 C Street NW., Washington, DC 20240
Phone: 202 343-3388
Fax: 202 343-5260
Email: john_robbins@nps.gov

RIN: 1024-AD05

1818. BOATING AND WATER USE ACTIVITIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 1a-2(h); 16 USC 3**CFR Citation:** 36 CFR 3**Legal Deadline:** None

Abstract: This part was last updated comprehensively in the early 1980's. This regulation will help to address new and emerging technology, clarify some regulations for the benefit of the public and enforcement staff, implement changes to reduce safety concerns, and make NPS regulations more consistent with State regulations in order to reduce confusion with the public.

Timetable:

Action	Date	FR Cite
NPRM	08/26/03	68 FR 51207
NPRM Comment Period End	12/24/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

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

RIN: 1024-AD07

1819. • ALASKA PARK UNITS; SPECIAL REGULATIONS

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

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462k**CFR Citation:** 36 CFR 13**Legal Deadline:** None

Abstract: NPS regulations at 36 CFR 1.5 require the NPS to publish certain closures, designations, activity restrictions or conditions as rulemaking in the Federal Register. This rule will meet this requirement for all national park units in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior,

National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
Fax: 202 219-8835
Email: chick_fagan@nps.gov

RIN: 1024-AD13

1820. • DELAWARE WATER GAP NRA COMMERCIAL VEHICLE FEES**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462k; PL 104-333, sec 702; ...**CFR Citation:** 36 CFR 7.71(e)**Legal Deadline:** None

Abstract: Delaware Water Gap NRA's legislation authorizes the NPS to control commercial traffic on Route 209 within the park. This is a very labor-intensive operation, for which the legislation authorized the NPS to charge sufficient fees to make the operation financially self-sustaining. The current regulation will be revised to raise the fees to an adequate level.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

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

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
Fax: 202 219-8835
Email: chick_fagan@nps.gov

RIN: 1024-AD14

1821. • REVISIONS TO RIGHT-OF-WAY REGULATIONS**Priority:** Other Significant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 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,

DOI—NPS

Proposed Rule Stage

consideration, and approval or denial of requests for rights-of-way.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
Fax: 202 219-8835
Email: chick_fagan@nps.gov

RIN: 1024-AD16

1822. ● COST RECOVERY FOR SPECIAL PARK USES

Priority: Other Significant

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

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The National Park Service issues special use permits for activities such as special events, commercial

photography, and utility rights-of-way in areas of the National Park System. Processing these permit requests is costly, but the NPS has not instituted a system for cost recovery, as is authorized by law. This rule will establish a procedure to enable the NPS to recover its costs from the permit beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
Fax: 202 219-8835
Email: chick_fagan@nps.gov

RIN: 1024-AD18

1823. ● CEREMONIES AT FIRST DIVISION MONUMENT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 14k; 16 USC 9a

CFR Citation: 36 CFR 7.96

Legal Deadline: None

Abstract: This amendment will authorize the official annual Memorial Day and Veterans Day commemorative wreath-laying ceremonies at the First Division Monument. Currently, such ceremonies are not allowed under 36 CFR 7.96 (g)(3)(i).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
Fax: 202 219-8835
Email: chick_fagan@nps.gov

RIN: 1024-AD19

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

Final Rule Stage

1824. PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 61

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/12/02	67 FR 52532

Action	Date	FR Cite
NPRM Comment Period End	12/10/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Bryan Mitchell, Division, Department of the Interior, National Park Service, NC330, 1849 C Street NW., Washington, DC 20240
Phone: 202 354-2078
Fax: 202 371-5197
Email: bryan_mitchell@nps.gov

RIN: 1024-AC79

1825. COMMERCIAL USE AUTHORIZATIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-391

CFR Citation: 36 CFR 52

Legal Deadline: None

Abstract: Public Law 105-391 became effective on November 13, 1998. The new Act mandates revised procedures for issuing commercial use authorizations. Section 417 of Public Law 105-391 requires that the Secretary promulgate implementing regulations as soon as practicable after the effective date of the Act. Existing regulations governing commercial use within National Parks are not adequate to administer the provisions of the new statute and must be revised to reflect new requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/27/02	67 FR 70899
NPRM Comment Period End	01/27/03	
Final Action	06/00/04	

DOI—NPS

Final Rule Stage

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

Agency Contact: Cynthia Orlando, Chief of Concessions, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7156
Fax: 202 219-1173
Email: cindy_orlando@nps.gov

RIN: 1024-AC85**1826. SNOWMOBILE REGULATIONS FOR YELLOWSTONE AND GRAND TETON NATIONAL PARKS AND JDR PARKWAY**

Regulatory Plan: This entry is Seq. No. 73 in part II of this issue of the **Federal Register**.

RIN: 1024-AD11**1827. ● ROCKY MOUNTAIN NATIONAL PARK SNOWMOBILE USE**

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

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

CFR Citation: 36 CFR 7.7**Legal Deadline:** None

Abstract: The NPS is amending regulations specific to Rocky Mountain National Park that designate

snowmobile routes within the park. The routes currently designated are not consistent with the protection of park resources, the requirements of Executive Order 11644, or the NPS general regulation governing snowmobile use. This amendment will eliminate three of the four routes currently in use.

Timetable:

Action	Date	FR Cite
NPRM	01/05/01	66 FR 1069
Final Action	11/00/03	

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

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

RIN: 1024-AD15**1828. ● USE OF SERVICE ANIMALS IN NATIONAL PARK AREAS****Priority:** Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462k; 29 USC 701; ...

CFR Citation: 36 CFR 2.7**Legal Deadline:** None

Abstract: The Department of Justice has expanded the concept of “service animals” utilized by persons with disabilities. Many of the animals covered by the expanded definition are now prohibited in national park areas under NPS regulations at 36 CFR 2.15. This rulemaking will bring NPS regulations into conformance with the expanded definition.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/03	

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

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
Fax: 202 219-8835
Email: chick_fagan@nps.gov

RIN: 1024-AD17**Department of the Interior (DOI)
National Park Service (NPS)****Long-Term Actions****1829. SPECIAL REGULATIONS OF THE NATIONAL PARK SYSTEM; RELIGIOUS CEREMONIAL COLLECTION OF GOLDEN EAGLETS IN WUPATKI NATIONAL MONUMENT****Priority:** Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 42 USC 1996; 42 USC 2000bb

CFR Citation: 36 CFR 7.101**Legal Deadline:** None

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

impairment, and consistent with the Bald and Golden Eagle Protection Act.

Timetable:

Action	Date	FR Cite
NPRM	01/22/01	66 FR 6516
NPRM Comment	03/23/01	
Period End		
Final Action	To Be	Determined

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

Agency Contact: Patricia L. Parker, Chief, American Indian Liaison Office, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 354-6963
Fax: 202 371-6609

Email: pat_parker@nps.gov

RIN: 1024-AC86**1830. GOLDEN GATE NATIONAL RECREATION AREA; SPECIAL REGULATIONS****Priority:** Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.97**Legal Deadline:** None

Abstract: This advance notice of proposed rulemaking will seek public comment on a range of potential management options for addressing appropriate pet management within the Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety.

DOI—NPS

Long-Term Actions

Timetable:

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

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Brian O'Neill,
Superintendent, Department of the
Interior, National Park Service, Golden

Gate National Recreation Area, Fort
Mason, Building 201, San Francisco,
CA 94123-0022
Phone: 415 561-4739
Fax: 415 561-4710
Email: brian_o'neill@nps.gov
RIN: 1024-AD03

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

Completed Actions

1831. VEHICLES AND TRAFFIC
SAFETY; OPERATING UNDER THE
INFLUENCE OF ALCOHOL OR DRUGS

Priority: Substantive, Nonsignificant

CFR Citation: 36 CFR 4.23

Completed:

Reason	Date	FR Cite
Final Action	08/06/03	68 FR 46477

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall
Phone: 202 208-4206
Fax: 202 208-4684
Email: kym_hall@nps.gov

RIN: 1024-AC69

1832. NATIVE AMERICAN GRAVES
PROTECTION AND REPATRIATION
ACT REGULATIONS; CIVIL
PENALTIES

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 10

Completed:

Reason	Date	FR Cite
Final Action	04/03/03	68 FR 16354

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: John Robbins
Phone: 202 343-3388
Fax: 202 343-5260
Email: john_robbins@nps.gov

RIN: 1024-AC84

1833. VIRGIN ISLANDS CORAL REEF
NATIONAL MONUMENT; SPECIAL
REGULATIONS

Priority: Other Significant

CFR Citation: 36 CFR 7.103; 36 CFR
7.73

Completed:

Reason	Date	FR Cite
Interim Final Rule	04/04/03	68 FR 16432
Interim Final Rule Effective	05/05/03	
Withdrawn	06/10/03	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall
Phone: 202 208-4206
Fax: 202 208-4684
Email: kym_hall@nps.gov

RIN: 1024-AC89

1834. GLEN CANYON NATIONAL
RECREATION AREA; PERSONAL
WATERCRAFT

Priority: Substantive, Nonsignificant

CFR Citation: 36 CFR 7.70

Completed:

Reason	Date	FR Cite
Final Action	09/26/03	68 FR 55448
Final Action Effective	09/26/03	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall
Phone: 202 208-4206
Fax: 202 208-4684
Email: kym_hall@nps.gov

RIN: 1024-AC90

1835. ASSATEAGUE ISLAND
NATIONAL SEASHORE; PERSONAL
WATERCRAFT

Priority: Substantive, Nonsignificant

CFR Citation: 36 CFR 7.65

Completed:

Reason	Date	FR Cite
Final Action	05/30/03	68 FR 32371

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall
Phone: 202 208-4206
Fax: 202 208-4684
Email: kym_hall@nps.gov

RIN: 1024-AD02

1836. SAGUARO NATIONAL
MONUMENT MOUNTAIN BIKE
SPECIAL REGULATIONS

Priority: Other Significant

CFR Citation: 36 CFR 7.11

Completed:

Reason	Date	FR Cite
Final Action	08/20/03	68 FR 50073
Final Action Effective	09/19/03	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall
Phone: 202 208-4206
Fax: 202 208-4684
Email: kym_hall@nps.gov

RIN: 1024-AD10

1837. • SPECIAL REGULATIONS;
AREAS OF THE NATIONAL PARK
SYSTEM; NEW RIVER GORGE
NATIONAL RIVER—HUNTING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3;
16 USC 9a; 16 USC 462k; 16 USC
460m-15 to 18; ...

CFR Citation: 36 CFR 7.89

Legal Deadline: None

Abstract: National Park Service general regulations require that a special regulation be promulgated if hunting is to be allowed to continue at New River Gorge National River. The 2003 hunting program cannot take place unless/until this rulemaking is completed.

DOI—NPS

Completed Actions

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/25/03	68 FR 55315

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469

Fax: 202 219-8835

Email: chick_fagan@nps.gov

RIN: 1024-AD12

BILLING CODE 4310-02-S

Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

Proposed Rule Stage

1838. BUY INDIAN ACT REGULATIONS

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

Legal Authority: 25 USC 47; 36 Stat 861; 41 USC 253(c)(5)

CFR Citation: 48 CFR 14 app A

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

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

RIN: 1076-AE07

1839. TRIBAL REVENUE ALLOCATION PLANS

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

Legal Authority: 25 USC 2; 25 USC 2710; 25 USC 9; 5 USC 301

CFR Citation: 25 CFR 290

Legal Deadline: None

Abstract: The Secretary of the Interior is responsible for reviewing tribal plans for allocating revenues from gaming activities. The Secretary must determine whether the proposed rule is sufficient to promote tribal economic development and fund essential tribal programs, benefits, and services. BIA plans to revise the regulations in part 290 to include additional criteria to assist the Secretary in making this determination.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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

RIN: 1076-AE24

1840. INDIAN COUNTRY LAW ENFORCEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 2802

CFR Citation: 25 CFR 12

Legal Deadline: None

Abstract: BIA plans to amend its regulation governing law enforcement in Indian country by revising section 12.4 of subpart A and by adding new section 12.24 to subpart C to allow tribal law enforcement officials to travel outside Indian country to respond to incidents in another area and to transport evidence to and from locations in Indian country.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, Tribal, Federal

Agency Contact: Peter Maybee, Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., MS 4550—MIB, Washington, DC 20240
Phone: 202 208-5787
Fax: 202 208-6170

RIN: 1076-AE35

1841. LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 380; 25 USC 403; 25 USC 403c; 25 USC 415 to 415d; 25 USC 477; 25 USC 635

CFR Citation: 25 CFR 162

Legal Deadline: None

Abstract: BIA plans to amend its regulations governing leasing of Indian trust and restricted lands by revising subpart A and by adding subpart C and D covering residential leases and business leases on trust and restricted land.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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

DOI—BIA

Proposed Rule Stage

Fax: 202 219-1065

RIN: 1076-AE36

1842. • REINDEER IN ALASKA

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

Legal Authority: 25 USC 500

CFR Citation: 25 CFR 243

Legal Deadline: None

Abstract: This rule will codify procedures for processing requests for reindeer by non-native Alaskans.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Warren Eastland, Wildlife Biologist, Department of the Interior, Bureau of Indian Affairs, P.O. Box 25520, Juneau, AK 99802
Phone: 907 586-7321

RIN: 1076-AE37

1843. • PROCLAMATION OF RESERVATIONS

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

Legal Authority: 25 USC 467

CFR Citation: None

Legal Deadline: None

Abstract: This rule will define the procedures and criteria to be used for issuance of reservation proclamations by the Secretary of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Eufrona Snyder, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-3614
Fax: 202 219-1065

RIN: 1076-AE40

1844. • LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY

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

Legal Authority: 25 USC 1496

CFR Citation: 25 CFR 103

Legal Deadline: None

Abstract: We are revising our regulations to comply with the Indian Financing Amendments Act of 2002, specifically 25 U.S.A. 1485(I), which requires the Secretary of the Interior to promulgate regulations to facilitate, administer, and promote transfers of loans and guaranteed and insured portions of loans as intended under the Act. We also are introducing regulations to implement 25 U.S.A. 1497A and 1499, statutory changes dating back to 1988, concerning the guarantee of bonds and supplemental surety bonds. The lack of regulations relating to this subject has inhibited the use of these provisions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David B. Johnson, Department of the Interior, Bureau of Indian Affairs, Office of the Solicitor, Division of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-3026

RIN: 1076-AE42

1845. • USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

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

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	04/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327

RIN: 1076-AE43

1846. • NAVAJO PARTITIONED LANDS GRAZING PERMITS

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

Legal Authority: 25 USC 2; 25 USC 301; 25 USC 640d et seq

CFR Citation: 25 CFR 161

Legal Deadline: None

Abstract: This rule will govern the grazing of livestock on the Navajo Partitioned Lands (NPL) of the former Navajo-Hopi Joint Use Area of the 1982 Executive Order reservation. The purpose of these regulations is to conserve the rangelands of the NPL in order to maximize future use of the land for grazing and other purposes.

Timetable:

Action	Date	FR Cite
NPRM	11/12/03	68 FR 64023
NPRM Comment Period End	02/10/04	
Final Action	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Orwin, Soil Conservationist, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., MS 3061 MIB, Washington, DC 20240
Phone: 202 208-6464
Fax: 202 219-0006

RIN: 1076-AE46

1847. • INDIAN HIGHWAY SAFETY PROGRAM

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

Legal Authority: 25 USC 402; 25 USC 13

DOI—BIA

Proposed Rule Stage

CFR Citation: s5 CFR 181

Legal Deadline: None

Abstract: This rule will streamline the approval and funding process for tribal highway safety projects. These projects are designed to reduce traffic accidents on Indian Reservations and the resulting property damage, injuries, and death. Ten to 30 tribes participate in the program annually.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Charles L. Jaynes, Program Administrator, Department of the Interior, Bureau of Indian Affairs, Division of Safety Management, 201 Third Street NW., Suite 310, Albuquerque, NM 87102
Phone: 505 245-2100
Fax: 505 245-2106

RIN: 1076-AE47

1848. • APPEALS FROM ADMINISTRATIVE ACTIONS

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

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 2

Legal Deadline: None

Abstract: This rule will: (1) Clarify who has a right to file and appeal; (2) provide firm deadlines for filing appeals and responses; (3) provide options to appellants if BIA delays making a decision on an appeal; and (4) Provide an expedited process for certain classes of appeals.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

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

1849. • NO CHILD LEFT BEHIND ACT OF 2001

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

Legal Authority: PL 107-110

CFR Citation: 25 CFR 39; 25 CFR 42

Legal Deadline: NPRM, Statutory, June 8, 2003, NPRM.

Abstract: Under the No Child Left Behind Act of 2001 (Public Law 107-110), the Secretary of the interior

must develop regulations using negotiated rulemaking to address the following issues: (1) Defining adequate yearly progress, which is the essential measurement for determining that schools are providing quality education; (2) establishing separate geographic attendance areas for each Bureau-funded school; (3) establishing a formula for determining the minimum amount of funds necessary to fund each Bureau-funded school; (4) establishing a system of direct funding and support of all Bureau-funded schools under the formula established in section 1127 of the Act; (5) establishing guidelines to ensure the constitutional and civil rights of Indian students regarding the right to privacy, freedom of religion and expression, and due process in connection with disciplinary actions (suspension and expulsion); and (6) establishing a method for administering grants to tribally controlled schools.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Organizations

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-AE49

**Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)**

Final Rule Stage

1850. IRRIGATION PROJECTS AND SYSTEMS

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

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 171

Legal Deadline: None

Abstract: BIA is revising this rule to incorporate new procedures on billing and collection of Government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

Timetable:

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35167
NPRM Comment Period End	09/03/96	
Final Action	09/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4559, 1849 C Street NW., MS 3543 MIB, Washington, DC 20240

Phone: 202 208-5480

RIN: 1076-AD44

1851. CERTIFICATES OF DEGREE OF INDIAN BLOOD

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 13; 25 USC 9

CFR Citation: 25 CFR 70

Legal Deadline: None

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

DOI—BIA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/18/00	65 FR 20775
NPRM Comment Period Extended	06/20/00	65 FR 38228
NPRM Comment Period End	07/17/00	
NPRM Comment Period Extended	08/16/00	
NPRM Comment Period Extended	06/25/01	66 FR 33654
NPRM Comment Period End	12/31/01	
Final Action	07/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Duane Bird Bear, Department of the Interior, Bureau of Indian Affairs, Tribal Government Services, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 513-7641
Fax: 202 513-0679

RIN: 1076-AD97

1852. ALASKA RESUPPLY OPERATION**Priority:** Info./Admin./Other

Legal Authority: 25 USC 13; 25 USC 9; 38 Stat. 486; 42 Stat. 208; 5 USC 301; R.S. 463; R.S. 465

CFR Citation: 25 CFR 142**Legal Deadline:** None

Abstract: This proposed rule makes technical revisions to reflect terms now in common usage, e.g., Regional Director and Traffic Manager. A new section refers to the application of Indian preference in hiring pursuant to the Indian Reorganization Act of 1934 (25 USC 479).

Timetable:

Action	Date	FR Cite
NPRM	08/03/00	65 FR 47704
NPRM Comment Period End	10/02/00	
Final Action	06/00/04	

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

1853. INDIAN RESERVATION ROADS PROGRAM**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 2; 25 USC 202; 5 USC 301

CFR Citation: 25 CFR 170**Legal Deadline:** None

Abstract: This establishes policies and procedures governing the Indian Reservation Roads (IRR) Program. It expands transportation activities available to tribes and tribal organizations and provides guidance to tribes and tribal organizations for planning, designing, constructing, and maintaining transportation facilities. This rule also includes a funding formula for allocating IRR Program funds based upon the relative needs of Indian tribes, and reservation or tribal communities, for transportation assistance, and the relative administrative capacities of various tribes.

Timetable:

Action	Date	FR Cite
NPRM	08/07/02	67 FR 51328
NPRM Comment Period End	10/07/02	
Final Action	02/00/04	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: State, Tribal

Agency Contact: LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-4359

RIN: 1076-AE17

**Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)****Long-Term Actions****1854. INDIAN ELECTRIC POWER UTILITIES**

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

Legal Authority: 25 USC 385**CFR Citation:** 25 CFR 175**Legal Deadline:** None

Abstract: This rule contains procedures governing the operation of BIA-owned power utilities. BIA is revising this rule to incorporate new procedures on billing and collection of government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

Timetable:

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29040
NPRM Comment Period End	08/06/96	
NPRM	10/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4559, 1849 C Street NW., MS 3543 MIB, Washington, DC 20240
Phone: 202 208-5480

RIN: 1076-AD45

1855. • PREPARATION OF ROLLS OF INDIANS

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

Legal Authority: Not Yet Determined**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.

DOI—BIA

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

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

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327

RIN: 1076-AE44**1856. ● STANDARDS FOR APPROVING TRIBAL PER CAPITA DISTRIBUTIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**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	12/00/04	

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

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327

RIN: 1076-AE45Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)

Completed Actions

1857. PROTECTION OF PRODUCTS OF INDIAN ART AND CRAFTSMANSHIP**Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 309**Completed:**

Reason	Date	FR Cite
Final Action	06/12/03	68 FR 35164

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

Agency Contact: Meridith Stanton
Phone: 202 208-3773

RIN: 1076-AE16**1858. ● AMENDMENT TO THE LIST OF COURTS OF INDIAN OFFENSES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 200**CFR Citation:** 25 CFR 11**Legal Deadline:** None

Abstract: This rule removes the Paiute—Shoshone Indian tribe of the Fallon Reservation and Colony (Western Region, Nevada) from the listing of Courts of Indian offenses. The tribe reassumed tribal court functions and asked to be removed from the list.

Timetable:

Action	Date	FR Cite
Final Action	07/30/03	68 FR 44614

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

Agency Contact: Ralph Gonzales, Housing Program Specialist, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7629
Fax: 202 208-5113

RIN: 1076-AE41**BILLING CODE** 4310-MR-SDepartment of the Interior (DOI)
Minerals Management Service (MMS)

Proposed Rule Stage

1859. LATE AND OVERPAYMENT INTEREST**Priority:** Substantive, Nonsignificant

Legal Authority: 25 USC 1001 et seq; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1701 et seq; 25 USC 1735; 25 USC 1801 et seq; 25 USC 181 et seq; 25 USC 2101 et seq; 25 USC 351 et seq; 25 USC 3716; 25 USC 3720a; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 9701; 5 USC 301 et seq

CFR Citation: 30 CFR 206; 30 CFR 218; 30 CFR 230**Legal Deadline:** None

Abstract: This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty 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	04/00/04	
NPRM Comment Period End	06/00/04	

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

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-3211

DOI—MMS

Proposed Rule Stage

Phone: 303 231-3211
 Fax: 303 231-3385
 Email: sharron.gebhardt@mms.gov
RIN: 1010-AC27

1860. TAKES VS. ENTITLEMENTS REPORTING**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735**CFR Citation:** 30 CFR 205**Legal Deadline:** None

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

Timetable:

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

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

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

RIN: 1010-AC29**1861. 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	04/00/04	
NPRM Comment Period End	06/00/04	

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

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

RIN: 1010-AC31**1862. INCIDENT REPORTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	07/08/03	68 FR 40585
NPRM Comment Period End	12/05/03	
Final Action	12/00/04	
Final Action Effective	01/00/05	

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
 Phone: 703 787-1600
 Fax: 703 787-1093
 Email: kumkum.ray@mms.gov

RIN: 1010-AC57**1863. ROYALTY RELIEF TERMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396 et seq**CFR Citation:** 30 CFR 203**Legal Deadline:** None

Abstract: This rule amends the circumstances that discontinue the

existing royalty relief for end-of-life oil and gas leases and also introduces a categorical royalty relief program for deep gas drilling on existing shallow water tracts.

Timetable:

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

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
 Phone: 703 787-1600
 Fax: 703 787-1093

Email: kumkum.ray@mms.gov

RIN: 1010-AC58**1864. APPEALS OF MINERALS MANAGEMENT SERVICE ORDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 242; 30 CFR 290; 43 CFR 4**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	
NPRM Comment Period End	09/00/04	

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

Agency Contact: Platte Clark, Senior Appeals Specialist, Department of the Interior, Minerals Management Service, 4230 MIB, 1849 C Street NW, Washington, DC 20240
 Phone: 202 208-2394

RIN: 1010-AC80

DOI—MMS

Proposed Rule Stage

1865. REPORTING AMENDMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189; 30 USC 190; 30 USC 359; 31 USC 3716; 31 USC 9701; 43 USC 1334; 43 USC 1801; 44 USC 3506(a); 5 USC 301 et seq**CFR Citation:** 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218**Legal Deadline:** None**Abstract:** MMS is amending its regulations to: (1) update reporting instructions; (2) eliminate unnecessary report forms; (3) add approved information collections previously omitted; (4) remove the extended due date for production reports submitted electronically; (5) require production reporting on leases and agreements until all production has ceased and all inventory has been disposed of; and (6) eliminate certain reporting assessments and electronic reporting options.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/04	
NPRM Comment Period End	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov**RIN:** 1010-AC90**1866. BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** The rule would upgrade blowout prevention requirements for well workover operations conducted using coiled tubing while the well-head production tree is in place.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/04	

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

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov**RIN:** 1010-AC96**1867. DATA RELEASE AND DEFINITIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250 subpart A**Legal Deadline:** None**Abstract:** This rule will amend 30 CFR part 250 by adding a new definition revising the existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new section pertaining to notifying MMS on production status. We are reorganizing the forms data release table and adding entries for three new forms. We are expanding the requirements pertaining to submitting digital data. The proposed rule will provide additional time for exploration and development activities through the use of suspensions of operations for qualified leases in Alaska.**Timetable:**

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

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov**RIN:** 1010-AC99**1868. VALUATION OF OIL FROM INDIAN LEASES****Priority:** Other Significant**Legal Authority:** 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 351 et seq; 30 USC 181 et seq**CFR Citation:** 30 CFR 206**Legal Deadline:** None**Abstract:** This rule would modify the regulations that establish royalty value for oil produced from Indian leases and create a new form for collecting value and differential data. These changes would decrease reliance on oil posted prices and make Indian oil royalty valuation more consistent with the terms of Indian leases.**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	
Supplementary NPRM	01/05/00	65 FR 10436
Supplementary NPRM Comment Period End	03/19/00	
NPRM Comment Period Extended	03/20/00	
NPRM Comment Period Extended	11/00/03	
Final Action	12/00/03	
Final Action Effective	01/00/04	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** Tribal**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, P.O. Box 25165, Denver, CO 80225-3211
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov**RIN:** 1010-AD00**1869. 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

DOI—MMS

Proposed Rule Stage

certain leases (those that are inadequately helped by our formal relief systems) to seek special royalty relief. However overly restrictive eligibility criteria may exclude some leases that fulfill statutory purposes while redundant criteria may include other leases that do not fit statutory purposes. This rule will refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits. The revision will also disallow a royalty relief request by a lease or project that does not promote wider program goals or is only temporarily unable to benefit from a formal royalty relief program.

Timetable:

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

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AD02**1870. FEDERAL OIL VALUATION****Priority:** Other Significant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 181 et seq; 30 USC 1001 et seq

CFR Citation: 30 CFR 206; 30 CFR 210**Legal Deadline:** None

Abstract: This rule would amend the existing rule governing valuation for royalty purposes of crude oil produced from Federal leases. These changes would refine several technical aspects of this rule relating to which published

market prices are most appropriate to value crude oil not sold at arm's length and what transportation deductions should be allowed.

Timetable:

Action	Date	FR Cite
NPRM	08/20/03	68 FR 50087
NPRM Comment Period End	09/19/03	
NPRM Comment Period Reopened	09/26/03	68 FR 55556
NPRM Comment Period End	11/10/03	
Final Action	12/00/03	

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

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

RIN: 1010-AD04**1871. FEDERAL GAS VALUATION****Priority:** Other Significant

Legal Authority: 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2102 et seq

CFR Citation: 30 CFR 206**Legal Deadline:** None

Abstract: This rule would amend the existing rules governing valuation for royalty purposes of natural gas produced from Federal leases. In evaluating these rules, MMS has identified several issues that warrant further public comment. MMS is therefore proposing these amendments in an effort to improve the current rule and to correct some technical problems.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

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

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

RIN: 1010-AD05**1872. • LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF**

Priority: Other Significant. 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 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	02/00/04	
NPRM Comment Period End	05/00/04	

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

Agency Contact: Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, MS 623, 381 Elden Street, Herndon, VA 22070

Phone: 703 787-1275

RIN: 1010-AD06

Department of the Interior (DOI)
Minerals Management Service (MMS)

Final Rule Stage

1873. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 204

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3360
NPRM Comment Period End	03/22/99	
Supplementary NPRM	03/31/03	68 FR 15390
NPRM Comment Period End	05/30/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: Yes

Government Levels Affected: State

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

RIN: 1010-AC30

1874. PLANS AND INFORMATION

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 25 CFR 250

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	05/17/02	67 FR 35372

Action	Date	FR Cite
Comment Period Extended	12/13/02	67 FR 46616
Final Action	02/00/04	
Final Action Effective	03/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
 Phone: 703 787-1600
 Fax: 703 787-1093
 Email: kumkum.ray@mms.gov

RIN: 1010-AC47

1875. 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	02/00/04	
Final Action Effective	03/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
 Phone: 703 787-1600
 Fax: 703 787-1093
 Email: kumkum.ray@mms.gov

RIN: 1010-AC81

1876. DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: We are proposing to amend our regulations to better address floating offshore platforms that, until now, have not been expressly covered. This will require a complete rewrite of subpart I to include floating production systems. These systems are variously described as column-stabilized units; floating production, storage, and offloading facilities; tension-leg platforms; spars; etc. We are also incorporating into our regulations a body of industry standards pertaining to floating productions systems, and this will save the public the costs of developing government standards.

Timetable:

Action	Date	FR Cite
NPRM	12/27/01	66 FR 66851
Comment Period Extended to 3/27/2002	02/12/02	67 FR 6453
Comment Period Extended 5/28/2002	03/28/02	67 FR 14902
Final Action	02/00/04	
Final Action Effective	03/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
 Phone: 703 787-1600
 Fax: 703 787-1093
 Email: kumkum.ray@mms.gov

RIN: 1010-AC85

1877. RIGHTS-OF-USE AND EASEMENTS AND PIPELINE RIGHTS-OF-WAY

Priority: Other Significant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: MMS is proposing to modify requirements governing rights-of-use and easement and pipeline rights-of-way in the Outer Continental Shelf. These changes will increase rental rates for pipeline rights-of-way and establish

DOI—MMS

Final Rule Stage

rentals for rights-of-use and easements. The proposed rule will also allow MMS to charge additional payment when the right-of-use and easement or the pipeline right-of-way prevents MMS from making the area available to other companies for exploration and possible development and production. This change is needed because of requests by lessees and pipeline right-of-way holders to use large areas outside of the area covered by their lease and pipeline right-of-way for accessory structures.

Timetable:

Action	Date	FR Cite
NPRM	04/24/03	68 FR 20091
NPRM Comment Period End	05/27/03	
Final Action	12/00/03	
Final Action Effective	01/00/04	

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

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

Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AC91

1878. DOCUMENT INCORPORATED BY REFERENCE—API 510—PRESSURE VESSEL INSPECTION CODE: MAINTENANCE INSPECTION, RATING, REPAIR, AND ALTERATION

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

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

Timetable:

Action	Date	FR Cite
NPRM	12/27/01	66 FR 66848
NPRM Comment Period End	02/25/02	
Final Action	12/00/03	
Final Action Effective	01/00/04	

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

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AC95

1879. RELIEF OR REDUCTION IN ROYALTY RATES—DEEP GAS PROVISIONS

Regulatory Plan: This entry is Seq. No. 74 in part II of this issue of the **Federal Register**.

RIN: 1010-AD01

**Department of the Interior (DOI)
Minerals Management Service (MMS)**

Completed Actions

1880. DEALING WITH SUSTAINED CASING PRESSURE

Priority: Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Withdrawn	07/10/03	68 FR 41090

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

Agency Contact: Kumkum Ray
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AC83

1881. DEFINITION OF CONTROL

Priority: Substantive, Nonsignificant**CFR Citation:** 30 CFR 206**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/03	

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

Agency Contact: Sharron Gebhardt
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov

RIN: 1010-AC88

1882. DOCUMENTS INCORPORATED BY REFERENCE—API RP 14F AND API 510

Priority: Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	07/22/03	68 FR 43295
Final Action Effective	08/21/03	

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

Agency Contact: Kumkum Ray
Phone: 703 787-1600
Fax: 703 787-1093

Email: kumkum.ray@mms.gov

RIN: 1010-AC89

1883. FIXED PLATFORMS—DOCUMENTS INCORPORATED BY REFERENCE

Priority: Info./Admin./Other**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	04/21/03	68 FR 19352
Final Action Effective	05/21/03	

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

Agency Contact: Kumkum Ray
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AD03

DOI—MMS

Completed Actions

1884. • INCREASE IN MAXIMUM DAILY CIVIL PENALTY AMOUNT

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

Legal Authority: Pub L 101–380

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule will adjust the maximum civil penalty per day per

violation from \$25,000 to \$30,000 due to inflation.

Timetable:

Action	Date	FR Cite
Final Action	10/29/03	68 FR 61622
Final Action Effective	11/28/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787–1600
Fax: 703 787–1093
Email: kumkum.ray@mms.gov

RIN: 1010–AD07

BILLING CODE 4310–05–S

Department of the Interior (DOI)

Prerule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1885. • ABANDONED MINE RECLAMATION FEES

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

Legal Authority: 30 USC 1232(b)

CFR Citation: 30 CFR 870

Legal Deadline: Final, Statutory, September 30, 2004, Final.

Abstract: The Surface Mining Control and Reclamation Act (SMCRA) created an abandoned mine land reclamation program funded by a fee assessed on each ton of coal produced. The fees are placed into a fund that is used to reclaim lands and waters adversely impacted by coal mining before enactment of SMCRA. The Energy Policy Act of 1992 requires OSM to transfer interest accumulating on the

fund to the United Mine Workers of America Combined Benefit Fund for use in paying health care benefits for former coal miners unassigned to a specific company. The Energy Policy Act extended the collection of reclamation fees through September 30, 2004, with a requirement that after that date the fee must be established at a rate adequate to continue to provide for these transfers. This rule will address that requirement, including what the transfer amount and new fees should be, what operations should pay those fees, how the fees should be assessed, and the interval at which the new rate structure should be evaluated.

Timetable:

Action	Date	FR Cite
ANPRM	02/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Undetermined

Agency Contact: Danny Lytton, Chief, Branch of Program Policy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, MS 120 –SIB, Washington, DC 20240
Phone: 202 208–2788
Fax: 202–208–0239
Email: dlytton@osmre.gov

RIN: 1029–AC46

Department of the Interior (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1886. ABANDONED COAL REFUSE SITES

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

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870

Legal Deadline: None

Abstract: OSM intends to propose new rules governing permitting and performance standards for the recovery of coal from abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Art Abbs, Birmingham Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, AL 35209
Phone: 205 290–7282
Email: aabs@osmre.gov

RIN: 1029–AB70

1887. REVEGETATION

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816

Legal Deadline: None

Abstract: This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.

DOI—OSMRE

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

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

1888. PLACEMENT OF EXCESS SPOIL**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq

CFR Citation: 30 CFR 701; 30 CFR 773; 30 CFR 780; 30 CFR 781; 30 CFR 785; 30 CFR 816; 30 CFR 817

Legal Deadline: None

Abstract: This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil from surface coal mining operations into waters of the United States. In addition, it will modify the backfilling and grading regulations to minimize the creation of excess spoil and it will revise the regulations governing surface coal mining operations within 100 feet of a perennial or intermittent stream to more closely track the underlying statutory provisions.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

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

1889. FINANCIAL ASSURANCES**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq

CFR Citation: 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800

Legal Deadline: None

Abstract: We are considering rulemaking to ensure adequate funding for the treatment of unanticipated long-term pollutant discharges including acid or toxic mine drainage, that develop as a result of surface mining operations.

Timetable:

Action	Date	FR Cite
ANPRM	05/17/02	67 FR 35070
ANPRM Comment	10/15/02	67 FR 46617
Period End		
NPRM	09/00/04	

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

Agency Contact: Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2829

Email: drice@osmre.gov

RIN: 1029-AC05

1890. PROCESSING STATE PROGRAM AMENDMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 732**Legal Deadline:** None

Abstract: We are proposing revisions to our regulations governing the processing of State program amendments to provide additional assurances that the amendments are processed in a timely manner. An approved State program amendment allows a State to regulate surface coal mining operations within its borders. The existing regulations require us to take over an approved State program when the State fails to amend its program in a timely manner. This can be disruptive to the mining industry, expensive for the Federal Government, and, in many instances, unwarranted by the nature of the outstanding amendment. This rule will allow OSM to take action that is more appropriate in situations where the outstanding amendment does not impair the integrity of the approved State Program.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

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

Agency Contact: Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 210 SIB, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2701

Email: adevito@osmre.gov

RIN: 1029-AC06

1891. OWNERSHIP AND CONTROL SETTLEMENT RULE**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq

CFR Citation: 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847

Legal Deadline: None

Abstract: The National Mining Association (NMA) challenged the final ownership and control rule that we published on December 19, 2000. Under the Federal District Court's supervision, we are conducting settlement discussions with NMA on 23 issues identified for potential litigation. OSM has agreed to publish a proposed rule for public comment that addresses the issues agreed to as result of the negotiations.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis**Required:** Yes**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: 303 233-2796

Email: ebandy@osmre.gov

RIN: 1029-AC08

Department of the Interior (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1892. INDIAN LANDS

Priority: Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750**Legal Deadline:** None

Abstract: OSM regulates mining on Indian lands and the State regulates mining on non-Indian lands. OSM proposes to amend its regulations to clarify that the definition of "Indian lands" at 30 CFR 700.5 includes individual Indian trust allotments located within an approved tribal land consolidation area. The proposed clarification was required under the terms of a settlement agreement between the Department of the Interior and the Navajo Nation and Hopi Tribe to settle the tribes' challenges to a May 1989 Indian lands rulemaking. OSM has developed a preliminary draft rule that specifies that allotted lands would qualify as Indian lands for purposes of the Surface Mining Control and Reclamation Act when OSM determines, on a case-by-case basis, that the allotments are supervised by an Indian tribe.

Timetable:

Action	Date	FR Cite
NPRM	02/19/99	64 FR 8464

Action	Date	FR Cite
NPRM Comment Period End Final Action	06/21/99 12/00/03	64 FR 18585

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

Agency Contact: Stephen Sheffield, Chief, Division of Technical Support, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10 SIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-2883

Vermell Davis, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 210 SIB, 1951 Constitution Ave. NW., Washington, DC 20240
Phone: 202 208-2802
Email: gvdavis@osmre.gov

RIN: 1029-AB83

1893. FINANCING ABANDONED MINE LAND RECLAMATION

Priority: Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 874**Legal Deadline:** None**Abstract:** We published a final rule in February 1999 that would conserve

abandoned mine land (AML) funds by allowing incidental coal recovered in AML construction projects to be sold to offset the cost of reclamation. This reduced the amount of money needed from the AML fund. The rule was challenged in court. The court upheld the rule but directed us to clarify what types of expenses could be considered in determining what qualifies as a Government-financed AML project. This rule will clarify the ambiguity created by the discussion in the preamble to the 1999 final rule.

Timetable:

Action	Date	FR Cite
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Federal**Federalism:** This action may have federalism implications as defined in EO 13132.

Agency Contact: Danny Lytton, Chief, Division of Reclamation Support, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208-2788
Email: dlytton@osmre.gov

RIN: 1029-AC07**BILLING CODE** 4310-09-S

Department of the Interior (DOI)

Proposed Rule Stage

Bureau of Reclamation (RB)

1894. PUBLIC CONDUCT ON RECLAMATION LANDS AND PROJECTS

Priority: Other Significant**Legal Authority:** 16 USC 4601-31; 43 USC 373b; PL 107-69; 43 USC 373c; 16 USC 4601-31; ...**CFR Citation:** 43 CFR 423**Legal Deadline:** None

Abstract: This proposed rule would establish regulations regarding public conduct on Reclamation lands and Reclamation projects, waters, and real

property subject to the administration of Reclamation or in its custody. The rule is necessary to ensure the safety of the public, Reclamation employees, dams, facilities, and other resources in our jurisdiction. This proposed rule would replace an interim rule that we issued on April 17, 2002, and extended on April 3, 2003.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

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

Agency Contact: Gary L. Anderson, Policy Analyst, Department of the Interior, Bureau of Reclamation, D-5500, Building 67, P.O. Box 25007, Denver, CO 80225
Phone: 303 445-2891
Fax: 720 544-4131
Email: ganderson@do.usbr.gov

RIN: 1006-AA45

Department of the Interior (DOI)
Bureau of Reclamation (RB)
Completed Actions**1895. TRESPASS ON RECLAMATION LANDS AND FACILITIES****Priority:** Other Significant**CFR Citation:** 43 CFR 423**Completed:**

Reason	Date	FR Cite
Final Action	04/17/02	67 FR 19092

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Larry Todd

Phone: 202 513-0615

Fax: 202 513-0308

RIN: 1006-AA44**1896. PUBLIC CONDUCT ON BUREAU OF RECLAMATION LANDS AND PROJECTS; REMOVAL OF EXPIRATION DATE****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 423**Completed:**

Reason	Date	FR Cite
Final Action	04/03/03	68 FR 16214

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Gary Anderson

Phone: 303 236-1061

RIN: 1006-AA46**BILLING CODE** 4310-84-S
Department of the Interior (DOI)
Bureau of Land Management (BLM)
Proposed Rule Stage**1897. SALES—FEDERAL LAND POLICY AND MANAGEMENT ACT****Priority:** Other Significant**Legal Authority:** 43 USC 1701; 43 USC 1713**CFR Citation:** 43 CFR 2710**Legal Deadline:** None

Abstract: This rule will amend 43 CFR part 2710 to provide for improved administration of sales of public land under the Federal Land Policy and Management Act. It will add a provision to allow the sale of public land to State or local government entities for affordable housing. Such sales may be for less than fair market value.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

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

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, 1849 C Street NW., Washington, DC 20240
 Phone: 202 452-5042
 Fax: 202 653-5287
 Email: ted_hudson@blm.gov

RIN: 1004-AB77**1898. DESERT LAND ENTRIES****Priority:** Other Significant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2520**Legal Deadline:** None

Abstract: This rule will transfer much of the regulation on entries of desert land to the BLM Manual if the underlying statute is not repealed as no longer practical.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

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

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
 Phone: 202 452-7779
 Fax: 202 452-7708
 Email: jeff_holdren@blm.gov

RIN: 1004-AC56**1899. DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 299**CFR Citation:** 43 CFR 3814**Legal Deadline:** Final, Statutory, October 13, 1993, Final.

Abstract: This rule will establish new procedures for mineral exploration and development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of 1916 and the mineral estate remains reserved to the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., MS 501 LS, Washington, DC 20240
 Phone: 202 452-0355
 Email: roger_haskins@blm.gov

RIN: 1004-AC59**1900. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 22 to 54; 43 USC 1201; 43 USC 1740**CFR Citation:** 43 CFR 3730; 43 CFR 3740; 43 CFR 3820; 43 CFR 3860; 43 CFR 3870**Legal Deadline:** None

Abstract: This rule will revise the filing and administrative procedures for mineral patent applications. It will also revise the procedures for filing adverse claims or protests against mineral patent applications and for mineral-in-character challenges to nonmineral land entries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis**Required:** Undetermined

DOI—BLM

Proposed Rule Stage

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Agency Contact: Barbara Gauthier-Warinner, Mineral Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-0398
Email: barbara_gauthier-warinner@blm.gov

RIN: 1004-AD32

1901. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA

Priority: Other Significant

Legal Authority: 43 USC 118(d); 43 USC 1701 et seq; 43 USC 1901 et seq; 43 USC 315 et seq; 7 USC 1012

CFR Citation: 43 CFR 4100

Legal Deadline: None

Abstract: This rule will remove provisions for conservation use of grazing privileges. These provisions were determined by the Federal Circuit Court to be not consistent with the statutory authority of the Secretary of the Interior. The rule will also: (1) provide a full force and effect provision for grazing decisions; (2) include standards for determining socioeconomic impacts of grazing

decisions; (3) include a provision allowing permittees to claim ownership of range improvements under certain circumstances; (4) address circumstances under which a grazing permittee may lose his grazing privileges upon conviction of a crime; and (5) extend the permit term from 3 to 5 years.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/03	68 FR 9964
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Undetermined

Government Levels Affected: None

Agency Contact: Kenneth M. Visser, Rangeland Management Specialist, Department of the Interior, Bureau of Land Management, 314 L Street, Washington, DC 20240
Phone: 202 452-7743
Fax: 202 452-7709
Email: kenneth_visser@blm.gov

RIN: 1004-AD42

1902. • RESOURCE MANAGEMENT PLANNING

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

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: 43 CFR 1800

Legal Deadline: None

Abstract: This rule will revise procedures relating to resource management planning.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Federalism: Undetermined

Agency Contact: Michael H. Schwartz, Group Manager, Regulatory Affairs, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-5198
Email: michael_schwartz@blm.gov

RIN: 1004-AD57

Department of the Interior (DOI)

Final Rule Stage

Bureau of Land Management (BLM)

1903. INDIAN ALLOTMENTS

Priority: Info./Admin./Other

Legal Authority: 25 USC 334; 25 USC 336; 43 USC 1201

CFR Citation: 43 CFR 2530

Legal Deadline: None

Abstract: This rule will convert existing regulations to plain English and remove those portions that relate to procedural matters.

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53887
NPRM Comment Period End	09/13/99	64 FR 38172
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-7779
Fax: 202 452-7708
Email: jeff_holdren@blm.gov

RIN: 1004-AC77

1904. PERMITS FOR RECREATION ON PUBLIC LANDS

Priority: Other Significant

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 2930

Legal Deadline: None

Abstract: This rule would add a section on prohibited acts to the regulations on campgrounds and other fee areas to facilitate law enforcement at these sites. The rule would also

change the maximum term for a special recreation permit from 5 years to 10 years.

Timetable:

Action	Date	FR Cite
NPRM	10/01/02	67 FR 61746
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lee Larson, Recreation Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-5168
Email: lee_larson@blm.gov

RIN: 1004-AD45

DOI—BLM

Final Rule Stage

1905. WILDERNESS MANAGEMENT**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 6300**Legal Deadline:** None**Abstract:** This rule would add provisions on use of fixed anchors for rock climbing in wilderness areas.**Timetable:**

Action	Date	FR Cite
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-5189

Email: jeff_jarvis@blm.gov

RIN: 1004-AD46**1906. OIL AND GAS LEASING OPERATIONS; BONDING****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 189; 30 USC 359; 43 USC 1732; 43 USC 1733; 43 USC 1740**CFR Citation:** 43 CFR 3100; 43 CFR 3104; 43 CFR 3154**Legal Deadline:** None**Abstract:** This rule increases minimum bond amounts for individual lease bonds and Statewide bonds. It changes BLM's current policy of terminating only the period of liability of bonds. Under the new rule, we will cancel bonds after determining that all lease obligations are met. Finally, the rule clarifies the responsibilities of record title holders and operating rights

owners. The final rule is based upon a portion of a proposed rule published with the RIN 1004-AC94.

Timetable:

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66840
NPRM Comment Period End	07/19/99	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401, Regulatory Management Group (WO-630), MS 401, 1849 C Street NW, Washington, DC 20240
Phone: 202 452-5049
Email: ian_senio@blm.gov**RIN:** 1004-AD56

Department of the Interior (DOI)

Bureau of Land Management (BLM)

Long-Term Actions

1907. LEASES, PERMITS, AND EASEMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1732; 43 USC 1740**CFR Citation:** 43 CFR 2920**Legal Deadline:** None**Abstract:** This rule will amend the existing regulations to provide for improved administration of leases, permits and easements under the Federal Land Policy and Management Act.**Timetable:**

Action	Date	FR Cite
NPRM	11/21/90	55 FR 48810
NPRM Comment Period End	01/22/91	
Second NPRM	02/09/95	60 FR 7878
Second NPRM Comment Period End	04/10/95	
Final Rule for Minimum Impact Land Use Permits Only	06/24/96	61 FR 32351
Final Rule Effective for Minimum Impact Land Use Permits Only	07/24/96	
Third NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-7779
Fax: 202 452-7708
Email: jeff_holdren@blm.gov**RIN:** 1004-AB51**1908. COALBED METHANE DEVELOPMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 13368**CFR Citation:** 43 CFR 3170**Legal Deadline:** Final, Statutory, October 24, 1995, Final.**Abstract:** The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource by requiring pooling of development and payment of the proceeds into an escrow account until the ownership issue is resolved by a State entity of competent jurisdiction. The rule will also allow States to avoid the Federal

regulations by promulgating their own regulations that substantially comply with Federal requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47920
NPRM Comment Period End	11/14/95	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** David R. Stewart, Mineral Resources, Department of the Interior, Bureau of Land Management, 7450 Boston Blvd., Springfield, VA 22153
Phone: 703 440-1728
Email: dave_stewart@blm.gov**RIN:** 1004-AC27**1909. COST RECOVERY; MINERAL FILINGS AND OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1001 et seq; 30 USC 181 et seq; 30 USC 22; 30 USC 351 to 360; 31 USC 9701; 43 USC 1734; 50 USC app 565

DOI—BLM

Long-Term Actions

CFR Citation: 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800

Legal Deadline: None

Abstract: This rule will amend regulations for user fees for locatable minerals, mineral materials, and leasable minerals (solids and fluids) to adjust current fees or establish new fees in accordance with title V of the Independent Offices Appropriations Act of 1952 (user charges), OMB Circular A-25 User Charges and section 304 of the Federal Land Policy and Management Act of 1976.

Timetable:

Action	Date	FR Cite
NPRM	12/15/00	65 FR 78440
NPRM Comment Period End	02/13/01	
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Agency Contact: Cynthia Ellis, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5012

Fax: 202 653-5287

Email: cynthia_ellis@blm.gov

RIN: 1004-AC64

1910. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 2800; 43 CFR 2880

Legal Deadline: None

Abstract: The rule will amend the regulations governing rights-of-way issued under both the Federal Land Policy and Management Act and the Mineral Leasing Act by revising cost recovery policies and procedures and adjusting cost recovery fees to reflect cost increases since the current regulations became effective in 1987. The rule will also eliminate the automatic exemptions from cost recovery for Federal agencies except

when they are exempted by law. It will also establish policies on paying rent in advance and a financial penalty for paying rent late.

Timetable:

Action	Date	FR Cite
NPRM	06/15/99	64 FR 32106
NPRM Comment Period End	10/13/99	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ron Montagna, Realty Specialist, Department of the Interior, Bureau of Land Management, 260, 1849 C Street N.W., Washington, DC 20240
Phone: 202 452-7782
Email: ron_montagna@blm.gov

RIN: 1004-AC74

1911. CAREY ACT GRANTS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 641 et seq

CFR Citation: 43 CFR 2610

Legal Deadline: None

Abstract: This rule will update these regulations as they are inconsistent with present-day management policies. Application of these provisions of the Carey Act is rarely feasible due to limited water and suitable lands.

Timetable:

Action	Date	FR Cite
NPRM	09/10/96	61 FR 47725
NPRM Comment Period End	10/10/96	
Supplementary NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-7779
Fax: 202 452-7708
Email: jeff_holdren@blm.gov

RIN: 1004-AC80

1912. OIL AND GAS LEASING AND OPERATIONS

Priority: Other Significant

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3100

Legal Deadline: None

Abstract: This rule will revise BLM's current Federal oil and gas leasing and operations regulations, except those concerning drainage (section 3100.2-2), combined hydrocarbon leasing (part 3140) and oil and gas leasing in the National Petroleum Reserve—Alaska (part 3130). The rule will: (1) Cite industry standards and incorporate them by reference rather than repeat those standards in the rule; (2) incorporate the requirements of the Onshore Oil and Gas Orders and national notices to lessees into the regulations to eliminate overlap with current regulations; (3) use performance standards in certain places instead of prescriptive requirements to allow more flexibility for operators and to protect the environment and Federal royalty interests; and (4) eliminate redundancies, clarify procedures and regulatory requirements and streamline procedures.

Timetable:

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66840
NPRM Comment Period End	07/19/99	64 FR 29256
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401, Regulatory Management Group (WO-630), MS 401, 1849 C Street NW, Washington, DC 20240
Phone: 202 452-5049
Email: ian_senio@blm.gov

RIN: 1004-AC94

1913. APPEALS PROCEDURES; HEARINGS PROCEDURES

Priority: Info./Admin./Other

Legal Authority: 43 USC 1701; 43 USC 1740

CFR Citation: 43 CFR 1840; 43 CFR 1850

Legal Deadline: None

DOI—BLM

Long-Term Actions

Abstract: BLM proposes to amend its regulations that govern administrative review procedures for protests of proposed decisions contested appeals of BLM decisions, and hearings on the record. The proposed regulations would provide more consistent procedures for administrative review of BLM decisions, and would clarify when and how BLM decisions go into effect and whether an appeal will stay the effectiveness of a BLM decision.

Timetable:

Action	Date	FR Cite
NPRM	10/17/96	61 FR 54120
NPRM Comment Period End	01/17/97	61 FR 58160
Second NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cynthia Ellis, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5012

Fax: 202 653-5287

Email: cynthia_ellis@blm.gov

RIN: 1004-AC99

1914. CONSERVATION; HELIUM LEASING

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1701 et seq; 50 USC 167

CFR Citation: 43 CFR 16; 43 CFR 3196

Legal Deadline: None

Abstract: This rule will redesignate, amend, and extend the regulations on conservation of helium to facilitate administration and implementation of provisions in the Helium Privatization Act. The rule will move these regulations to 43 CFR subpart 3196 to consolidate helium-related regulations in one area for ease in finding and complying with them.

Timetable:

Action	Date	FR Cite
ANPRM	12/19/00	65 FR 79325
ANPRM Comment Period End	03/26/01	
NPRM	10/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Joseph B. Peterson, Chief, Division of Helium Resources, Department of the Interior, Bureau of Land Management, Amarillo Field Office, 801 S. Fillmore, Suite 500, Amarillo, TX 79101
Phone: 806 324-2614

RIN: 1004-AD35

1915. HAZARDOUS MATERIALS COMPLIANCE

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 1890

Legal Deadline: None

Abstract: This rule will clarify the respective responsibilities of BLM and the holders of various BLM authorizations with regard to releases of hazardous materials and other violations of environmental law caused by the holder or the holder's operator on public lands.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Cynthia Ellis, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5012

Fax: 202 653-5287

Email: cynthia_ellis@blm.gov

RIN: 1004-AD38

1916. SUPPLEMENTARY RULES FOR PUBLIC DEMONSTRATIONS AT GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT

Priority: Substantive, Nonsignificant

Legal Authority: 43 CFR 8365.1-6

CFR Citation: 43 CFR 8365

Legal Deadline: None

Abstract: This interim final rule would require a permit for public demonstrations at Grand Staircase-Escalante National Monument and associated facilities, and establish

procedures for obtaining such a permit. It would also provide for some locations to be designated as open for demonstrations, and others to be closed to protect sensitive resources and public health and safety.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/01/00	65 FR 53516
Interim Final Rule Comment Period End	10/02/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5042

Fax: 202 653-5287

Email: ted_hudson@blm.gov

RIN: 1004-AD40

1917. MINING CLAIMS UNDER THE GENERAL MINING LAWS; SURFACE MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1280; 30 USC 22; 30 USC 612; 43 USC 1201; 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1781; 43 USC 1782

CFR Citation: 43 CFR 3809

Legal Deadline: None

Abstract: This rule will amend existing regulations by removing certain provisions of the regulations and restoring others to those in effect on January 19, 2001, intending to prevent unnecessary or undue degradation of BLM-administered lands by mining operations authorized under the mining laws. The approach BLM will take will balance the Nation's need to maintain reliable sources of strategic and industrial minerals, while ensuring protection of the environment and natural resources on public lands. The rule will make the hardrock mining regulations consistent with the recommendations of the National Research Council and protect the Federal Government from financial risk if operators are unable to perform reclamation.

DOI—BLM

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	10/30/01	66 FR 54863
NPRM Comment Period End	02/15/02	
NPRM Comment Period Reopened	04/12/02	67 FR 17962
NPRM Comment Period End	05/13/02	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis
Required:** Yes**Government Levels Affected:** None**Agency Contact:** Michael H. Schwartz,
Group Manager, Regulatory Affairs,
Department of the Interior, Bureau ofLand Management, 1849 C Street NW.,
Washington, DC 20240
Phone: 202 452-5198
Email: michael_schwartz@blm.gov**RIN:** 1004-AD53**1918. WILDERNESS MANAGEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1133; 43 USC
1733; 43 USC 1740; 43 USC 1782**CFR Citation:** 43 CFR 6300**Legal Deadline:** None**Abstract:** This rule will add provisions
on use of timber on mining claims andclarify procedures on issuing patents
for mining claims.**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Jeff Jarvis, Wilderness
Specialist, Department of the Interior,
Bureau of Land Management, 1849 C
Street NW., Washington, DC 20240
Phone: 202 452-5189
Email: jeff_jarvis@blm.gov**RIN:** 1004-AD54**Department of the Interior (DOI)
Bureau of Land Management (BLM)****Completed Actions****1919. LOCATION RECORDING AND
MAINTENANCE OF MINING CLAIMS
AND SITES****Priority:** Other Significant**CFR Citation:** 43 CFR 3710; 43 CFR
3730; 43 CFR 3810; 43 CFR 3820; 43
CFR 3830; 43 CFR 3840; 43 CFR 3850**Completed:**

Reason	Date	FR Cite
Final Action	10/24/03	68 FR 61045
Final Action Effective	11/24/03	

**Regulatory Flexibility Analysis
Required:** Yes**Government Levels Affected:** None**Agency Contact:** Roger Haskins
Phone: 202 452-0355
Email: roger_haskins@blm.gov**RIN:** 1004-AD31**1920. SURFACE MANAGEMENT;
SEGREGATED OR WITHDRAWN
LANDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3809**Completed:**

Reason	Date	FR Cite
Withdrawn—No further action will be taken at this time.	08/01/03	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Michael H. Schwartz
Phone: 202 452-5198
Email: michael_schwartz@blm.gov**RIN:** 1004-AD51**BILLING CODE** 4310-10-S**Department of the Interior (DOI)
Office of the Secretary (OS)****Completed Actions****1921. WILD AND SCENIC RIVERS****Priority:** Other Significant**CFR Citation:** 43 CFR 39**Completed:**

Reason	Date	FR Cite
Withdrawn—No further action	08/10/03	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** Federal**Agency Contact:** John Haubert
Phone: 202 208-4290
Email: john_haubert@nps.gov**RIN:** 1093-AA08

[FR Doc. 03-27998 Filed 12-19-03; 8:45 am]

BILLING CODE 4310-10-S