



Federal Register

**Monday,
June 28, 2004**

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 spring 2004 and fall 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.

Dated: June 7, 2004.

Richard A. Stephan,
Federal Register Liaison Officer.

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

Sequence Number	Title	Regulation Identifier Number
1494	Natural Resource Damage Assessments: Type B Procedures	1090-AA29
1495	Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division	1090-AA73

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

Sequence Number	Title	Regulation Identifier Number
1496	Mandatory Conditions Review Process	1090-AA91

Assistant Secretary for Policy, Management and Budget—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1497	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals	1090-AA68
1498	Amendment of Authority to Grant Stays of BLM Grazing Decisions	1090-AA84
1499	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1090-AA92

Office of Acquisition and Property Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1500	Woody Biomass Utilization	1084-AA00

Office of Hearings and Appeals—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1501	Implementation of the Access to Justice Act in Agency Proceedings	1094-AA48

DOI

United States Fish and Wildlife Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1502	Interagency Guidance for the Prescription of Fishways Pursuant to Section 18 of the Federal Power Act	1018-AH42
1503	Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21	1018-AI66
1504	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes	1018-AI97
1505	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AJ24

United States Fish and Wildlife Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1506	Seizure and Forfeiture Procedures — 50 CFR Part 12	1018-AC89
1507	Convention on International Trade in Endangered Species (CITES)	1018-AD87
1508	Migratory Bird Permits: Scientific Collecting Permits	1018-AE63
1509	U.S. Proposals for CITES Appendix III; American Eel	1018-AF09
1510	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
1511	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AF27
1512	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14	1018-AF46
1513	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
1514	Federal Falconry Standards and Falconry Permitting	1018-AG11
1515	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
1516	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species	1018-AG64
1517	Injurious Wildlife — Addition of Black Carp	1018-AG70
1518	Endangered and Threatened Wildlife and Plants; Listing of the Miami Blue Butterfly	1018-AH30
1519	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
1520	Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout From Endangered to Threatened with a Special Rule	1018-AH57
1521	Corrections to Rights-of-Way Regulations	1018-AI12
1522	North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies	1018-AI13
1523	Endangered and Threatened Wildlife and Plants; Critical Habitat for 5 Guam Species	1018-AI25
1524	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations	1018-AI38
1525	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the American Crocodile From Endangered to Threatened	1018-AI41
1526	Import of Polar Bear Trophies From Canada; Finding for the Gulf of Boothia Population	1018-AI65
1527	Endangered and Threatened Wildlife and Plants; Listing Central California Distinct Population Segment of California Tiger Salamander as Threatened; Reclassifying Sonoma County and Santa Barbara County	1018-AI68
1528	Endangered and Threatened Wildlife and Plants; Delisting of the Arizona Agave	1018-AI79
1529	Endangered and Threatened Wildlife and Plants; Proposed Nonessential Experimental Population of the Northern Aplomado Falcon	1018-AI80
1530	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened	1018-AI83
1531	U.S. Proposals for CITES Appendix III; Black Cohosh	1018-AI91
1532	Migratory Bird Permits; Military Readiness Exemption	1018-AI92
1533	Endangered Species and Pesticide Regulation	1018-AI95
1534	Revision of Migratory Bird Hunting Regulations	1018-AI98
1535	Revision of the Regulations Governing the Transport of Eagle Feathers	1018-AJ00
1536	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf	1018-AJ03
1537	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Colorado Butterfly Plant	1018-AJ07
1538	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk Vetch	1018-AJ09
1539	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion	1018-AJ10
1540	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia and the San Jacinto Valley Crownscale	1018-AJ11
1541	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River Population Segments of Bull Trout	1018-AJ12

DOI

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

Sequence Number	Title	Regulation Identifier Number
1542	Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle	1018-AJ13
1543	Injurious Wildlife; Silver Carp (<i>Hypophthalmichthys Molitrix</i>)	1018-AT29
1544	Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds	1018-AT30
1545	Endangered and Threatened Wildlife and Plants; Delisting of Mexican Bobcat from List of Endangered Species	1018-AT31
1546	Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program	1018-AT34
1547	Endangered and Threatened Wildlife and Plants; Proposed Amendment to the Nonessential Experimental Population Rule for the Mexican Gray Wolf	1018-AT36
1548	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Virginia Northern Flying Squirrel From Endangered to Threatened	1018-AT37
1549	Endangered and Threatened Wildlife and Plants; Proposed Removal of the Yellowstone Grizzly Bear Population From the List of Endangered and Threatened Species	1018-AT38
1550	2004-2005 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AT40
1551	Land Conservation Planning (Refuge Manual Chapter 602 FW 2)	1018-AT41
1552	Endangered and Threatened Wildlife and Plants; Listing the Boreal Toad	1018-AT43
1553	Subsistence Management Regulations for Public Lands in Alaska, Subpart A and Subpart B	1018-AT47
1554	Marine Mammals: Revised Definition of "Authentic Native Articles of Handicrafts and Clothing"	1018-AT48
1555	Injurious Wildlife; Bighead Carp (<i>Hypophthalmichthys Nobilis</i>)	1018-AT49
1556	Revised Definition of "Destruction or Adverse Modification" for Endangered Species Act Section 7 Consultations ..	1018-AT50
1557	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
1558	Migratory Bird Hunting; Proposed 2004-05 Migratory Game Bird Hunting Regulations (Preliminary) with Requests for Indian Tribal Proposals	1018-AT53
1559	Endangered and Threatened Wildlife and Plants; Special Rule to Control the Trade in Threatened Beluga Sturgeon	1018-AT54
1560	CITES Appendix-III Listing of the Sea Cucumber (<i>Isostichopus fuscus</i>) by the Government of Ecuador	1018-AT55
1561	Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened	1018-AT56
1562	Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation	1018-AT60
1563	Listing of Five Foreign Birds Under the Endangered Species Act	1018-AT62
1564	Migratory Bird Permits; Federal Falconry Standards; Adding Connecticut to the List of States That Meet Federal Falconry Standards	1018-AT63
1565	Permit Revocation Regulations for Endangered Species Act Incidental Take Permits	1018-AT64
1566	Endangered and Threatened Wildlife and Plants; Designating Manatee Protection Areas in Lee County, FL	1018-AT65
1567	Endangered and Threatened Wildlife and Plants; Buena Vista Lake Shrew Critical Habitat Designation	1018-AT66
1568	Migratory Bird Hunting; Revision of Language Used in Regulations for Approving Nontoxic Shot for Use in Waterfowl Hunting	1018-AT67
1569	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Tiger Salamander, Central DPS; 50 CFR 17	1018-AT68
1570	Regulations to Implement the Captive Wildlife Safety Act	1018-AT69
1571	Seasons, Harvest Limits, Methods, and Means Related to Taking of Wildlife for Subsistence Uses during 2005-06 Regulatory Year (Subpart D)	1018-AT70
1572	Reserved/Excepted Rights Management (Miscellaneous Receipts)	1018-AT71
1573	Mosquito and Mosquito-Borne Disease Management	1018-AT72
1574	Strategic Growth of the National Wildlife Refuge System	1018-AT73
1575	Endangered and Threatened Wildlife and Plants; Coachella Valley Milk-Vetch Critical Habitat Designation	1018-AT74
1576	Endangered and Threatened Wildlife and Plants; Thread-Leaved Brodiaea Critical Habitat Designation	1018-AT75
1577	Migratory Bird Hunting; 2005-2006 Migratory Game Bird Hunting Regulations	1018-AT76
1578	Migratory Bird Subsistence Harvest in Alaska; Proposed Spring/Summer Subsistence Annual Harvest Regulations for Migratory Birds in Alaska During the 2005 Subsistence Season	1018-AT77
1579	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox	1018-AT78
1580	Endangered and Threatened Wildlife and Plants; Salt Creek Tiger Beetle Critical Habitat Designation	1018-AT79

DOI

United States Fish and Wildlife Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1581	List of Migratory Birds	1018-AB72
1582	General Provisions and General Permit Procedures—50 CFR Part 13	1018-AC57
1583	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries	1018-AF44
1584	Endangered and Threatened Wildlife and Plants; Tibetan Antelope	1018-AF49
1585	U.S. Proposals for CITES Appendix III; Certain Turtle Species	1018-AF69
1586	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands	1018-AG23
1587	National Wildlife Refuge System; Mission, Goals, and Purposes	1018-AG46
1588	Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species	1018-AH53
1589	Endangered and Threatened Wildlife; Reclassification from Endangered to Threatened Status for Marianna Fruit Bat (Guam), and Threatened Status for Marianna Fruit Bat (CNMI)	1018-AH55
1590	Addition of the Great White Shark and the Cape Stag Beetles to Appendix III Under CITES	1018-AH66
1591	Audit Resolution Policy	1018-AH69
1592	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
1593	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act	1018-AH93
1594	Public Notice for CITES Appendix III Listing of Spanish Cedar and Bigleaf Mahogany by the Government of Peru	1018-AH99
1595	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species	1018-AI04
1596	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations	1018-AI07
1597	Addition by Indonesia of Ramin to Appendix III Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI08
1598	Endangered and Threatened Wildlife and Plants; Removal of the Tinian Monarch Flycatcher From the List of Endangered and Threatened Species	1018-AI14
1599	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Topeka Shiner	1018-AI20
1600	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations	1018-AI32
1601	Endangered and Threatened Wildlife and Plants; Listing the Southwest Alaskan Distinct Population Segment of the Northern Sea Otter	1018-AI44
1602	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout	1018-AI52
1603	Migratory Bird Permits; Eiderdown From Iceland	1018-AI64
1604	Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species	1018-AI67
1605	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp	1018-AI71
1606	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher	1018-AI72
1607	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 11 Mobile River Basin Freshwater Mussels	1018-AI73
1608	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Appalachian Mussels	1018-AI76
1609	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Pierson's Milkvetch	1018-AI77
1610	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milkvetch	1018-AI78
1611	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle	1018-AI82
1612	Changes in List of Species in Appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora	1018-AI90
1613	Endangered and Threatened Wildlife and Plants; Removal of Eggert's Sunflower From the List of Endangered and Threatened Species	1018-AJ08
1614	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AJ15
1615	Endangered and Threatened Wildlife and Plants; De-designation of Manatee Protection Areas in Florida	1018-AJ23
1616	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2004-2005 Subsistence Taking of Fish and Wildlife	1018-AJ25
1617	Extension of Existing Amended 4(d) Rule for Preble's Meadow Jumping Mouse in Colorado and Wyoming	1018-AJ26
1618	Migratory Bird Hunting; Approval of Hevi-Steel as a Nontoxic Shot Material for Waterfowl Hunting	1018-AT32
1619	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Arroyo Toad	1018-AT42
1620	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander Santa Barbara County Distinct Population Segment	1018-AT44
1621	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Riverside Fairy Shrimp	1018-AT45

DOI

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

Sequence Number	Title	Regulation Identifier Number
1622	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2005-2006 Subsistence Taking of Fish and Shellfish Regulations	1018-AT46
1623	Endangered and Threatened Wildlife and Plants; Emergency Critical Habitat Designation for Santa Ana Sucker	1018-AT57
1624	Subsistence Management Regulations for Public Lands in AK: Specifying Ratios of Interests/Qualifications of Members of Federal Subsistence Regional Advisory Councils	1018-AT58
1625	Conferring Designated Port Status on Memphis, TN, Louisville, KY, and Houston, TX	1018-AT59
1626	Regulations for Nonessential Experimental Populations of the Western Distinct Population Segment of the Gray Wolf	1018-AT61

United States Fish and Wildlife Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1627	Implementation of the 1994 Amendments to the Marine Mammal Protection Act	1018-AE72
1628	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
1629	Injurious Wildlife; Addition of the Asian Swamp Eel	1018-AF53
1630	Policy on General Conservation Permits	1018-AF63
1631	Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub	1018-AG16
1632	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
1633	Release of Captive-Reared Mallards	1018-AI05
1634	Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod	1018-AI15
1635	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl	1018-AI48
1636	Migratory Bird Permits; Revisions to General Exceptions	1018-AI96
1637	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf	1018-AJ04
1638	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-legged Frog	1018-AJ16
1639	Injurious Wildlife Species; Boiga Snakes	1018-AT28
1640	Endangered and Threatened Wildlife and Plants; Amendment To Manatee Protection Areas in Florida (Barge Canal Exception)	1018-AT39

United States Fish and Wildlife Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1641	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Plants From the Mariana Islands and Guam	1018-AG09
1642	Endangered and Threatened Wildlife and Plants; Delisting the Hoover's Woolly-Star From the List of Endangered and Threatened Species	1018-AG41
1643	Endangered and Threatened Wildlife and Plants; Critical Habitat for Three Coastal California Plants	1018-AG88
1644	Endangered and Threatened Wildlife and Plants; Removal of the Truckee Barberry From the List of Endangered and Threatened Species	1018-AH47
1645	Endangered and Threatened Wildlife and Plants; Removal of the Guam Broadbill and Mariana Mallard From the List of Endangered and Threatened Species	1018-AH50
1646	Endangered and Threatened Plants; Reclassification of the Missouri Bladderpod From Endangered to Threatened	1018-AH59
1647	Export of Live Alligators	1018-AH65
1648	Eagle Permits: New Definitions, Permits for Incidental Taking of Bald Eagles Necessary To Protect Other Interests in Any Particular Locality	1018-AH74
1649	Migratory Bird Permits; Regulations Governing Rehabilitation Activities	1018-AH87
1650	Marine Mammals: Incidental Take During Specified Activities (Beaufort Sea Polar Bear and Walrus)	1018-AH92
1651	Partners for Fish and Wildlife Program	1018-AH98

DOI

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

Sequence Number	Title	Regulation Identifier Number
1652	Endangered and Threatened Wildlife and Plants; Beluga Sturgeon	1018-AI11
1653	Endangered and Threatened Wildlife and Plants; Listing of the Rota Bridled White-Eye	1018-AI16
1654	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Ventura Marsh Milkvetch	1018-AI21
1655	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
1656	Endangered and Threatened Wildlife and Plants; Listing the Slickspot Peppergrass	1018-AI50
1657	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Desert Yellowhead	1018-AI69
1658	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Braun's Rockcress	1018-AI74
1659	Endangered and Threatened Wildlife and Plants; Endangered Status for the Dugong in the Republic of Palau	1018-AI81
1660	Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Revisions to the Regulations	1018-AI85
1661	Subsistence Management Regulations for Public Lands in Alaska, Subparts C and D; 2004-2005 Subsistence Tak- ing of Fish and Shellfish	1018-AI89
1662	Endangered Species Act Counterpart Section 7 Consultation Regulations for Implementing the National Fire Plan	1018-AJ02
1663	Endangered and Threatened Wildlife and Plants; Removal of the Eggert's Sunflower From the List of Endangered and Threatened Species	1018-AJ17
1664	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
1665	Endangered and Threatened Wildlife and Plants; Removal of the Virginia Roundleaf From the List of Endangered and Threatened Species	1018-AT33
1666	Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Downlisting of the Pahrump Poolfish From the List of Endangered and Threatened Species	1018-AT35
1667	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Mexican Spotted Owl	1018-AT52

National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1668	Big Thicket National Preserve; Personal Watercraft	1024-AC92
1669	Pictured Rocks National Lakeshore; Personal Watercraft	1024-AC93
1670	Fire Island National Seashore; Personal Watercraft	1024-AC94
1671	Gateway National Recreation Area; Personal Watercraft	1024-AC95
1672	Bighorn Canyon National Recreation Area; Personal Watercraft	1024-AC96
1673	Curecanti Recreation Area; Personal Watercraft	1024-AC99
1674	Native American Graves Protection and Repatriation Act; Future Applicability	1024-AD05
1675	Delaware Water Gap NRA Commercial Vehicle Fees	1024-AD14
1676	Revisions to Right-of-Way Regulations	1024-AD16
1677	Cost Recovery for Special Park Uses	1024-AD18
1678	Gulf Islands National Seashore: Personal Watercraft Use	1024-AD21
1679	Historic Preservation Certifications	1024-AD24
1680	Vessel Management in Glacier Bay National Park	1024-AD25
1681	Apostle Islands; Snowmobiles	1024-AD26
1682	Apostle Islands; Off-road Vehicles	1024-AD27
1683	Apostle Islands; Ice Augers	1024-AD28

National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1684	Commercial Use Authorizations	1024-AC85
1685	Lake Meredith Recreation Area; Personal Watercraft	1024-AC97
1686	Chickasaw Recreation Area; Personal Watercraft	1024-AC98
1687	Amistad Recreation Area; Personal Watercraft	1024-AD00
1688	Lake Roosevelt Recreation Area; Personal Watercraft	1024-AD01
1689	Boating and Water Use Activities	1024-AD07
1690	Alaska Park Units; Special Regulations	1024-AD13

DOI

National Park Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1691	Rocky Mountain National Park Snowmobile Use	1024-AD15
1692	Use of Service Animals in National Park Areas	1024-AD17
1693	Native American Handicrafts	1024-AD20

National Park Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1694	Special Regulations of the National Park System; Religious Ceremonial Collection of Golden Eaglets in Wupatki National Monument	1024-AC86
1695	Golden Gate National Recreation Area; Special Regulations	1024-AD03

National Park Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1696	Procedures for State, Tribal, and Local Government Historic Preservation Programs	1024-AC79
1697	Snowmobile Regulations for Yellowstone and Grand Teton National Parks and JDR Parkway	1024-AD11
1698	Ceremonies at First Division Monument	1024-AD19
1699	Canyonlands National Park—Salt Creek Canyon	1024-AD23

Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1700	Indian Electric Power Utilities	1076-AD45
1701	Buy Indian Act Regulations	1076-AE07
1702	Tribal Revenue Allocation Plans	1076-AE24
1703	Indian Country Law Enforcement	1076-AE35
1704	Proclamation of Reservations	1076-AE40
1705	Loan Guaranty, Insurance, and Interest Subsidy	1076-AE42
1706	Use or Distribution of Indian Judgment Funds	1076-AE43
1707	Preparation of Rolls of Indians	1076-AE44
1708	Standards for Approving Tribal Per Capita Distributions	1076-AE45
1709	Indian Highway Safety Program	1076-AE47
1710	Appeals from Administrative Actions	1076-AE48
1711	Home-Living Programs and School Closure and Consolidation	1076-AE51

Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1712	Irrigation Projects and Systems	1076-AD44
1713	Certificates of Degree of Indian Blood	1076-AD97
1714	Alaska Resupply Operation	1076-AE04
1715	Indian Reservation Roads Program	1076-AE17
1716	Leases and Permits on Indian Trust and Restricted Lands	1076-AE36
1717	Reindeer in Alaska	1076-AE37
1718	Navajo Partitioned Lands Grazing Permits	1076-AE46
1719	No Child Left Behind Act of 2001	1076-AE49

DOI

Bureau of Indian Affairs—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1720	Winnemucca Court of Indian Offenses	1076-AE52

Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1721	Partial Distribution of FY 2004 Indian Reservation Roads Funds	1076-AE50

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1722	Late and Overpayment Interest	1010-AC27
1723	Takes vs. Entitlements Reporting	1010-AC29
1724	Prepayment of Royalties	1010-AC31
1725	Royalty Relief Terms	1010-AC58
1726	Appeals of Minerals Management Service Orders	1010-AC80
1727	Blowout Prevention for Production Tree Coiled Tubing Workover Operations	1010-AC96
1728	Data Release and Definitions	1010-AC99
1729	Valuation of Oil From Indian Leases	1010-AD00
1730	Reduction to Royalty Relief in Special Circumstances	1010-AD02
1731	Federal Gas Valuation	1010-AD05
1732	Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf	1010-AD06
1733	Temporary Abandoned Wells	1010-AD08
1734	Suspension of Operations for Ultra-Deep Drilling	1010-AD09
1735	Protection of Marine Mammals and Endangered Species	1010-AD10
1736	Pipeline Safety Rule Phase I	1010-AD11
1737	Oil and Gas Production Rates	1010-AD12
1738	Rights of Use and Easement	1010-AD13

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1739	Accounting Relief for Marginal Properties	1010-AC30
1740	Plans and Information	1010-AC47
1741	Incident Reporting	1010-AC57
1742	Proprietary Terms and Data Disclosure	1010-AC81
1743	Documents Incorporated by Reference for Offshore Floating Production Facilities	1010-AC85
1744	Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration	1010-AC95
1745	Federal Oil Valuation	1010-AD04

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1746	Reporting Amendments	1010-AC90
1747	Rights-of-Use and Easements and Pipeline Rights-of-Way	1010-AC91
1748	Relief or Reduction in Royalty Rates— Deep Gas Provisions	1010-AD01

DOI

Office of Surface Mining Reclamation and Enforcement—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1749	Abandoned Mine Reclamation Fees	1029-AC46

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1750	Abandoned Coal Refuse Sites	1029-AB70
1751	Revegetation	1029-AC02
1752	Financial Assurances	1029-AC05

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1753	Indian Lands	1029-AB83
1754	Placement of Excess Spoil	1029-AC04
1755	Processing State Program Amendments	1029-AC06
1756	Ownership and Control Settlement Rule	1029-AC08

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1757	Financing Abandoned Mine Land Reclamation	1029-AC07

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1758	Public Conduct on Reclamation Lands and Projects	1006-AA45
1759	Implementation of the Truckee River Operating Agreement	1006-AA48

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1760	Sales—Federal Land Policy and Management Act	1004-AB77
1761	Desert Land Entries	1004-AC56
1762	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1763	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1764	Conservation; Helium Leasing	1004-AD35
1765	Resource Management Planning	1004-AD57
1766	Oil and Gas Onshore Order No. 1	1004-AD59
1767	Alaska Native Veteran Allotments	1004-AD60

DOI

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1768	Cost Recovery; Mineral Filings and Operations	1004-AC64
1769	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1770	Indian Allotments	1004-AC77
1771	Grazing Administration—Exclusive of Alaska	1004-AD42
1772	Wilderness Management	1004-AD46
1773	Oil and Gas Leasing Operations; Bonding	1004-AD56
1774	Location, Recording, and Maintenance of Mining Claims or Sites	1004-AD62

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1775	Leases, Permits, and Easements	1004-AB51
1776	Coalbed Methane Development	1004-AC27
1777	Carey Act Grants	1004-AC80
1778	Oil and Gas Leasing and Operations	1004-AC94
1779	Appeals Procedures; Hearings Procedures	1004-AC99
1780	Hazardous Materials Compliance	1004-AD38
1781	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument	1004-AD40
1782	Mining Claims Under the General Mining Laws; Surface Management	1004-AD53
1783	Wilderness Management	1004-AD54

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1784	Permits for Recreation on Public Lands	1004-AD45

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1494. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES

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

Legal Authority: 42 USC 9651(c)

CFR Citation: 43 CFR 11

Legal Deadline: None

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

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

Timetable:

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

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

RIN: 1090-AA29

DOI—ASPMB

Proposed Rule Stage

1495. 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	10/00/04	

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

**Department of the Interior (DOI)
 Assistant Secretary for Policy, Management and Budget (ASPMB)**

Long-Term Actions

1496. MANDATORY CONDITIONS REVIEW PROCESS

Priority: Substantive, Nonsignificant
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	To Be Determined	

Regulatory Flexibility Analysis Required: No
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

**Department of the Interior (DOI)
 Assistant Secretary for Policy, Management and Budget (ASPMB)**

Completed Actions

1497. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant
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
Completed:

Reason	Date	FR Cite
Withdrawn	04/01/04	

Regulatory Flexibility Analysis Required: No
Government Levels Affected: Undetermined
Agency Contact: Will A. Irwin
 Phone: 703 235-8349
RIN: 1090-AA68

1498. AMENDMENT OF AUTHORITY TO GRANT STAYS OF BLM GRAZING DECISIONS

Priority: Substantive, Nonsignificant
CFR Citation: 43 CFR 4.21; 43 CFR 4.470; 43 CFR 4.472; 43 CFR 4.476; 43 CFR 4.477
Completed:

Reason	Date	FR Cite
Final Action	12/10/03	68 FR 67865

Regulatory Flexibility Analysis Required: No
Government Levels Affected: None
Agency Contact: Will A. Irwin
 Phone: 703 235-8349
RIN: 1090-AA84

1499. SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.
CFR Citation: 43 CFR 4
Completed:

Reason	Date	FR Cite
Final Action	11/28/03	68 FR 66723

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Will A. Irwin
 Phone: 703 235-8349
RIN: 1090-AA92
 BILLING CODE 4310-RK-S

Department of the Interior (DOI)
Office of Acquisition and Property Management (OAPM)

Proposed Rule Stage

1500. • WOODY BIOMASS UTILIZATION

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

Legal Authority: 30 USC 601 to 604; 30 USC 611; 16 USC 668dd; 16 USC 1; 25 USC 3101 et seq; 43 USC 1701 et seq

CFR Citation: 48 CFR 14

Legal Deadline: None

Abstract: The Department of the Interior proposes to include an option

for allowing service contractors the option to remove woody biomass generated as a result of land management service contracts wherever ecologically appropriate and in accordance with the law. A new clause added to the Department's acquisition regulations would specify a contract clause to be used for this purpose. No other changes in specifications are proposed.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John Stewart, Office of Wildland Fire Coordination, Department of the Interior, Office of Acquisition and Property Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 606-0504

RIN: 1084-AA00

BILLING CODE 4310-RK-S

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

Completed Actions

1501. • IMPLEMENTATION OF THE ACCESS TO JUSTICE ACT IN AGENCY PROCEEDINGS

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

Legal Authority: Pub L 96-481

CFR Citation: 43 CFR 4

Legal Deadline: None

Abstract: Under this Act, an eligible person may obtain reimbursement for

attorney's fees when it prevails over the Department in a legal proceeding. This rule establishes procedures for submitting and consideration of reimbursement requests.

Timetable:

Action	Date	FR Cite
Final Action	12/05/03	68 FR 67941

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, Interior Board of Appeals, 801 N. Quincy Street, VA 20003

Phone: 703 235-3750

RIN: 1094-AA48

BILLING CODE 4310-79-S

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

Prerule Stage

1502. INTERAGENCY GUIDANCE FOR THE PRESCRIPTION OF FISHWAYS PURSUANT TO SECTION 18 OF THE FEDERAL POWER ACT

Priority: Other Significant

Legal Authority: 16 USC 791(a) et seq

CFR Citation: None

Legal Deadline: None

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

obtained will be used to support a final action.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	12/22/00	65 FR 80898
Notice of Availability of Proposed Policy	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: benjamin1tuggle@fws.gov

RIN: 1018-AH42

1503. 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	

DOI—FWS

Prerule Stage

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: timlvannorman@fws.gov

RIN: 1018-AI66

1504. 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	11/00/04	

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: brian1millsap@fws.gov

RIN: 1018-AI97

1505. HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES, AND AMPHIBIANS TO THE UNITED STATES

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

Unfunded Mandates: Undetermined

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

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

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

Timetable:

Action	Date	FR Cite
ANPRM	09/00/04	

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

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2095
Email: peter1thomas@fws.gov

RIN: 1018-AJ24

Department of the Interior (DOI)

Proposed Rule Stage

United States Fish and Wildlife Service (FWS)

1506. 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 second proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58468
Second NPRM	12/00/04	

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

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

Phone: 703 358-1949
Fax: 703 358-1947
Email: kevin1adams@fws.gov

RIN: 1018-AC89

1507. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)
Priority: Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

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

DOI—FWS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/08/00	65 FR 26663
Correction	06/29/00	65 FR 40167
Second NPRM	09/00/04	

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: peter1thomas@fws.gov

RIN: 1018-AD87**1508. 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	02/00/05	

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: brian1millsap@fws.gov

RIN: 1018-AE63**1509. 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	03/00/05	

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

Agency Contact: Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Email: marie1maltese@fws.gov

RIN: 1018-AF09**1510. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE BALD EAGLE THROUGHOUT THE LOWER 48 STATES FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We plan to repropose removal of the bald eagle from the List of Endangered and Threatened Species. This action is based on continued recovery gains and increasing population trends.

Timetable:

Action	Date	FR Cite
NPRM	07/06/99	64 FR 36454
NPRM	08/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AF21**1511. 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	11/00/04	
Final Action	09/00/05	

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

Agency Contact: Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2095
Email: peter1thomas@fws.gov

RIN: 1018-AF27**1512. 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

DOI—FWS

Proposed Rule Stage

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	12/00/04	

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: kevin1adams@fws.gov

RIN: 1018-AF46

1513. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT-HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALUCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED

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

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

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: michael1kreger@fws.gov

RIN: 1018-AG00

1514. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING

Priority: Other Significant**Legal Authority:** 16 USC 703 to 712**CFR Citation:** 50 CFR 21.28; 50 CFR 21.29**Legal Deadline:** None

Abstract: We 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	01/00/05	

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

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

Phone: 703 358-1714

Email: brian1millsap@fws.gov

RIN: 1018-AG11

1515. 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	08/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AG40

1516. 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	10/00/04	

DOI—FWS

Proposed Rule Stage

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: michael1kreger@fws.gov

RIN: 1018-AG64**1517. INJURIOUS WILDLIFE — ADDITION OF BLACK CARP****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None

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

Timetable:

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

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

Agency Contact: Kari Jonell Duncan, Chief, 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: kari1duncan@fws.gov

RIN: 1018-AG70**1518. 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	07/00/04	

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: chris1nolin@fws.gov

RIN: 1018-AH30**1519. 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	07/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AH44**1520. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED WITH A SPECIAL RULE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AH57**1521. 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

DOI—FWS

Proposed Rule Stage

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

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: barbara1wyman@fws.gov

RIN: 1018-AI12

1522. 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 to explain the North American Wetlands Conservation Act (NAWCA) and Neotropical Migratory Bird Conservation Act (NMBCA) grants programs and to guide the grants administration process.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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: keith1morehouse@fws.gov

RIN: 1018-AI13

1523. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 5 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, Settlement agreement; court-ordered extension.

Abstract: We propose to designate critical habitat for 5 Guam species. These include two mammals, the Little Mariana fruit bat and the Mariana fruit bat, and three birds, the Mariana crow, the Guam Micronesian kingfisher and the Guam bridled white-eye. We are making a not-prudent determination for the Guam broadbill, a bird.

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 Reopened	06/02/04	69 FR 31073
NPRM Comment Period End	07/19/04	

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: chris1nolin@fws.gov

RIN: 1018-AI25

1524. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3124

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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: bill1knauer@fws.gov

RIN: 1018-AI38

1525. 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.

DOI—FWS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AI41

1526. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDING FOR THE GULF OF BOOTHIA POPULATION

Priority: Other Significant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18.30

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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: peter1thomas@fws.gov

RIN: 1018-AI65

1527. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING CENTRAL CALIFORNIA DISTINCT POPULATION SEGMENT OF CALIFORNIA TIGER SALAMANDER AS THREATENED; RECLASSIFYING SONOMA COUNTY AND SANTA BARBARA COUNTY

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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 56251
NPRM Comment Period Reopened; Sonoma and Santa Barbara Counties' DPSs	07/00/04	
Final Action—Listing Central DPS	05/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris1nolin@fws.gov

RIN: 1018-AI68

1528. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE ARIZONA AGAVE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AI79

1529. 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	08/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

DOI—FWS

Proposed Rule Stage

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
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Email: patrick1leonard@fws.gov

RIN: 1018-AI80

1530. 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	03/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy1gabel@fws.gov

RIN: 1018-AI83

1531. 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	09/00/04	

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: patricia1deangelis@fws.gov

RIN: 1018-AI91

1532. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION

Priority: Other Significant

Legal Authority: PL 107-314

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/02/04	69 FR 31074
NPRM Comment Period End	08/02/04	
Final Action	10/00/04	

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: brian1millsap@fws.gov

RIN: 1018-AI92

1533. ENDANGERED SPECIES AND PESTICIDE REGULATION

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: Not Yet Determined

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	01/24/03	68 FR 3786
NPRM	01/30/04	69 FR 4465
NPRM Comment Period Extended	03/31/04	69 FR 16887
NPRM—NOA for Environmental Assessment	07/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 4401 N. Fairfax Drive, Mailstop ARL-SQ 420, Arlington, VA 22203
Phone: 703 358-2106
Fax: 703 358-1735
Email: rick1sayers@fws.gov

RIN: 1018-AI95

1534. 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

DOI—FWS

Proposed Rule Stage

governing migratory game bird hunting. This rule will also use plain language to clarify these regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

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: kevin1adams@fws.gov

RIN: 1018-AI98

1535. REVISION OF THE REGULATIONS GOVERNING THE TRANSPORT OF EAGLE FEATHERS

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 22

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

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: kevin1adams@fws.gov

RIN: 1018-AJ00

1536. 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	07/00/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

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

Phone: 703 358-2171

Fax: 703 358-1735

Email: patrick1leonard@fws.gov

Related RIN: Related to 1018-AF20

RIN: 1018-AJ03

1537. 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: Final, Judicial, December 30, 2004, Settlement agreement.

Abstract: We will designate critical habitat for the Colorado butterfly plant.

A short-lived perennial, the Colorado butterfly plant is endemic to moist soils in mesic or wet meadows of floodplain areas in northcentral Colorado, extreme western Nebraska, and southeastern Wyoming.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

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

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Email: chris1nolin@fws.gov

RIN: 1018-AJ07

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

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/04/04	69 FR 31552
Requests for Public Hearing	07/19/04	
NPRM Comment Period End	08/03/04	

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

DOI—FWS

Proposed Rule Stage

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 RIN: 1018-AJ09

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

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	06/04/04	69 FR 31569
NPRM Comment Period End	08/03/04	
Requests for Public Hearing	07/19/04	

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: chris1nolin@fws.gov

RIN: 1018-AJ10

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

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We will designate critical habitat for the spreading navarretia and San Jacinto Valley crownscale. On October 13, 1998, the spreading navarretia, a plant species native to

California and Mexico, was listed as a threatened species, and the San Jacinto Valley crownscale, a plant species endemic to California, was listed as endangered.

Timetable:

Action	Date	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
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RIN: 1018-AJ11

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

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

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
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RIN: 1018-AJ12

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

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

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: chris1nolin@fws.gov

Related RIN: Related to 1018-AT79

RIN: 1018-AJ13

1543. 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

DOI—FWS

Proposed Rule Stage

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
NPRM	08/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Kari Jonell Duncan, Chief, 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
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Email: kari1duncan@fws.gov

RIN: 1018-AT29

1544. 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	02/00/05	

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: michael1kreger@fws.gov

RIN: 1018-AT30

1545. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF MEXICAN BOBCAT FROM LIST OF ENDANGERED SPECIES

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1708
Fax: 703 358-2276
Email: roddy1gabel@fws.gov

RIN: 1018-AT31

1546. 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 will propose to terminate the southern sea otter translocation program and change regulations to allow sea otters residing in designated translocation and management zones to remain after the zones are abolished. The southern sea otter translocation program, established under authority of Public Law 99-625, has failed to meet its established goals and objectives. A draft supplemental environmental impact statement (SEIS), to be released for public comment in summer 2004, 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	07/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AT34

DOI—FWS

Proposed Rule Stage

1547. 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	02/00/05	

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: patrick1leonard@fws.gov

RIN: 1018-AT36

1548. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE VIRGINIA NORTHERN FLYING SQUIRREL FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq
CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AT37

1549. 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	02/00/05	

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: patrick1leonard@fws.gov

RIN: 1018-AT38

1550. 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: leslie1marler@fws.gov

RIN: 1018-AT40

1551. 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

DOI—FWS

Proposed Rule Stage

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	03/00/05	

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: ross1alliston@fws.gov

RIN: 1018-AT41

1552. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE BOREAL TOAD

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	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
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Email: chris1nolin@fws.gov

RIN: 1018-AT43

1553. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART A AND SUBPART B

Priority: Other Significant. 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	08/00/04	

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: bill1knauer@fws.gov

RIN: 1018-AT47

1554. 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	06/04/04	69 FR 31582
NPRM Comment Period End	08/03/04	

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: martin1kodis@fws.gov

RIN: 1018-AT48

1555. INJURIOUS WILDLIFE; BIGHEAD CARP (HYPOPHthalmichthys nobilis)

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

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

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

DOI—FWS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	09/17/03	68 FR 54409
NPRM	10/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Kari Jonell Duncan, Chief, 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
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Email: kari1duncan@fws.gov

RIN: 1018-AT49

1556. REVISED DEFINITION OF "DESTRUCTION OR ADVERSE MODIFICATION" FOR ENDANGERED SPECIES ACT SECTION 7 CONSULTATIONS

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 402.02

Legal Deadline: None

Abstract: Fish and Wildlife Service and National Marine Fisheries Service will revise 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	07/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 4401 N. Fairfax Drive, Mailstop ARL-SQ 420, Arlington, VA 22203
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Email: rick1sayers@fws.gov

RIN: 1018-AT50

1557. LISTING THE MIAMI BLUE BUTTERFLY AS ENDANGERED; LISTING THE CASSIUS BLUE, CERAUNUS BLUE, AND NICKERBEAN (AMMON) BLUE BUTTERFLIES AS THREATENED DUE TO SIMILARITY OF APPEARANCE TO THE MIAMI BLUE

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

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

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Emergency Final Rule	07/00/04	
NPRM	07/00/04	
Final Action	01/00/05	

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: chris1nolin@fws.gov

RIN: 1018-AT51

1558. • MIGRATORY BIRD HUNTING; PROPOSED 2004-05 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUESTS FOR INDIAN TRIBAL PROPOSALS

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

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

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: This action establishes annual migratory game bird hunting regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/22/04	69 FR 13440
NPRM—Supplemental Proposals for Migr. Game Bird Hunting Regs for 2004-05 Season; Not. of Meeting	06/09/04	69 FR 32417
NPRM—Proposed Frameworks for Early Season Migr. Bird Hunting Regulations	07/00/04	
NPRM—Prop. Migr. Bird Hunting Regs on Certain Federal Indian Reservations for 2004-05 Season	07/00/04	
NPRM—Prop. Frameworks for Late Season Migr. Bird Hunting Regs	08/00/04	
Final Frameworks for Early Season Migratory Bird Hunting Regulations	08/00/04	
Final Migr. Bird Hunting Regs on Certain Federal Indian Reservations for 2004-05 Early Season	08/00/04	
Final Early Seasons & Bag and Possession Limits, Cert. Migr. Gm. Birds, Contig. U.S., AK, HI, PR, VI	08/00/04	
Final Frameworks for Late Season Migratory Bird Hunting Regulations	09/00/04	
Final Migratory Bird Hunting Regs on Certain Federal Indian Reservations for 2004-05 Late Season	09/00/04	

DOI—FWS

Proposed Rule Stage

Action	Date	FR Cite
Final Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds	09/00/04	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Tribal

Agency Contact: Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Email: brian1millsap@fws.gov

Related RIN: Previously reported as 1018-AI30

RIN: 1018-AT53

1559. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE TO CONTROL THE TRADE IN THREATENED BELUGA STURGEON

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: Proposed special rule (under section 4(d) of ESA) allowing the importation into the United States of products from Beluga sturgeon (*Huso huso*) populations listed as threatened under the Act and in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), if certain conditions are satisfied by the exporting (i.e., range country) or re-exporting country.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	
Final Action	09/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: John Field, 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: john1field@fws.gov

Related RIN: Related to 1018-AI11

RIN: 1018-AT54

1560. • CITES APPENDIX—III LISTING OF THE SEA CUCUMBER (ISOSTICHOPUS FUSCUS) BY THE GOVERNMENT OF ECUADOR

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 announce listing by Ecuador of a sea cucumber species (*Isostichopus fuscus*) in Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Timetable:

Action	Date	FR Cite
NPRM	02/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: John Field, 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: john1field@fws.gov

RIN: 1018-AT55

1561. • SPECIAL RULE RECLASSIFYING ARGENTINIAN BROAD-SNOUDED CAIMAN POPULATION FROM ENDANGERED TO THREATENED

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to downlist the broad-snouted caiman (*Caiman latirostris*) population in

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

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

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: michael1kreger@fws.gov

RIN: 1018-AT56

1562. • MIGRATORY BIRD PERMITS; CHANGES IN REGULATIONS GOVERNING RAPTOR PROPAGATION

Priority: Other Significant

Legal Authority: 16 USC 703-712

CFR Citation: 50 CFR 21.30

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

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

DOI—FWS

Proposed Rule Stage

Email: brian1millsap@fws.gov

Related RIN: Related to 1018-AG11

RIN: 1018-AT60

1563. • LISTING OF FIVE FOREIGN BIRDS UNDER THE ENDANGERED SPECIES ACT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq.

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

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: michael1kreger@fws.gov

RIN: 1018-AT62

1564. • MIGRATORY BIRD PERMITS; FEDERAL FALCONRY STANDARDS; ADDING CONNECTICUT TO THE LIST OF STATES THAT MEET FEDERAL FALCONRY STANDARDS

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

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

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: brian1millsap@fws.gov

RIN: 1018-AT63

1565. • PERMIT REVOCATION REGULATIONS FOR ENDANGERED SPECIES ACT INCIDENTAL TAKE PERMITS

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.22(b)(5); 50 CFR 17.32(b)(5); 50 CFR 13.28

Legal Deadline: None

Abstract: We propose to repromulgate regulations that were vacated by the District Court for the District of Columbia due to failure to provide adequate notice and comment on the rule. The rule will establish specific provisions for revoking incidental take permits issued under the authority of section 10(a)(1)(B) of the Endangered Species Act, as amended.

Timetable:

Action	Date	FR Cite
NPRM	05/25/04	69 FR 29681
NPRM Comment Period End	07/26/04	
Final Rule	05/25/04	69 FR 29669

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 4401 N. Fairfax Drive, Mailstop ARL-SQ 420, Arlington, VA 22203
Phone: 703 358-2106
Fax: 703 358-1735
Email: rick1sayers@fws.gov

RIN: 1018-AT64

1566. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING MANATEE PROTECTION AREAS IN LEE COUNTY, FL

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We are proposing to designate several new manatee protection areas in Lee County, FL.

Timetable:

Action	Date	FR Cite
Emergency Final Rule Effective	04/07/04	69 FR 18279
Emergency Final Rule NPRM	04/07/04 07/00/04	69 FR 18279

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
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Email: patrick1leonard@fws.gov

RIN: 1018-AT65

1567. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; BUENA VISTA LAKE SHREW CRITICAL HABITAT DESIGNATION

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to designate critical habitat for the Buena Vista Lake Shrew, which occurs in California.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

DOI—FWS

Proposed Rule Stage

Federalism: Undetermined

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
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Email: chris1nolin@fws.gov

RIN: 1018-AT66

1568. • MIGRATORY BIRD HUNTING: REVISION OF LANGUAGE USED IN REGULATIONS FOR APPROVING NONTOXIC SHOT FOR USE IN WATERFOWL HUNTING

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

Legal Authority: 16 USC 742 a-j

CFR Citation: 50 CFR 20.134

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

URL For More Information: migratorybirds.fws.gov

URL For Public Comments: migratorybirds.fws.gov

Agency Contact: Dr. George T Allen, Wildlife Biologist, Department of the Interior, United States Fish and Wildlife Service, 4401 N. Fairfax Dr., MS 4107, Arlington, VA 22203-1610
Phone: 703 358-1825
Fax: 703-358-2217
Email: george1tallen@fws.gov

RIN: 1018-AT67

1569. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR CALIFORNIA TIGER SALAMANDER, CENTRAL DPS; 50 CFR 17

Priority: Other Significant

Legal Authority: 16 USC 703 to 712

CFR Citation: 50 CFR 21.29

Legal Deadline: None

Abstract: XXX

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, 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: chris1nolin@fws.gov

RIN: 1018-AT68

1570. • REGULATIONS TO IMPLEMENT THE CAPTIVE WILDLIFE SAFETY ACT

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 14

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

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

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Agency Contact: Kevin Adams, Chief, Office of Law Enforcement, Department

of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin1adams@fws.gov

RIN: 1018-AT69

1571. • SEASONS, HARVEST LIMITS, METHODS, AND MEANS RELATED TO TAKING OF WILDLIFE FOR SUBSISTENCE USES DURING 2005-06 REGULATORY YEAR (SUBPART D)

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

Legal Authority: 16 USC 3124

CFR Citation: 50 CFR 100; 36 CFR 100

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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: bill1knauer@fws.gov

RIN: 1018-AT70

1572. • RESERVED/EXCEPTED RIGHTS MANAGEMENT (MISCELLANEOUS RECEIPTS)

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 668dd to 668ee; PL 106-113; 16 USC 715 to 715k, 715n to 715rr; 42 USC 4321

CFR Citation: None

Legal Deadline: None

Abstract: This Service Manual Chapter (612 FW 3) provides specific guidance

DOI—FWS

Proposed Rule Stage

on the management and oversight of the exercise of privately owned mineral rights within the National Wildlife Refuge System. It also provides information on the law that governs the disposition of fees the Service receives in connection with reserved/excepted rights in Louisiana and Texas.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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

RIN: 1018-AT71

1573. • MOSQUITO AND MOSQUITO-BORNE DISEASE MANAGEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 668dd to 668ee

CFR Citation: None

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

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

RIN: 1018-AT72

1574. • STRATEGIC GROWTH OF THE NATIONAL WILDLIFE REFUGE SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 668dd to 668ee

CFR Citation: None

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AT73

1575. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; COACHELLA VALLEY MILK-VETCH CRITICAL HABITAT DESIGNATION

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: We plan to propose critical habitat for the Coachella Valley milk-vetch, which occurs in California.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris1nolin@fws.gov

RIN: 1018-AT74

1576. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; THREAD-LEAVED BRODIAEA CRITICAL HABITAT DESIGNATION

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose critical habitat for the Thread-Leaved Brodiaea, which occurs in California.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris1nolin@fws.gov

RIN: 1018-AT75

DOI—FWS

Proposed Rule Stage

1577. • MIGRATORY BIRD HUNTING; 2005–2006 MIGRATORY GAME BIRD HUNTING REGULATIONS

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: This action establishes annual migratory game bird hunting regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	
Final Action	09/00/05	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Tribal

Agency Contact: Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian1millsap@fws.gov

RIN: 1018–AT76

1578. • MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; PROPOSED SPRING/SUMMER SUBSISTENCE ANNUAL HARVEST REGULATIONS FOR MIGRATORY BIRDS IN ALASKA DURING THE 2005 SUBSISTENCE SEASON

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 703 to 712

CFR Citation: 50 CFR 92

Legal Deadline: None

Abstract: This action establishes annual spring/summer migratory bird

subsistence harvest regulations in Alaska for the 2005 subsistence season.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 1018–AT77

1579. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN MIGUEL ISLAND FOX, SANTA ROSA ISLAND FOX, SANTA CRUZ ISLAND FOX, AND SANTA CATALINA ISLAND FOX

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose critical habitat for four island fox species, which occur on the Channel Islands off California.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–2171
Fax: 703 358–1735
Email: chris1nolin@fws.gov

Related RIN: Related to 1018–AI28

RIN: 1018–AT78

1580. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SALT CREEK TIGER BEETLE CRITICAL HABITAT DESIGNATION

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

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: chris1nolin@fws.gov

Related RIN: Related to 1018–AJ13

RIN: 1018–AT79

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

Final Rule Stage

1581. LIST OF MIGRATORY BIRDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 704; 16 USC 712

CFR Citation: 50 CFR 10.13

Legal Deadline: None

Abstract: The List of Migratory Birds found at 50 CFR 10.13 is being revised to (1) bring the list into conformity with generally accepted taxonomy and nomenclature—English (common) and scientific names, as reflected in four published supplements to the 6th

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

DOI—FWS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
Second NPRM	10/12/01	66 FR 52281
Final Action	11/00/04	

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: brian1millsap@fws.gov

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: kurt1johnson@fws.gov

RIN: 1018-AB72

1582. 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: 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: peter1thomas@fws.gov

RIN: 1018-AC57

1583. 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	07/00/04	

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: roddy1gabel@fws.gov

RIN: 1018-AF44

1584. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We propose to list the Tibetan antelope, or chiru, as endangered. The antelope is native to Tibet, Kashmir, and north-central China. It is threatened by illegal trade in its wool, known as shahtoosh, which is exceptionally fine. The species has experienced dramatic declines in recent years despite efforts by range countries to control poaching, as well as a prohibition on international commercial trade through listing in appendix I of CITES.

Timetable:

Action	Date	FR Cite
Notice	04/25/00	65 FR 24171
NPRM	10/06/03	68 FR 57646
Final Action	07/00/04	

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: michael1kreger@fws.gov

RIN: 1018-AF49

1585. 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

DOI—FWS

Final Rule Stage

trade on the species in an effort to maintain healthy populations.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4217
Final Action	06/00/04	

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: marie1maltese@fws.gov

RIN: 1018-AF69

1586. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR 12 SPECIES OF PICTURE-WING FLIES FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3964
Final Action	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: chris1nolin@fws.gov

RIN: 1018-AG23

1587. 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	07/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

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

1588. 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	11/00/04	

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: patrick1leonard@fws.gov

RIN: 1018-AH53

1589. ENDANGERED AND THREATENED WILDLIFE; RECLASSIFICATION FROM ENDANGERED TO THREATENED STATUS FOR MARIANNA FRUIT BAT (GUAM), AND THREATENED STATUS FOR MARIANNA FRUIT BAT (CNMI)

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 reclassify the Mariana fruit bat on Guam from endangered to threatened, and the proposal to list as threatened the Mariana fruit bat from the Commonwealth of the Northern Mariana Islands.

Timetable:

Action	Date	FR Cite
NPRM	03/26/98	63 FR 14641
NPRM Comment Period Reopened	05/27/04	69 FR 30277
Final Action	12/00/04	
NPRM Comment Period End	06/28/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

DOI—FWS

Final Rule Stage

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: patrick1leonard@fws.gov

Related RIN: Previously reported as 1018-AE83

RIN: 1018-AH55

1590. ADDITION OF THE GREAT WHITE SHARK AND THE CAPE STAG BEETLES TO APPENDIX III UNDER CITES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Direct Final Rule	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: peter1thomas@fws.gov

RIN: 1018-AH66

1591. 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	05/00/05	

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: kim1galvan@fws.gov

RIN: 1018-AH69

1592. IMPORTATION OF EXOTIC WILD BIRDS INTO THE UNITED STATES; ADDING BLUE-FRONTED AMAZON PARROTS FROM ARGENTINA'S APPROVED SUSTAINABLE USE MANAGEMENT PLAN TO THE APPROVED LIST OF NON-CAPTIVE BRED SPECIES

Priority: Other Significant

Legal Authority: 16 USC 4901 to 4916

CFR Citation: 50 CFR 15

Legal Deadline: None

Abstract: This rule would allow the 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
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: peter1thomas@fws.gov

RIN: 1018-AH89

1593. 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—Reopening of comment period	02/23/04	69 FR 8161
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Nancy Green, Biologist, Department of the Interior, United States Fish and Wildlife Service, Room 430 E, 4401 N. Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2105
Fax: 703 358-1735
Email: nancy1green@fws.gov

RIN: 1018-AH93

DOI—FWS

Final Rule Stage

1594. 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	06/00/05	

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

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

Phone: 703 358-1708

Email: pat1ford@fws.gov

RIN: 1018-AH99**1595. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF TWO AUSTRALIAN PARAKEETS FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	09/02/03	68 FR 52169
Final Rule	08/00/04	

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: michael1kreger@fws.gov

RIN: 1018-AI04**1596. 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	07/00/04	

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: brian1millsap@fws.gov

RIN: 1018-AI07**1597. 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	06/00/05	

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

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

Phone: 703 358-1708

Email: pat1ford@fws.gov

RIN: 1018-AI08**1598. 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

DOI—FWS

Final Rule Stage

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	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: patrick1leonard@fws.gov

Related RIN: Related to 1018-AE40

RIN: 1018-AI14

1599. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE TOPEKA SHINER

Priority: Other Significant

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

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, August 13, 2002, Settlement agreement.

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

Timetable:

Action	Date	FR Cite
NPRM	08/21/02	67 FR 54261
NPRM—reopening of comment period	03/17/04	69 FR 12619
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: chris1nolin@fws.gov

RIN: 1018-AI20

1600. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 20

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/21/03	68 FR 50496
Final Action	09/00/04	

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: brian1millsap@fws.gov

RIN: 1018-AI32

1601. 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 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	02/11/04	69 FR 6600
NPRM; announcement of public hearing	05/05/04	69 FR 25055
Final Action	02/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris1nolin@fws.gov

RIN: 1018-AI44

1602. 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: None

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 Reopened, NOA for draft economic analysis	04/05/04	69 FR 17634
Final Action	09/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

DOI—FWS

Final Rule Stage

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: chris1nolin@fws.gov

RIN: 1018-AI52

1603. MIGRATORY BIRD PERMITS; EIDERDOWN FROM ICELAND

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/05/03	68 FR 52727
Final Action	09/00/04	

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: brian1millsap@fws.gov

RIN: 1018-AI64

1604. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PERMITS FOR FOREIGN LISTED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	08/18/03	68 FR 49512
Final Action	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: tim1vannorman@fws.gov

RIN: 1018-AI67

1605. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We 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—NOA, draft economic analysis, reopening, public comment period, and notice of public hearing	04/08/04	69 FR 18516
Final Action	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: chris1nolin@fws.gov

RIN: 1018-AI71

1606. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA GNATCATCHER

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We 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—Public Comment Period Reopening	04/08/04	69 FR 18515
NPRM Comment Period Reopen, Draft Econ Analysis Avail, Public Hearing	04/08/04	69 FR 18516
Final Action	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: chris1nolin@fws.gov

RIN: 1018-AI72

1607. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR 11 MOBILE RIVER BASIN FRESHWATER MUSSELS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, March 17, 2003, Court order.

Abstract: We propose to designate critical habitat, if prudent, for three

DOI—FWS

Final Rule Stage

threatened and eight endangered species of Mobile River Basin freshwater mussels.

Timetable:

Action	Date	FR Cite
NPRM	03/26/03	68 FR 14752
NPRM Comment Reopen, NOA of hearing and draft economic analysis	08/14/03	68 FR 48581
NPRM—reopen comment, NOA for draft economic analysis	01/13/04	69 FR 1960
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: chris1nolin@fws.gov

RIN: 1018-AI73

1608. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR FIVE APPALACHIAN MUSSELS

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We 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
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: chris1nolin@fws.gov
RIN: 1018-AI76

1609. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE PIERSON'S MILKVETCH

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We 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
NPRM—reopen public comment period, NOA of draft econ analysis	04/06/04	69 FR 18016
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: chris1nolin@fws.gov

RIN: 1018-AI77

1610. 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: None

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	04/06/04	69 FR 18018
Final Action	04/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris1nolin@fws.gov

RIN: 1018-AI78

1611. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE SCIMITAR-HORNED ORYX, ADDAX, AND DAMA GAZELLE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/05/91	56 FR 56491
NPRM Comment Period Reopened	07/24/03	68 FR 43706
NPRM Comment Period Reopened	11/26/03	68 FR 66395
Final Action	07/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: None

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

DOI—FWS

Final Rule Stage

Email: roddy1gabel@fws.gov

RIN: 1018-AI82

1612. 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	07/00/04	

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: roddy1gabel@fws.gov

RIN: 1018-AI90

1613. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF 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 plan to make a final determination on a proposal to remove the Eggert's sunflower from the List of Endangered and Threatened Species. This action is based on the recent completion of population and

distribution studies, the commitment of land managers to the protection and management of several populations, and the discovery of previously undocumented populations throughout the species' range. On May 22, 1997, the Eggert's sunflower was designated as a threatened species. This species is known to occur in Alabama, Kentucky, and Tennessee.

Timetable:

Action	Date	FR Cite
NPRM	04/05/04	69 FR 17627
Final Action	03/00/05	

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

Agency Contact: Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: patrick1leonard@fws.gov

RIN: 1018-AJ08

1614. 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:** None

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	11/18/03	68 FR 65020
NPRM—reopen comment, NOA of draft econ analysis and draft envir assessment, notice of public mtg	03/26/04	69 FR 15777
Final Action	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: chris1nolin@fws.gov

RIN: 1018-AJ15

1615. 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 to 1407**CFR Citation:** 50 CFR 17.108**Legal Deadline:** None

Abstract: We plan to make a final determination on the proposal to de-designate two Manatee refuges in Florida: 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 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
Final Action	07/00/04	

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

DOI—FWS

Final Rule Stage

Email: patrick1leonard@fws.gov

Related RIN: Related to 1018-AH80

RIN: 1018-AJ23

1616. 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	07/00/04	

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: bill1knauer@fws.gov

RIN: 1018-AJ25

1617. EXTENSION OF EXISTING AMENDED 4(D) RULE FOR PREBLE'S MEADOW JUMPING MOUSE IN COLORADO AND WYOMING

Priority: Other Significant

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.

Timetable:

Action	Date	FR Cite
NPRM	02/24/04	69 FR 8359
Comment Period Extended	03/23/04	69 FR 13504
Final Action	05/20/04	69 FR 29101

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: patrick1leonard@fws.gov

Related RIN: Related to 1018-AF30

RIN: 1018-AJ26

1618. 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

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	10/24/03	68 FR 60897
NPRM	03/15/04	69 FR 12105
Final Action	07/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Federalism: Undetermined

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

Phone: 703 358-1714

Email: brian1millsap@fws.gov

RIN: 1018-AT32

1619. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE ARROYO TOAD

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 2004, Settlement agreement.

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	04/28/04	69 FR 23254
Correction to NPRM	05/17/04	69 FR 27886
Final Action	05/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

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

DOI—FWS

Final Rule Stage

Phone: 703 358-2171
 Fax: 703 358-1735
 Email: chris1nolin@fws.gov
 RIN: 1018-AT42

1620. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER SANTA BARBARA COUNTY DISTINCT POPULATION SEGMENT

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, January 15, 2004, Court Order.

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	01/22/04	69 FR 3064
NPRM—reopen comment, public hearing announcement	04/13/04	69 FR 19364
Final Action	11/00/04	

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
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 Email: chris1nolin@fws.gov

RIN: 1018-AT44

1621. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE RIVERSIDE FAIRY SHRIMP

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

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 2004, Court order.

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

Timetable:

Action	Date	FR Cite
NPRM	04/27/04	69 FR 23023
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
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 Email: chris1nolin@fws.gov

RIN: 1018-AT45

1622. 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	02/03/04	69 FR 5105
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: bill1knauer@fws.gov
 RIN: 1018-AT46

1623. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY CRITICAL HABITAT DESIGNATION FOR SANTA ANA SUCKER

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We will designate critical habitat for the Santa Ana Sucker, known from California, on an emergency basis.

Timetable:

Action	Date	FR Cite
Final Action Effective— Emergency Designation	02/26/04	69 FR 8839
NPRM	02/26/04	69 FR 8911
Final Action	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: chris1nolin@fws.gov

RIN: 1018-AT57

1624. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN AK: SPECIFYING RATIOS OF INTERESTS/QUALIFICATIONS OF MEMBERS OF FEDERAL SUBSISTENCE REGIONAL ADVISORY COUNCILS

Priority: Other Significant

Legal Authority: 16 USC 3124

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

Abstract: This rule will clarify the membership qualifications for the Federal Subsistence Regional Advisory Councils.

DOI—FWS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/15/04	69 FR 19964
Final Action	10/00/04	

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

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Fax: 907 786-3898

Email: bill1knauer@fws.gov

RIN: 1018-AT58

1625. • CONFERRING DESIGNATED PORT STATUS ON MEMPHIS, TN, LOUISVILLE, KY, AND HOUSTON, TX

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

Legal Authority: Not Yet Determined**CFR Citation:** 50 CFR 14**Legal Deadline:** None

Abstract: We propose to make Houston, TX, Louisville, KY, and Memphis, TN, designated ports under section 9(f) of the Endangered Species Act. This action would allow the direct importation and exportation of wildlife and wildlife products through these

growing international ports. We are proposing to amend the regulations in 50 CFR 14 to reflect this designation. We will hold public hearings to collect comments on this change. We also seek written comments from the public.

Timetable:

Action	Date	FR Cite
NPRM	04/22/04	69 FR 21806
Final Action	09/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**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: kevin1adams@fws.gov

RIN: 1018-AT59

1626. • REGULATIONS FOR NONESSENTIAL EXPERIMENTAL POPULATIONS OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

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

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

Abstract: We plan to make a final determination on the proposal to reduce regulatory restrictions for gray wolves within the nonessential experimental populations in ID and MT on private lands. These relaxed regulations will result in minor positive economic benefits to private landowners. Additionally, we are defining a process for voluntary and cooperative transfer of management responsibilities for wolves back to the States of ID and MT.

Timetable:

Action	Date	FR Cite
NPRM	03/09/04	69 FR 10956
NPRM—notice of public hearing	04/06/04	69 FR 18035
Final Action	07/00/04	

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

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

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: patrick1leonard@fws.gov

RIN: 1018-AT61

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

Long-Term Actions

1627. 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: peter1thomas@fws.gov

RIN: 1018-AE72

1628. 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

DOI—FWS

Long-Term Actions

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: peter1thomas@fws.gov

RIN: 1018-AF26**1629. 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	To Be	Determined

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

Agency Contact: Kari Jonell Duncan, Chief, 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: kari1duncan@fws.gov

RIN: 1018-AF53**1630. 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.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	10/28/99	64 FR 58086
Final Action	09/00/05	

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: peter1thomas@fws.gov

RIN: 1018-AF63**1631. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF ENDANGERED STATUS AND DESIGNATION OF CRITICAL HABITAT FOR THE GILA CHUB****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: We are 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
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RIN: 1018-AG16**1632. 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
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RIN: 1018-AH68

DOI—FWS

Long-Term Actions

1633. RELEASE OF CAPTIVE-REARED MALLARDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 21**Legal Deadline:** None**Abstract:** We are resuming review of all aspects of regulations pertaining to the release and harvest of captive-reared mallards.**Timetable:**

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

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal, State**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Email: brian1millsap@fws.gov**RIN:** 1018-AI05**1634. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND DESIGNATION OF CRITICAL HABITAT FOR THREE SNAILS AND ONE AMPHIPOD****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, February 6, 2002, Settlement agreement.**Abstract:** We propose to list and designate critical habitat for Koster's tyronia, Noel's amphipod, Pecos assimineia, and the Roswell springsnail in New Mexico and Texas.**Timetable:**

Action	Date	FR Cite
NPRM	02/12/02	67 FR 6459
NPRM Comment Period Reopened	05/31/02	67 FR 38059
Final Action	To Be Determined	

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: chris1nolin@fws.gov**RIN:** 1018-AI15**1635. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We will propose a new designation of critical habitat for the Cactus ferruginous pygmy owl distinct population segment found in Arizona.**Timetable:**

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

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2171
Fax: 703 358-1735
Email: chris1nolin@fws.gov**RIN:** 1018-AI48**1636. MIGRATORY BIRD PERMITS; REVISIONS TO GENERAL EXCEPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 95-616; 92 Stat 3112 (16 USC 712(2)); PL 106-108**CFR Citation:** 50 CFR 21**Legal Deadline:** None**Abstract:** Under this rule, some public institutions which are now exempted from permit requirements would be required to obtain permits in order to possess migratory birds. It would create new exemptions for State and Federal resource managers and it would establish husbandry requirements applicable to exempt facilities.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions, Organizations, Businesses**Government Levels Affected:** State, Federal**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-1714
Email: brian1millsap@fws.gov**RIN:** 1018-AI96**1637. 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	To Be Determined	

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

DOI—FWS

Long-Term Actions

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
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Email: patrick1leonard@fws.gov

Related RIN: Related to 1018-AF20

RIN: 1018-AJ04

1638. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA RED-LEGGED FROG

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	04/13/04	69 FR 19619
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

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Fax: 703 358-1735

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RIN: 1018-AJ16

1639. 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
NPRM	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Kari Jonell Duncan, Chief, 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: kari1duncan@fws.gov

RIN: 1018-AT28

1640. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO MANATEE PROTECTION AREAS IN FLORIDA (BARGE CANAL EXCEPTION)

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Patrick Leonard, Chief, Division of Consultation, Habitat Conservation Planning, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203
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Email: patrick1leonard@fws.gov

Related RIN: Previously reported as 1018-AH80

RIN: 1018-AT39

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

Completed Actions

1641. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THREE PLANTS FROM THE MARIANA ISLANDS AND GUAM

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	04/08/04	69 FR 18499

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin
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RIN: 1018-AG09

DOI—FWS

Completed Actions

1642. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE HOOVER'S WOOLLY-STAR FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
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
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 Fax: 703 358-1735
 Email: patrick1leonard@fws.gov
RIN: 1018-AG41

1643. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THREE COASTAL CALIFORNIA PLANTS

Priority: Other Significant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action for 1 Plant	03/17/04	69 FR 12553

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin
 Phone: 703 358-2171
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 Email: chris1nolin@fws.gov
RIN: 1018-AG88

1644. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE TRUCKEE BARBERRY FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
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
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick1leonard@fws.gov
RIN: 1018-AH47

1645. 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
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	02/23/04	69 FR 8116

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick Leonard
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 Fax: 703 358-1735
 Email: patrick1leonard@fws.gov
RIN: 1018-AH50

1646. ENDANGERED AND THREATENED PLANTS; RECLASSIFICATION OF THE MISSOURI BLADDERPOD FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	10/15/03	68 FR 59337

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick Leonard
 Phone: 703 358-2171
 Fax: 703 358-1735
 Email: patrick1leonard@fws.gov
RIN: 1018-AH59

1647. EXPORT OF LIVE ALLIGATORS

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 13; 50 CFR 17; 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	05/04/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Tribal, Federal

Agency Contact: Peter Thomas
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 Email: peter1thomas@fws.gov
RIN: 1018-AH65

1648. EAGLE PERMITS: NEW DEFINITIONS, PERMITS FOR INCIDENTAL TAKING OF BALD EAGLES NECESSARY TO PROTECT OTHER INTERESTS IN ANY PARTICULAR LOCALITY

Priority: Other Significant
CFR Citation: 50 CFR 22

Completed:

Reason	Date	FR Cite
Withdrawn	05/10/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: Brian Millsap
 Phone: 703 358-1714
 Email: brian1millsap@fws.gov
RIN: 1018-AH74

1649. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING REHABILITATION ACTIVITIES

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 21

Completed:

Reason	Date	FR Cite
Final Action	10/27/03	68 FR 61123

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Brian Millsap
 Phone: 703 358-1714
 Email: brian1millsap@fws.gov
RIN: 1018-AH87

1650. MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES (BEAUFORT SEA POLAR BEAR AND WALRUS)

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 18

DOI—FWS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	11/28/03	68 FR 66744

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Federal, State, Local**Agency Contact:** Benjamin Tuggle

Phone: 703 358-2161

Fax: 703 358-1869

Email: benjamin1tuggle@fws.gov

RIN: 1018-AH92**1651. PARTNERS FOR FISH AND WILDLIFE PROGRAM****Priority:** Info./Admin./Other**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Withdrawn	05/13/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Agency Contact:** Hannibal Bolton

Phone: 703 358-1718

RIN: 1018-AH98**1652. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; BELUGA STURGEON****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	04/21/04	69 FR 21425

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses**Government Levels Affected:** Federal**Agency Contact:** Marie Maltese

Phone: 703 358-1708

Email: marie1maltese@fws.gov

RIN: 1018-AI11**1653. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE ROTA BRIDLED WHITE-EYE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	01/22/04	69 FR 3022

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, Local, State, Tribal**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

Email: chris1nolin@fws.gov

RIN: 1018-AI16**1654. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE VENTURA MARSH MILKVETCH****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Rule	05/20/04	69 FR 29081

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, Local, State**Agency Contact:** Chris Nolin

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Email: chris1nolin@fws.gov

RIN: 1018-AI21**1655. 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**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action—Final Listing	03/05/04	69 FR 10335

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, Local, State, Tribal**Agency Contact:** Chris Nolin

Phone: 703 358-2171

Fax: 703 358-1735

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Related RIN: Related to 1018-AT79**RIN:** 1018-AI28**1656. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SLICKSPOT PEPPERGRASS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	01/22/04	69 FR 3094

Regulatory Flexibility Analysis

Required: No

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

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RIN: 1018-AI50**1657. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE DESERT YELLOWHEAD****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
NPRM—reopen comment; NOA, draft econ analysis and draft envir assessment	01/27/04	69 FR 3871
Final Action	03/16/04	69 FR 12278

Regulatory Flexibility Analysis

Required: No

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

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Fax: 703 358-1735

Email: chris1nolin@fws.gov

RIN: 1018-AI69**1658. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BRAUN'S ROCKCRESS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	06/03/04	69 FR 31460

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

DOI—FWS

Completed Actions

Agency Contact: Chris Nolin
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Fax: 703 358-1735
Email: chris1nolin@fws.gov

RIN: 1018-AI74

1659. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE DUGONG IN THE REPUBLIC OF PALAU

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	12/17/03	68 FR 70185

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Gabel
Phone: 703 358-1708
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Email: roddy1gabel@fws.gov

RIN: 1018-AI81

1660. SAFE HARBOR AGREEMENTS AND CANDIDATE CONSERVATION AGREEMENTS WITH ASSURANCES; REVISIONS TO THE REGULATIONS

Priority: Other Significant

CFR Citation: 50 CFR 13.25; 50 CFR 17.22; 50 CFR 17.32

Completed:

Reason	Date	FR Cite
Final Action	05/03/04	69 FR 24084

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local, State, Tribal

Agency Contact: Nancy Green
Phone: 703 358-2105
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RIN: 1018-AI85

1661. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS C AND D; 2004-2005 SUBSISTENCE TAKING OF FISH AND SHELLFISH

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 100; 36 CFR 242

Completed:

Reason	Date	FR Cite
Final Action	02/03/04	69 FR 5018

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: William W. Knauer
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Fax: 907 786-3898
Email: bill1knauer@fws.gov

Related RIN: Previously reported as 1018-AI37

RIN: 1018-AI89

1662. ENDANGERED SPECIES ACT COUNTERPART SECTION 7 CONSULTATION REGULATIONS FOR IMPLEMENTING THE NATIONAL FIRE PLAN

Priority: Other Significant

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

Completed:

Reason	Date	FR Cite
Final Action	12/08/03	68 FR 68254

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

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

Agency Contact: Richard E Sayers
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RIN: 1018-AJ02

1663. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE EGGERT'S SUNFLOWER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
NPRM	04/05/04	69 FR 17627
Withdrawn	05/10/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick Leonard
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RIN: 1018-AJ17

1664. 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.

CFR Citation: 50 CFR 92

Completed:

Reason	Date	FR Cite
NPRM	01/12/04	69 FR 1686
Final Action	04/02/04	69 FR 17318

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Fred Armstrong
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RIN: 1018-AJ27

1665. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE VIRGINIA ROUNDLEAF FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

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

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	05/07/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Patrick Leonard
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Email: patrick1leonard@fws.gov

RIN: 1018-AT33

DOI—FWS

Completed Actions

1666. 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.

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	04/02/04	69 FR 17383

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patrick Leonard
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Related RIN: Related to 1018-AB97

RIN: 1018-AT35

1667. 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.

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
NPRM	11/18/03	68 FR 65020
Withdrawn - Duplicate of RIN 1018-AJ15	05/05/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

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Related RIN: Related to 1018-AG29

RIN: 1018-AT52

BILLING CODE 4310-55-S

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

Proposed Rule Stage

1668. 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	09/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AC92

1669. 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	09/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AC93

1670. 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	07/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AC94

DOI—NPS

Proposed Rule Stage

1671. 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	07/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206**RIN:** 1024-AC95**1672. BIGHORN CANYON NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.92**Legal Deadline:** None**Abstract:** This proposed rule would allow personal watercraft use in designated areas of the park. The rulemaking is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.**Timetable:**

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, NationalPark Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206**RIN:** 1024-AC96**1673. 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	09/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206**RIN:** 1024-AC99**1674. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT; FUTURE APPLICABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.13**Legal Deadline:** None**Abstract:** This proposed rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act (NAGPRA). This section will clarify the applicability of NAGPRA to museums and Federal agencies following the statutory deadlines for completion of summaries and inventories.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/04	

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: john1robbins@nps.gov**RIN:** 1024-AD05**1675. 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	07/00/04	

Regulatory Flexibility Analysis Required: 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: chick1fagan@nps.gov**RIN:** 1024-AD14**1676. 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

DOI—NPS

Proposed Rule Stage

administration. The current regulations are outdated. The new regulations will provide a process for the review, consideration, and approval or denial of requests for rights-of-way.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Bernard Fagan, Deputy Chief, Office of Policy and Regulations, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240
Phone: 202 208-7469
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RIN: 1024-AD16

1677. 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	08/00/04	

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
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Email: chick1fagan@nps.gov

RIN: 1024-AD18

1678. • GULF ISLANDS NATIONAL SEASHORE: PERSONAL WATERCRAFT USE

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

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

CFR Citation: 36 CFR 7.12

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NWRoom 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AD21

1679. • HISTORIC PRESERVATION CERTIFICATIONS

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

Legal Authority: 16 USC 4702

CFR Citation: 36 CFR 67

Legal Deadline: None

Abstract: This rule would amend 36 CFR part 67, which governs the certification of historic structures to receive Federal income tax incentives. This action is necessary so that the rule will more accurately reflect the management structure of the program, clarify the applicable standards of rehabilitation, and more rationally allocate the apportionment of the application fees.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Bryan Mitchell, Division, Department of the Interior, National Park Service, NC330, 1849 C Street NW., Washington, DC 20240
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Fax: 202 371-5197

Email: bryan1mitchell@nps.gov

RIN: 1024-AD24

1680. • VESSEL MANAGEMENT IN GLACIER BAY NATIONAL PARK

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

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 92; 16 USC 410hh-4

CFR Citation: 36 CFR 13.65

Legal Deadline: None

Abstract: This rule would modify quotas and operating requirements for four types of motorized watercraft in Glacier Bay National Park and Preserve. The rulemaking is necessary so that the National Park Service may more efficiently manage motorized watercraft use and protect park resources.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NWRoom 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AD25

1681. • APOSTLE ISLANDS; SNOWMOBILES

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

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

CFR Citation: 36 CFR 7.82

Legal Deadline: None

Abstract: This rule would allow snowmobiles in designated areas of the

DOI—NPS

Proposed Rule Stage

park. This rulemaking is necessary because NPS general regulations that currently allow snowmobiles require that parks designate specific routes and areas for snowmobile use.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Chick Fagan, Office of Policy, Department of the Interior, National Park Service, 1849 C Street N.W. Room 7252 MIB, Washington, DC 20240

Phone: 202 208-7456

RIN: 1024-AD26

1682. • APOSTLE ISLANDS; OFF-ROAD VEHICLES

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

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

CFR Citation: 36 CFR 7.82

Legal Deadline: None

Abstract: This rule would allow off-road vehicles in designated areas of the park. The rulemaking is necessary because the NPS general regulations currently allow off-road vehicles require that parks designate specific routes and areas for off-road vehicle use.

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Chick Fagan, Office of Policy, Department of the Interior, National Park Service, 1849 C Street N.W. Room 7252 MIB, Washington, DC 20240

Phone: 202 208-7456

RIN: 1024-AD27

1683. • APOSTLE ISLANDS; ICE AUGERS

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

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

CFR Citation: 36 CFR 7.82

Legal Deadline: None

Abstract: This rule would allow power engines (ice augers) in designated areas of the park without further need for a permit. This rulemaking is necessary to relieve the burden of processing permits for a routine and recurring activity. Park resources can be adequately protected without the need for a permit process.

Timetable:

Action	Date	FR Cite
NPRM	09/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Chick Fagan, Office of Policy, Department of the Interior, National Park Service, 1849 C Street N.W. Room 7252 MIB, Washington, DC 20240

Phone: 202 208-7456

RIN: 1024-AD28

Department of the Interior (DOI)

National Park Service (NPS)

Final Rule Stage

1684. 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
END	01/27/03	
ACTION	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Cynthia Orlando, Chief of Concessions, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240

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RIN: 1024-AC85

1685. 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	12/12/03	68 FR 17292
Final Action	07/00/04	

DOI—NPS

Final Rule Stage

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

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AC97**1686. 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	03/25/04	69 FR 15277
Final Action	07/00/04	

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

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AC98**1687. 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
END	12/22/03	
Final Action	07/00/04	

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

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AD00**1688. LAKE ROOSEVELT RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.55**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	02/06/04	69 FR 5799
Final Action	07/00/04	

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

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AD01**1689. 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
END	12/24/03	
Final Action	12/00/04	

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

Undetermined

Agency Contact: Kym A. Hall, Special Assistant, Office of the Director, Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
Phone: 202 208-4206

RIN: 1024-AD07**1690. 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	04/02/04	69 FR 17355
NPRM Comment Period End	06/01/04	
Final Action	08/00/04	

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,

DOI—NPS

Final Rule Stage

National Park Service, 1849 C Street N.W., Washington, DC 20240
 Phone: 202 208-7469
 Fax: 202 219-8835
 Email: chick1fagan@nps.gov
RIN: 1024-AD13

1691. 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	07/00/04	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: Businesses
Government Levels Affected: None
Agency Contact: Kym A. Hall, Special Assistant, Office of the Director,

Department of the Interior, National Park Service, 1849 C Street NW Room 3145 MIB, Washington, DC 20240
 Phone: 202 208-4206
Related RIN: Duplicate of 1024-AC82
RIN: 1024-AD15

1692. 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
Final Action	11/00/04	

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: chick1fagan@nps.gov
RIN: 1024-AD17

1693. • NATIVE AMERICAN HANDICRAFTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.
Legal Authority: 16 USC 1; 16 USC 3; 16 USC 5964
CFR Citation: 36 CFR 51
Legal Deadline: None
Abstract: This rule would implement section 416 of the National Parks Omnibus Management Act of 1998, which encourages promotion of the sale of authentic United States Indian, Alaska native, Native Samoan, and Native Hawaiian handicrafts in units of the National Park System.
Timetable:

Action	Date	FR Cite
NPRM	03/25/04	69 FR 15286
Final Action	09/00/04	

Regulatory Flexibility Analysis Required: No
Small Entities Affected: No
Government Levels Affected: None
Agency Contact: Tony Sisto, Acting Chief of Concessions, Department of the Interior, National Park Service, 1849 C Street NW, Washington, DC 20240
 Phone: 202 513-7156
RIN: 1024-AD20

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

Long-Term Actions

1694. 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
END	03/23/01	
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: pat1parker@nps.gov
RIN: 1024-AC86

DOI—NPS

Long-Term Actions

1695. GOLDEN GATE NATIONAL RECREATION AREA; SPECIAL REGULATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a**CFR Citation:** 36 CFR 7.97**Legal Deadline:** None**Abstract:** This advance notice of proposed rulemaking will seek public comment on a range of potential management options for addressing

appropriate pet management within the Golden Gate National Recreation Area, consistent with protecting national park resources and assuring visitor safety.

Timetable:

Action	Date	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: brian1o'neill@nps.gov**RIN:** 1024-AD03**Department of the Interior (DOI)
National Park Service (NPS)**

Completed Actions

1696. PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 61**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Bryan Mitchell

Phone: 202 354-2078

Fax: 202 371-5197

Email: bryan1mitchell@nps.gov

RIN: 1024-AC79**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kym A. Hall

Phone: 202 208-4206

RIN: 1024-AD11**1698. CEREMONIES AT FIRST DIVISION MONUMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.96**Completed:**

Reason	Date	FR Cite
Withdrawn	04/01/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bernard Fagan

Phone: 202 208-7469

Fax: 202 219-8835

Email: chick1fagan@nps.gov

RIN: 1024-AD19**1699. CANYONLANDS NATIONAL PARK—SALT CREEK CANYON****Priority:** Other Significant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a**CFR Citation:** 36 CFR 7.44**Legal Deadline:** None**Abstract:** NPS is amending its regulations for Canyonlands National Park to prohibit motor vehicles in certain sections of Salt Creek Canyon. This action is necessary to prevent impairment of park resources.**Timetable:**

Action	Date	FR Cite
NPRM	08/11/03	68 FR 47524
Final Action	06/14/04	69 FR 32871
Final Action Effective	07/14/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phil Brueck, Deputy Superintendent, Department of the Interior, National Park Service, Canyonlands National Park, 2282 W. Resource Blvd., Moab, UT 84532
Phone: 435 719-2102
Email: phil1brueck@nps.gov**RIN:** 1024-AD23

BILLING CODE 4310-70-S

1697. SNOWMOBILE REGULATIONS FOR YELLOWSTONE AND GRAND TETON NATIONAL PARKS AND JDR PARKWAY**Priority:** Other Significant**CFR Citation:** 36 CFR 7.13; 36 CFR 7.21; 36 CFR 7.22**Completed:**

Reason	Date	FR Cite
Final Action	12/11/03	68 FR 69628

Regulatory Flexibility Analysis Required: No

Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)

Proposed Rule Stage

1700. 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
END	08/06/96	
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, Room 4559, 1849 C Street NW. MS 3543 MIB, Washington, DC 20240
Phone: 202 208-5480

RIN: 1076-AD45

1701. 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

1702. 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	08/00/04	

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

1703. 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	12/00/04	

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

1704. 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	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Eufrona Snyder, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-3614
Fax: 202 219-1065

RIN: 1076-AE40

DOI—BIA

Proposed Rule Stage

1705. 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	09/00/04	

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

1706. 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	12/00/04	

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

1707. 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.

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

1708. 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-AE45

1709. INDIAN HIGHWAY SAFETY PROGRAM

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

Legal Authority: 25 USC 402; 25 USC 13

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	08/00/04	

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

DOI—BIA

Proposed Rule Stage

1710. 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	04/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cathy Wilson, Supervisory Water Rights Specialist, Department of the Interior, Bureau of Indian Affairs, 400 North 5th Street, 13th Floor POB 10, MS 420 Two Arizona Center, Phoenix, AZ 85004
Phone: 602 379-6789
Fax: 602 379-6835

RIN: 1076-AE48

1711. • HOME-LIVING PROGRAMS AND SCHOOL CLOSURE AND CONSOLIDATION

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

Legal Authority: 5 USC 301; 25 USC 13; 25 USC 2008; PL 107-110

CFR Citation: 25 CFR 36; 25 CFR 48

Legal Deadline: None

Abstract: As required by the No Child Left Behind Act of 2001, the Secretary of the Interior has developed proposed regulations using negotiated rulemaking

that address home-living programs and school closure and consolidation. The provisions covering home-living situations address home-living staffing, programs, and privacy. The closure and consolidation portion of the rule contains procedures for closing, consolidating, or substantially curtailing a school.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Catherine Freels, Designated Federal Official, Department of the Interior, Bureau of Indian Affairs, 500 Gold Ave. SW. Room 7202, Albuquerque, NM 87102
Phone: 505 248-7240

RIN: 1076-AE51

Department of the Interior (DOI) Bureau of Indian Affairs (BIA)

Final Rule Stage

1712. 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
END	09/03/96	
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

1713. CERTIFICATES OF DEGREE OF INDIAN BLOOD

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 13; 25 USC 9

CFR Citation: 25 CFR 70

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	04/18/00	65 FR 20775
EXTENDED	06/20/00	65 FR 38228
END	07/17/00	
EXTENDED	08/16/00	
EXTENDED	06/25/01	66 FR 33654
END	12/31/01	
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

1714. 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
END	10/02/00	
ACTION	06/00/04	

DOI—BIA

Final Rule Stage

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 MIB1849 C Street NW., Washington, DC 20240
Phone: 202 208-4582
Fax: 202 219-2100
Email: duncan111brown@ios.doi.gov

RIN: 1076-AE04

1715. 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	07/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Tribal

Agency Contact: LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB1849 C Street NW, Washington, DC 20240
Phone: 202 208-4359

RIN: 1076-AE17

1716. 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	02/10/04	69 FR 6500
NPRM Comment Period End	05/10/04	
Final Action	08/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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

RIN: 1076-AE36

1717. 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	03/11/04	69 FR 11784
NPRM Comment Period End	06/09/04	
Final Action	10/00/04	

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

1718. 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
END	02/10/04	
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, MS 3061 MIB 1849 C Street NW., Washington, DC 20240
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RIN: 1076-AE46

1719. 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.

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

DOI—BIA

Final Rule Stage

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	02/25/04	69 FR 8752
NPRM Comment Period End	06/24/04	
Final Action	10/00/04	

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**1720. • WINNEMUCCA COURT OF INDIAN OFFENSES**

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

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

CFR Citation: 25 CFR 11**Legal Deadline:** None

Abstract: This rule would revise part 11 to add the Winnemucca Indian tribe

to the list of Courts of Indian Offenses. The purpose of establishing a Court of Indian Offenses at the Winnemucca Tribe is to protect the persons, land, lives, and property of tribal members until the Tribe reassumes or creates a Law and Order program for the reservation.

Timetable:

Action	Date	FR Cite
ACTION	07/00/04	

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

Agency Contact: Ralph Gonzales, Tribal Relations Specialist, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240

Phone: 202 513-7629

RIN: 1076-AE52
**Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)**
Completed Actions**1721. • PARTIAL DISTRIBUTION OF FY 2004 INDIAN RESERVATION ROADS FUNDS**

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

Legal Authority: 25 USC 47; 42 USC 2000e(b); 42 USCe(2)(i); 23 USC 101(a); 23 USC 202; 23 USC 204

CFR Citation: 25 CFR 170**Legal Deadline:** None

Abstract: This rule will provide the formula need to immediately distribute \$25 million of FY 2004 roads funds to projects on or near Indian Reservations using the relative need formula.

Timetable:

Action	Date	FR Cite
Final Action	12/05/03	68 FR 67941

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

Agency Contact: LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB1849 C Street NW, Washington, DC 20240

Phone: 202 208-4359

RIN: 1076-AE50

BILLING CODE 4310-02-S

**Department of the Interior (DOI)
Minerals Management Service (MMS)**
Proposed Rule Stage**1722. 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	09/00/04	
NPRM Comment Period End	12/00/04	

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

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management

DOI—MMS

Proposed Rule Stage

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RIN: 1010-AC27

1723. 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	10/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2PO Box 25165, Denver, CO 80225-3211
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RIN: 1010-AC29

1724. 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	10/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2PO Box 25165, Denver, CO 80225-3211
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RIN: 1010-AC31

1725. 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	12/00/04	
NPRM Comment Period End	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
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RIN: 1010-AC58

1726. 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	
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

1727. 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	08/00/04	
NPRM Comment Period End	10/00/04	

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
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RIN: 1010-AC96

1728. DATA RELEASE AND DEFINITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331

CFR Citation: 30 CFR 250 subpart A

Legal Deadline: None

DOI—MMS

Proposed Rule Stage

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	12/00/04	
NPRM Comment Period End	01/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AC99

1729. 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	

Action	Date	FR Cite
NPRM Comment Period End	05/13/98	
Comment Period Extended to 03/20/2000	02/28/00	65 FR 10436
Supplemental NPRM	08/00/04	
Supplemental NPRM Comment Period End	10/00/04	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

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Related RIN: Previously reported as 1010-AC24

RIN: 1010-AD00

1730. REDUCTION TO ROYALTY RELIEF IN SPECIAL CIRCUMSTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 203

Legal Deadline: None

Abstract: The recently published final rule 1010-AC71 created a process for certain leases (those that are inadequately helped by our formal relief systems) to seek special royalty relief. However overly restrictive eligibility criteria may exclude some leases that fulfill statutory purposes while redundant criteria may include other leases that do not fit statutory purposes. This rule will refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits. The revision will also disallow a royalty relief request by a lease or project that does not promote wider program goals or is only temporarily unable to benefit from a formal royalty relief program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
NPRM Comment Period End	02/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1010-AD02

1731. 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
Notice of Public Meetings	04/10/03	68 FR 17565
NPRM	07/00/04	
Final Action	10/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD05

1732. 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

DOI—MMS

Proposed Rule Stage

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	12/00/04	
NPRM Comment Period End	03/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, MS 623, 381 Elden Street, Herndon, VA 22070
Phone: 703 787-1275

RIN: 1010-AD06

1733. • TEMPORARY ABANDONED WELLS

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

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would change Subpart Q to require operators to submit annual reports on all temporary abandoned wells, not just those in less than 300 feet of water, as the regulations currently require. This requirement was published as part of an NPRM for subpart Q (RIN 1010-AC65) on July 7, 2000; however, it was inadvertently moved to another paragraph when the final rule was published. This change has already been published for public comment as part of 1010-AC65.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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RIN: 1010-AD08

1734. • SUSPENSION OF OPERATIONS FOR ULTRA-DEEP DRILLING

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

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would allow suspension of operations for leases in less than 800 meters of water on geologic structures targeted by an ultra-deep well that has commenced drilling. The high cost and complexity of drilling an ultra-deep well discourage companies from drilling without sufficient expectation of using the information as part of a larger drilling program. This proposed rule allows companies that drill an ultra-deep well to use the information gained to analyze geologically related leases and provides additional time to drill those leases.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	
NPRM Comment Period End	10/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD09

1735. • PROTECTION OF MARINE MAMMALS AND ENDANGERED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would revise subpart B to incorporate the general Endangered Species Act (ESA) reporting requirements for which MMS has recently received OMB approval. Because ESA restrictions on take for listed marine mammals cannot be lifted without prior Marine Mammal Protection Act (MMPA) authorization, MMS needs to ensure MMPA authorization in those situations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	
NPRM Comment Period End	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD10

1736. • PIPELINE SAFETY RULE PHASE I

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

Legal Authority: 30 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: Subpart J Safety regulations are 20 years old and technically and administratively out of date with MMS policies, practices, and safety requirements issued elsewhere in regional notices to lessees (NTLs) and letters to lessees (LTLs). This proposed rule is the first phase of a planned two-phase update of the regulations. This phase I will incorporate the NTLs and LTLs and give the requirements the force and weight of law. Additionally, the rule will be rewritten and reformatted for added clarity and will incorporate several new pipeline design standards to technically update the design information included in the current regulation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

DOI—MMS

Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	02/00/05	

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

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RIN: 1010-AD11

1737. • OIL AND GAS PRODUCTION RATES

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

Legal Authority: 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule would eliminate the requirements for setting maximum efficient rates (MER) for most reservoirs. This will eliminate burdensome recordkeeping and

reporting requirements. Also, this rewrite will amend sections on oil and natural gas burning, flaring and venting. These amendments will clarify when an operator may burn oil or flare or vent natural gas; it also sets clear limits on the amounts that may be burned, flared, or vented

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
END	02/00/05	

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

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RIN: 1010-AD12

1738. • RIGHTS OF USE AND EASEMENT

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

Legal Authority: 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule would extend existing bonding requirements of Rights of Use and Easement holders to cover decommissioning. Most Rights of Use and Easement holders need bonding to cover their obligations, so this will not increase the cost for them. This rule changes the length of time that the bond must be kept in place. The other changes clarify existing provisions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
NPRM Comment Period End	01/00/05	

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

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RIN: 1010-AD13

Department of the Interior (DOI)

Final Rule Stage

Minerals Management Service (MMS)

1739. 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	
Supplemental NPRM	03/31/03	68 FR 15390

Action	Date	FR Cite
Supplemental NPRM Comment Period End	05/30/03	
Final Action	07/00/04	

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

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RIN: 1010-AC30**1740. 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

DOI—MMS

Final Rule Stage

Action	Date	FR Cite
Comment Period Extended	12/13/02	67 FR 46616
Final Action	08/00/04	

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

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RIN: 1010-AC47**1741. 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
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RIN: 1010-AC57**1742. 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	08/00/04	

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

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RIN: 1010-AC81**1743. DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: We are proposing to amend our regulations to better address floating offshore platforms that, until now, have not been expressly covered. This will require a complete rewrite of subpart I to include floating production systems. These systems are variously described as column-stabilized units; floating production, storage, and offloading facilities; tension-leg

platforms; spars; etc. We are also incorporating into our regulations a body of industry standards pertaining to floating productions systems, and this will save the public the costs of developing government standards.

Timetable:

Action	Date	FR Cite
NPRM	12/27/01	66 FR 66851
NPRM Comment Period End	02/12/02	
Comment Period Extended	03/28/02	67 FR 14902
Final Action	12/00/04	
Final Action Effective	02/00/05	

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-AC85**1744. 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	12/00/04	

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

DOI—MMS

Final Rule Stage

Agency Contact: Kumkum Ray,
Geologist, Department of the Interior,
Minerals Management Service, 381
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Fax: 703 787-1093
Email: kumkum.ray@mms.gov

RIN: 1010-AC95

1745. 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

Action	Date	FR Cite
NPRM Comment Period End	11/10/03	
Final Action	07/00/04	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: State

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Regulatory Specialist, Department of
the Interior, Minerals Management
Service, MS 320B2PO Box 25165,
Denver, CO 80225-3211
Phone: 303 231-3211
Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov
RIN: 1010-AD04

**Department of the Interior (DOI)
Minerals Management Service (MMS)**

Completed Actions

1746. REPORTING AMENDMENTS

Priority: Substantive, Nonsignificant

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

Completed:

Reason	Date	FR Cite
Withdrawn	04/01/04	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Sharron Gebhardt
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Fax: 303 231-3385
Email: sharron.gebhardt@mms.gov

RIN: 1010-AC90

**1747. RIGHTS-OF-USE AND
EASEMENTS AND PIPELINE
RIGHTS-OF-WAY**

Priority: Other Significant

CFR Citation: 30 CFR 250

Completed:

Reason	Date	FR Cite
Final Action	12/12/03	68 FR 69308
Final Action Effective	01/12/04	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Kumkum Ray
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RIN: 1010-AC91

**1748. RELIEF OR REDUCTION IN
ROYALTY RATES— DEEP GAS
PROVISIONS**

Priority: Economically Significant.
Major under 5 USC 801.

CFR Citation: 30 CFR 203

Completed:

Reason	Date	FR Cite
Final Action	01/26/04	69 FR 3492

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
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RIN: 1010-AD01

BILLING CODE 4310—MR—S

**Department of the Interior (DOI)
Office of Surface Mining Reclamation and Enforcement (OSMRE)**

Prerule Stage

**1749. 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, -.

Expiring rates expire on that date; by
law, new rates must be established by
then.

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

DOI—OSMRE

Prerule Stage

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	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations

Government Levels Affected: Undetermined

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
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Email: dlytton@osmre.gov
RIN: 1029-AC46

Department of the Interior (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1750. 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	07/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Art Abbs, Birmingham Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, AL 35209
Phone: 205 290-7282
Email: aabs@osmre.gov

RIN: 1029-AB70

1751. REVEGETATION

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816

Legal Deadline: None

Abstract: This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.

Timetable:

Action	Date	FR Cite
NPRM	08/00/04	

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

1752. 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 Period End	10/15/02	67 FR 46617
NPRM	09/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208-2829
Email: drice@osmre.gov

RIN: 1029-AC05

Department of the Interior (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1753. 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

DOI—OSMRE

Final Rule Stage

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
NPRM Comment Period End	06/21/99	64 FR 18585
Final Action	To Be	Determined

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

Agency Contact: Stephen Sheffield, Chief, Division of Technical Support, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 10 SIB 1849 C Street NW., Washington, DC 20240
Phone: 202 208-2883

RIN: 1029-AB83

1754. 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	01/07/04	69 FR 1036
Final Action	03/00/05	

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

1755. 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	12/03/03	68 FR 67776
Final Action	10/00/04	

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

1756. 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	12/29/03	68 FR 75036
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, State

Agency Contact: Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503
Phone: 303 233-2796
Email: ebandy@osmre.gov

RIN: 1029-AC08

Department of the Interior (DOI)

Completed Actions

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1757. FINANCING ABANDONED MINE LAND RECLAMATION**Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 874**Completed:**

Reason	Date	FR Cite
Final Action	11/20/03	68 FR 65622

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

Phone: 202 208-2788

Email: dlytton@osmre.gov

RIN: 1029-AC07

BILLING CODE 4310-05-S

Department of the Interior (DOI)

Proposed Rule Stage

Bureau of Reclamation (RB)

1758. 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	08/00/04	

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

Agency Contact: Gary Anderson, Chief, Reclamation Law Administration Branch, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225-0007
Phone: 303 236-1061

RIN: 1006-AA45**1759. • IMPLEMENTATION OF THE TRUCKEE RIVER OPERATING AGREEMENT****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 104 Stat 3289; 104 Stat 3294**CFR Citation:** 43 CFR 419**Legal Deadline:** None

Abstract: This rule would implement the Truckee River Operating Agreement. The agreement was negotiated to cover water stored in,

released from, and passed through Truckee River reservoirs to satisfy Orr Ditch Decree water rights. The rule would ensure that this water conforms with the Orr Ditch Decree and the Truckee River General Eclectic Decree except where the water rights are either: (1) voluntarily relinquished or (2) transferred under State law.

Timetable:

Action	Date	FR Cite
NPRM	07/00/04	

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

Agency Contact: Kenneth Parr, Manager, Special Projects, Department of the Interior, Bureau of Reclamation, Lahontan Basin Area Office 705 North Plaza Street Room 320, Carson City, NV 89701-4015
Phone: 775 882-3436

RIN: 1006-AA48

BILLING CODE 4310-09-S

Department of the Interior (DOI)

Proposed Rule Stage

Bureau of Land Management (BLM)

1760. 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	12/00/04	

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

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RIN: 1004-AB77**1761. DESERT LAND ENTRIES****Priority:** Other Significant**Legal Authority:** 43 USC 1740

DOI—BLM

Proposed Rule Stage

CFR Citation: 43 CFR 2520

Legal Deadline: None

Abstract: This rule will transfer much of the regulation on entries of desert land to the BLM Manual if the underlying statute is not repealed as no longer practical.

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis Required: No

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
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Email: jeff1holdren@blm.gov

RIN: 1004-AC56

1762. DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 299

CFR Citation: 43 CFR 3814

Legal Deadline: Final, Statutory, October 13, 1993, -.

Abstract: This rule will establish new procedures for mineral exploration and development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of 1916 and the mineral estate remains reserved to the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

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, Washington, DC 20240
Phone: 202 452-0355

RIN: 1004-AC59

1763. 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	04/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Barbara Gauthier-Warinner, Mineral Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-0398
Email: barbara1gauthier-warinner@blm.gov

RIN: 1004-AD32

1764. 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

Action	Date	FR Cite
ANPRM Comment	03/26/01	
Period End		
NPRM	04/00/05	

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

1765. RESOURCE MANAGEMENT PLANNING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is 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	07/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: 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
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RIN: 1004-AD57

1766. OIL AND GAS ONSHORE ORDER NO. 1

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 396; 25 USC 2107; 30 USC 189; 30 USC 359; 30 USC 1751; 43 USC 1732(b); 30 USC 1733; 30 USC 1740

CFR Citation: 43 CFR 3164

Legal Deadline: None

Abstract: This proposed rule would clarify the schedule for submitting and

DOI—BLM

Proposed Rule Stage

processing applications, define terms used, and introduce concepts that will make filing and processing more efficient. BLM does not intend to add significant new requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: James Burd, Natural Resource Specialist, Department of the Interior, Bureau of Land Management, MS 501 LS1849 C Street N.W., Washington, DC 20240

Phone: 202 452-5017

RIN: 1004-AD59

1767. • ALASKA NATIVE VETERAN ALLOTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1601 et seq.; 43 USC 1629g; PL 105-276; 43 USC 270-1 to 270-3

CFR Citation: 43 CFR 2568

Legal Deadline: None

Abstract: This proposed rule would delete the requirement at 43 CFR 2568.77 that a veteran applicant must have posted the corners of his or her claim prior to filing an application with BLM. Removal of this requirement would place veteran allotment applicants on the same footing as

thousands of applicants who filed under the original 1906 Alaska Native Allotment Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Connie Van Horn, Native Allotment Coordinator, Department of the Interior, Bureau of Land Management, 222 W. 7th Avenue, 113, Anchorage, AK 99513
Phone: 907 271-3767

RIN: 1004-AD60

Department of the Interior (DOI)

Final Rule Stage

Bureau of Land Management (BLM)

1768. COST RECOVERY; MINERAL FILINGS AND OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1001 et seq; 30 USC 181 et seq; 30 USC 22; 30 USC 351 to 360; 31 USC 9701; 43 USC 1734; 50 USC app 565

CFR Citation: 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800

Legal Deadline: None

Abstract: This rule will amend regulations for user fees for locatable minerals, mineral materials, and leasable minerals (solids and fluids) to adjust current fees or establish new fees in accordance with title V of the Independent Offices Appropriations Act of 1952 (user charges), OMB Circular A-25 User Charges and section 304 of the Federal Land Policy and Management Act of 1976.

Timetable:

Action	Date	FR Cite
NPRM	12/15/00	65 FR 78440
NPRM Comment Period End	02/13/01	
Final Action	07/00/04	

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

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Email: cynthia1ellis@blm.gov

RIN: 1004-AC64

1769. 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	06/00/04	

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
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Email: ron1montagna@blm.gov

RIN: 1004-AC74

1770. 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.

DOI—BLM

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53887
NPRM Comment Period End	09/13/99	64 FR 38172
Final Action	09/00/04	

Regulatory Flexibility Analysis

Required: No

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

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RIN: 1004-AC77

1771. 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	12/08/03	68 FR 68452
Final Action	10/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1004-AD42

1772. 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	10/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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Related RIN: Related to 1004-AB69, Split from 1004-AD54

RIN: 1004-AD46

1773. 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	02/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1004-AD56

1774. • LOCATION, RECORDING, AND MAINTENANCE OF MINING CLAIMS OR SITES**Priority:** Info./Admin./Other**Legal Authority:** 30 USC 28f to 28k**CFR Citation:** 43 CFR 3830**Legal Deadline:** None

Abstract: This rule will amend BLM regulations to respond to the law requiring that (1) BLM adjust the location and maintenance fees on unpatented mining claims or sites, (2) adjust these fees every five years or sooner if conditions warrant, (3) base the adjustment upon the change in the Consumer Price Index as published by the Bureau of Labor Statistics, and (4) give notice of any fee adjustment in the Federal Register by July 1 of any given assessment year in order for such assessment to be effective by the following assessment year (i.e., the September 1 immediately following the July 1 in which notice is given).

Timetable:

Action	Date	FR Cite
ACTION	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Federalism:** Undetermined

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240
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RIN: 1004-AD62

Department of the Interior (DOI)
Bureau of Land Management (BLM)

Long-Term Actions

1775. 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

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RIN: 1004-AB51

1776. COALBED METHANE DEVELOPMENT

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 13368

CFR Citation: 43 CFR 3170

Legal Deadline: Final, Statutory, October 24, 1995, -.

Abstract: The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource by requiring pooling of development and payment of the proceeds into an

escrow account until the ownership issue is resolved by a State entity of competent jurisdiction. The rule will also allow States to avoid the Federal regulations by promulgating their own regulations that substantially comply with Federal requirements.

Timetable:

Action	Date	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: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 1004-AC27

1777. 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
END	10/10/96	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1004-AC80

1778. 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
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

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RIN: 1004-AC94

1779. 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

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RIN: 1004-AC99**1780. 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: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

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RIN: 1004-AD38**1781. 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

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RIN: 1004-AD40**1782. MINING CLAIMS UNDER THE GENERAL MINING LAWS; SURFACE MANAGEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1280; 30 USC 22; 30 USC 612; 43 USC 1201; 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1781; 43 USC 1782**CFR Citation:** 43 CFR 3809**Legal Deadline:** None

Abstract: This rule will amend existing regulations by removing certain provisions of the regulations and restoring others to those in effect on January 19, 2001, intending to prevent unnecessary or undue degradation of BLM-administered lands by mining operations authorized under the mining laws. The approach BLM will take will balance the Nation's need to maintain reliable sources of strategic and industrial minerals, while ensuring protection of the environment and natural resources on public lands. The rule will make the hardrock mining regulations consistent with the recommendations of the National Research Council and protect the Federal Government from financial risk if operators are unable to perform reclamation.

Timetable:

Action	Date	FR Cite
NPRM	10/30/01	66 FR 54863
END	02/15/02	
REOPENED	04/12/02	67 FR 17962
END	05/13/02	
ACTION	To Be	Determined

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

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RIN: 1004-AD53**1783. WILDERNESS MANAGEMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1133; 43 USC 1733; 43 USC 1740; 43 USC 1782**CFR Citation:** 43 CFR 6300**Legal Deadline:** None

Abstract: This rule will add provisions on use of timber on mining claims and clarify procedures on issuing patents for mining claims.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

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

DOI—BLM

Long-Term Actions

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Related RIN: Related to 1004-AB69

RIN: 1004-AD54

Department of the Interior (DOI)
Bureau of Land Management (BLM)

Completed Actions

1784. PERMITS FOR RECREATION ON PUBLIC LANDS

Priority: Other Significant

CFR Citation: 43 CFR 2930

Completed:

Reason	Date	FR Cite
Final Action	02/06/04	69 FR 5702

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1004-AD45

[FR Doc. 04-13313 Filed 06-25-04; 8:45 am]

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