



# Federal Register

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**Monday,  
April 24, 2006**

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**Part XI**

**Department of the  
Interior**

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**Semiannual Regulatory Agenda**

**DEPARTMENT OF THE INTERIOR (DOI)**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**25 CFR Ch. I**

**30 CFR Chs. II and VII**

**36 CFR Ch. I**

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

**48 CFR Ch. 14**

**50 CFR Chs. I and IV**

**Semiannual Regulatory Agenda**

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

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This notice provides the semiannual agenda of rules scheduled for review or development between spring 2006 and fall 2006. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

**ADDRESSES:** Unless otherwise indicated, all Agency Contacts are located at the Department of the Interior, 1849 C Street NW., Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** You should direct all comments and inquiries with regard to these rules to the appropriate Agency contact. You should direct general comments relating to the agenda to the Office of Regulatory Affairs, Department of the Interior, at the address above or on 202-208-5257 or 202-208-3071.

**SUPPLEMENTARY INFORMATION:** With this publication, the Department satisfies the requirement of Executive Order 12866 that the Department publish an agenda of rules that we have issued or expect to issue and of currently effective rules that we have scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) to publish an agenda in April and October of each year identifying rules that will have significant economic effects on a substantial number of small entities. We have specifically identified in the agenda rules that will have such effects.

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

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

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

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

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

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

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

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

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

**Office of Hearings and Appeals—Completed Actions**

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

## DOI

## Office of the Special Trustee—Completed Actions

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

## United States Fish and Wildlife Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1475	Release of Captive-Reared Mallards .....	1018-AI05
1476	Endangered and Threatened Wildlife and Plants; Conservation Education .....	1018-AI66
1477	General Permit Procedures; Revision to Appeal Process for Migratory Bird Permits .....	1018-AU19
1478	Endangered and Threatened Wildlife and Plants; Removal of the Northern Rocky Mountains Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife .....	1018-AU53

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

Sequence Number	Title	Regulation Identifier Number
1479	List of Migratory Birds .....	1018-AB72
1480	Seizure and Forfeiture Procedures .....	1018-AC89
1481	Convention on International Trade in Endangered Species (CITES) .....	1018-AD87
1482	U.S. Proposals for CITES Appendix III; American Eel .....	1018-AF09
1483	Endangered and Threatened Wildlife and Plants; Removing of the Bald Eagle in the Lower 48 States From the List of Endangered and Threatened Wildlife .....	1018-AF21
1484	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States .....	1018-AF27
1485	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries .....	1018-AF44
1486	Importation, Exportation, and Transportation of Wildlife .....	1018-AF46
1487	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Straight-Horned Markhor Population of the Torghar Region of Baluchistan, Pakistan, From Endangered to Threatened .....	1018-AG00
1488	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species .....	1018-AG64
1489	Addition of Black Carp to the List of Injurious Wildlife .....	1018-AG70
1490	Corrections to Rights-of-Way Regulations .....	1018-AI12
1491	North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies .....	1018-AI13
1492	Import of Polar Bear Trophies From Canada; Findings for the Gulf of Boothia and Western Hudson Populations ...	1018-AI65
1493	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened ...	1018-AI83
1494	Migratory Bird Permits; Revisions to General Exceptions .....	1018-AI96
1495	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes .....	1018-AI97
1496	Humane and Healthful Transport of Wild Mammals and Birds to the United States .....	1018-AJ24
1497	Injurious Wildlife Species; Boiga Snakes .....	1018-AT28
1498	Adding Silver Carp to the List of Injurious Wildlife .....	1018-AT29
1499	Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds .....	1018-AT30
1500	Marine Mammals; Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program .....	1018-AT34
1501	Endangered and Threatened Wildlife and Plants; Removal of the Virginia Northern Flying Squirrel From the List of Endangered and Threatened Species .....	1018-AT37
1502	Revised Definition of "Destruction or Adverse Modification" for Endangered Species Act Section 7 Consultations ..	1018-AT50
1503	Endangered and Threatened Wildlife and Plants; Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened .....	1018-AT56
1504	Endangered and Threatened Wildlife and Plants; Listing of Six Foreign Birds Under the Endangered Species Act	1018-AT62
1505	Migratory Bird Hunting: Revision of Language Used in Regulations for Approving Nontoxic Shot for Use in Waterfowl Hunting .....	1018-AT67
1506	Mosquito and Mosquito-Borne Disease Management .....	1018-AT72
1507	Strategic Growth of the National Wildlife Refuge System .....	1018-AT73
1508	Endangered and Threatened Wildlife and Plants; Salt Creek Tiger Beetle Critical Habitat Designation .....	1018-AT79
1509	Marine Mammals: Proposed Incidental Take Authorization During Specified Activities; Beaufort Sea .....	1018-AT82

## DOI

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

Sequence Number	Title	Regulation Identifier Number
1510	Endangered and Threatened Wildlife and Plants; Removal of the Cui-ui From the List of Endangered and Threatened Wildlife .....	1018-AT85
1511	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for Three Willamette Species: Willamette Daisy, Fender's Blue Butterfly, and Kincaid's Lupine .....	1018-AT91
1512	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Willowy Monardella .....	1018-AT92
1513	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Alameda Whipsnake .....	1018-AT93
1514	Protection of Bald Eagles; Definition .....	1018-AT94
1515	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations .....	1018-AT99
1516	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for 15 Freshwater Mussels, 1 Freshwater Snail, and 5 Fishes in Tennessee .....	1018-AU01
1517	Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Pacific Coast Distinct Population Segment of the Western Snowy Plover .....	1018-AU11
1518	Endangered and Threatened Wildlife and Plants; Delisting the Preble's Meadow Jumping Mouse .....	1018-AU12
1519	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2007-2008 Subsistence Taking of Wildlife Regulations .....	1018-AU15
1520	Negotiation of Annual Funding Agreements With Tribes (Manual Chapter) .....	1018-AU16
1521	Endangered and Threatened Wildlife and Plants; Proposed Correction to the Grizzly Bear Entry in the List of Endangered and Threatened Wildlife .....	1018-AU17
1522	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Rota Bridled White-Eye .....	1018-AU32
1523	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Spikedace and Loachminnow .....	1018-AU33
1524	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Yadeon's Piperia .....	1018-AU34
1525	Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Northern Spotted Owl .....	1018-AU37
1526	Civil Procedures .....	1018-AU38
1527	CITES Appendix III Listing of Galax .....	1018-AU40
1528	Marine Mammals; Incidental Take During Specified Activities; Chukchi Sea .....	1018-AU41
1529	Migratory Bird Hunting; 2006-2007 Migratory Game Bird Hunting Regulations; State Frameworks, Tribal, Alaska Subsistence .....	1018-AU42
1530	Endangered and Threatened Wildlife and Plants; Re-Evaluation of Final Listing Determination for Queen Charlotte Goshawk .....	1018-AU43
1531	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Suisun Thistle and Soft Birds Beak .....	1018-AU44
1532	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Holmgren and Shivwits Milk Vetches .....	1018-AU45
1533	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Alabama Beach Mouse .....	1018-AU46
1534	Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Wintering Piping Plover .....	1018-AU48
1535	Endangered and Threatened Wildlife and Plants; Adding Graham's Beardtongue ( <i>Penstemon grahamii</i> ) to the List of Endangered and Threatened Plants, With Designation of Critical Habitat .....	1018-AU49
1536	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Laguna Mountains Skipper .....	1018-AU50
1537	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Braunton's Milk-Vetch and Lyon's Penchaeta .....	1018-AU51
1538	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Canada Lynx .....	1018-AU52
1539	Endangered and Threatened Wildlife and Plants; Removal of the Great Lakes Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife .....	1018-AU54
1540	Federal Duck Stamp Contest Regulations .....	1018-AU56
1541	Migratory Bird Subsistence Harvest in Alaska; Spring/Summer Regulations for the 2007 Season .....	1018-AU59
1542	Endangered and Threatened Wildlife and Plants; Removal of the Marbled Murrelet From the List of Endangered and Threatened Species .....	1018-AU60
1543	2006-07 Refuge-Specific Hunting and Sport Fishing Regulations .....	1018-AU61
1544	Endangered and Threatened Wildlife and Plants; Amending the Formats of the Lists of Endangered and Threatened Wildlife and Plants .....	1018-AU62
1545	Endangered and Threatened Wildlife and Plants; Removal of 27 Species From the Federal List of Endangered and Threatened Wildlife .....	1018-AU64
1546	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in Eastern Wyoming .....	1018-AU65
1547	Endangered and Threatened Wildlife and Plants; Removal of the Idaho Springsnail From the List of Endangered and Threatened Wildlife .....	1018-AU66
1548	Endangered and Threatened Wildlife and Plants; Removal of the Maguire Daisy From the List of Endangered and Threatened Plants .....	1018-AU67

## DOI

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

Sequence Number	Title	Regulation Identifier Number
1549	Endangered and Threatened Wildlife and Plants; Designation of a Nonessential Experimental Population of the Rio Grande Silvery Minnow in Texas .....	1018-AU68
1550	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Running Buffalo Clover From Endangered to Threatened .....	1018-AU69
1551	Subsistence Management Regulations for Public Lands in Alaska; Makhnati Island Area .....	1018-AU70
1552	Subsistence Management Regulations for Public Lands in Alaska: 2008-2009 Subsistence Taking of Fish and Shellfish Regulations .....	1018-AU71
1553	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Astragalus Desereticus (Deseret Milk-Vetch) .....	1018-AU72
1554	Endangered and Threatened Wildlife and Plants; Listing and Critical Habitat for Arctic Grayling .....	1018-AU73
1555	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Hine's Emerald Dragonfly ....	1018-AU74
1556	Endangered and Threatened Wildlife and Plants; Critical Habitat for Comal Springs Dryopid Beetle, Comal Springs Riffle Beetle, and Peck's Cave Amphipod .....	1018-AU75
1557	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Catesbaea Melanocarpa .....	1018-AU76
1558	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Hidden Lake Bluecurls, Vail Lake Ceanothus, and Mexican Flannelbush .....	1018-AU77
1559	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Guajon .....	1018-AU78
1560	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Cape Sable Seaside Sparrow ....	1018-AU79
1561	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Bear Valley Sandwort, Southern Mountain Wild-Buckwheat, and Ash-Grey Indian Paintbrush .....	1018-AU80
1562	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Tidewater Goby .....	1018-AU81
1563	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Alabama Sturgeon .....	1018-AU82
1564	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Monterey Spineflower .....	1018-AU83
1565	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Nevin's Barberrry .....	1018-AU84
1566	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Flatwoods Salamander .....	1018-AU85
1567	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for San Diego Thornmint .....	1018-AU86
1568	Critical Habitat Designation for Five Endangered Freshwater Mussels and Two Threatened Freshwater Mussels in Georgia, Florida, and Alabama .....	1018-AU87
1569	Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Georgia Pigtoe and Interrupted Rocksnail .....	1018-AU88

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

Sequence Number	Title	Regulation Identifier Number
1570	Federal Falconry Standards and Falconry Permitting .....	1018-AG11
1571	Endangered and Threatened Wildlife and Plants; Listing Statuses of 12 Species of Picture-Wing Flies From the Hawaiian Islands .....	1018-AG23
1572	National Wildlife Refuge System; Appropriate Refuge Uses .....	1018-AG46
1573	Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species .....	1018-AH53
1574	Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout From Endangered to Threatened With a Special Rule .....	1018-AH57
1575	Importation of Exotic Wild Birds Into the United States; Adding Blue-Fronted Amazon Parrots From Argentina's Approved Sustainable Use Management Plan to the Approved List of Non-Captive Bred Species .....	1018-AH89
1576	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species .....	1018-AI04
1577	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations .....	1018-AI07
1578	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations .....	1018-AI32
1579	Endangered and Threatened Wildlife and Plants; Reclassification of the Florida Distinct Population Segment of the American Crocodile From Endangered to Threatened .....	1018-AI41
1580	Endangered and Threatened Wildlife and Plants; Policy for Enhancement-of-Survival Permits for Foreign Species Listed Under the Endangered Species Act .....	1018-AI67
1581	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp ...	1018-AI71
1582	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher .....	1018-AI72
1583	Endangered and Threatened Wildlife and Plants; Delisting of the Arizona Agave .....	1018-AI79

## DOI

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

Sequence Number	Title	Regulation Identifier Number
1584	Endangered and Threatened Wildlife and Plants; Nonessential Experimental Population of the Northern Aplomado Falcon .....	1018-AI80
1585	Migratory Bird Permits; Military Readiness Exemption .....	1018-AI92
1586	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf .....	1018-AJ03
1587	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf .....	1018-AJ04
1588	Endangered and Threatened Wildlife and Plants; Removing the Mexican Bobcat From the List of Endangered Wildlife .....	1018-AT31
1589	Endangered and Threatened Wildlife and Plants; Removal of the Yellowstone Grizzly Bear Population From the List of Endangered and Threatened Wildlife .....	1018-AT38
1590	Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation .....	1018-AT60
1591	Regulations To Implement the Captive Wildlife Safety Act .....	1018-AT69
1592	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for St. Andrew Beach Mouse, Perdido Key Beach Mouse, and Choctawhatchee Beach Mouse .....	1018-AT90
1593	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2006-2007 Subsistence Taking of Wildlife Regulations .....	1018-AT98
1594	Kodiak National Wildlife Refuge Permit Requirement for Conservation Easement Lands .....	1018-AU08
1595	Endangered and Threatened Wildlife and Plants; Special Rule for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter ( <i>Enhydra lutris kenyoni</i> ) .....	1018-AU21
1596	Endangered and Threatened Wildlife and Plants; Removal of the Arizona Distinct Population Segment of the Cactus Ferruginous Pygmy-Owl From the Federal List of Endangered and Threatened Wildlife .....	1018-AU22
1597	National Wildlife Refuge System; Mission, Goals, and Purposes .....	1018-AU24
1598	National Wildlife Refuge System; Wildlife-Dependent Recreation (Hunting and Fishing, Wildlife Observation and Photography, Environmental Education, and Interpretation) .....	1018-AU25
1599	National Wildlife Refuge System; Wilderness Stewardship .....	1018-AU27
1600	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southern California Distinct Vertebrate Population Segment of the Mountain Yellow-Legged Frog .....	1018-AU30
1601	Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Kootenai River White Sturgeon .....	1018-AU47
1602	Subsistence Management Regulations for Public Lands in Alaska: 2007-2008 Subsistence Taking of Fish and Shellfish Regulations .....	1018-AU57
1603	Endangered and Threatened Wildlife and Plants; Listing the Flat-Tailed Horned Lizard as Threatened .....	1018-AU58
1604	Endangered and Threatened Wildlife and Plants; Removal of Vacated Gray Wolf Regulations .....	1018-AU63

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

Sequence Number	Title	Regulation Identifier Number
1605	Implementation of the 1994 Amendments to the Marine Mammal Protection Act .....	1018-AE72
1606	Taking of Marine Mammals by Level B Harassment; Issuance of General Authorization for Scientific Research and Permits for Photography, Educational, and Commercial Purposes .....	1018-AF26
1607	Endangered and Threatened Wildlife and Plants; Delisting the Gulf Coast Distinct Population Segment of the Brown Pelican Population in the Southeastern United States .....	1018-AG40
1608	Endangered and Threatened Wildlife and Plants; Listing the Dolly Varden as a Threatened Species in Washington Due to Similarity of Appearance to Bull Trout .....	1018-AH68
1609	Endangered and Threatened Wildlife and Plants; Delisting and Withdrawal of Proposed Critical Habitat for the Cactus Ferruginous Pygmy Owl .....	1018-AI48
1610	Revision of Migratory Bird Hunting Regulations .....	1018-AI98
1611	Revision of the Regulations Governing the Transport of Eagle Feathers .....	1018-AJ00
1612	Endangered and Threatened Wildlife and Plants; Amendment to the Nonessential Experimental Population Rule for the Mexican Gray Wolf .....	1018-AT36
1613	Endangered and Threatened Wildlife and Plants; Amendment to Manatee Protection Areas in Florida (Barge Canal Exception) .....	1018-AT39
1614	Adding Bighead Carp to the List of Injurious Wildlife .....	1018-AT49
1615	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Topeka Shiner .....	1018-AU00

## DOI

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

Sequence Number	Title	Regulation Identifier Number
1616	Endangered and Threatened Wildlife and Plants; Reclassification of the Gray Bat From Endangered to Threatened .....	1018-AU20
1617	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act .....	1018-AU29

## United States Fish and Wildlife Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1618	Endangered and Threatened Wildlife and Plants; Tibetan Antelope .....	1018-AF49
1619	U.S. Proposals for CITES Appendix III; Certain Turtle Species .....	1018-AF69
1620	Endangered and Threatened Wildlife and Plants; Determination of Endangered Status and Designation of Critical Habitat for the Gila Chub .....	1018-AG16
1621	U.S. Proposals for CITES Appendix III; Black Cohosh .....	1018-AI91
1622	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Jacinto Valley Crownscale .....	1018-AJ11
1623	Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle .....	1018-AJ13
1624	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Red-Legged Frog .....	1018-AJ16
1625	Endangered and Threatened Wildlife and Plants; Coachella Valley Milk-Vetch Critical Habitat Designation .....	1018-AT74
1626	Endangered and Threatened Wildlife and Plants; Thread-Leaved Brodiaea Critical Habitat Designation .....	1018-AT75
1627	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox .....	1018-AT78
1628	Subsistence Management Regulations for Public Lands in Alaska; Southwestern Alaska Coastal Areas .....	1018-AT81
1629	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Arkansas River Shiner .....	1018-AT84
1630	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia .....	1018-AT86
1631	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for Southwestern Willow Flycatcher .....	1018-AT88
1632	Endangered and Threatened Wildlife and Plants; Critical Habitat for Western Snowy Plover .....	1018-AT89
1633	Migratory Bird Hunting; Approval of Four Shot Types or Alloys as Nontoxic .....	1018-AU04
1634	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2006-2007 Subsistence Taking of Fish and Shellfish Regulations .....	1018-AU05
1635	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Sonoma County Population .....	1018-AU23
1636	Endangered and Threatened Wildlife and Plants; Listing Gunnison's Sage Grouse .....	1018-AU35
1637	Migratory Bird Subsistence Harvest in Alaska; Spring/Summer Annual Harvest Regulations for the 2006 Subsistence Season .....	1018-AU39
1638	Endangered and Threatened Wildlife and Plants; 5-Year Review of Foreign Species .....	1018-AU55

## National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1639	Revisions to Right-of-Way Regulations .....	1024-AD16
1640	Cost Recovery for Special Park Uses .....	1024-AD18
1641	Historic Preservation Certifications .....	1024-AD24
1642	Vessel Management in Glacier Bay National Park .....	1024-AD25
1643	Making Pictures, Television Productions or Sound Tracks .....	1024-AD30
1644	Disposition of Culturally Identifiable Human Remains .....	1024-AD31
1645	Backcountry Use Restrictions at Wupatki National Monument .....	1024-AD33
1646	Olympic National Park Special Regulations .....	1024-AD35
1647	St. Croix National Scenic River Vessel Speed Limits .....	1024-AD36
1648	Voyageurs National Park—Special Regulations .....	1024-AD37
1649	National Park System Units in Alaska .....	1024-AD38
1650	National Capitol Region—Parking .....	1024-AD40
1651	Gateway National Recreation Area, Jamaica Bay Unit, Personal Watercraft Use .....	1024-AD41

## DOI

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

Sequence Number	Title	Regulation Identifier Number
1652	Gateway National Recreation Area, Sandy Hook Unit, Personal Watercraft Use .....	1024-AD42
1653	Making Motion Pictures, Television Productions, or Soundtracks on Department of the Interior Lands .....	1024-AD43
1654	Olympic National Park Special Regulations—Cape Lookout National Seashore .....	1024-AD44
1655	Dry Tortugas National Park—Special Regulations .....	1024-AD45
1656	Fire Island National Seashore—Off-Road Driving Regulations .....	1024-AD46

## National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1657	Gateway National Recreation Area; Personal Watercraft .....	1024-AC95
1658	Curecanti Recreation Area; Personal Watercraft .....	1024-AC99
1659	Native American Graves Protection and Repatriation Act; Future Applicability .....	1024-AD05
1660	Boating and Water Use Activities .....	1024-AD07
1661	Native American Handicrafts .....	1024-AD20
1662	Gulf Islands National Seashore: Personal Watercraft Use .....	1024-AD21

## National Park Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1663	Pictured Rocks National Lakeshore; Personal Watercraft .....	1024-AC93
1664	Special Regulation for Dry Tortugas Park .....	1024-AD32

## Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1665	Irrigation Projects and Systems .....	1076-AD44
1666	Tribal Revenue Allocation Plans .....	1076-AE24
1667	Indian Country Law Enforcement .....	1076-AE35
1668	Use or Distribution of Indian Judgment Funds .....	1076-AE43
1669	Appeals From Administrative Actions .....	1076-AE48
1670	Unclaimed Moneys/Whereabouts Unknown .....	1076-AE55
1671	Grazing Permits .....	1076-AE57
1672	Probate of Indian Estates, Except for Members of the Five Civilized Tribes .....	1076-AE59
1673	Tribal Probate Codes .....	1076-AE61
1674	Land Acquisition .....	1076-AE62
1675	Conveyances of Trust or Restricted Indian Land; Removal of Trust or Restricted Status .....	1076-AE63
1676	Life Estates and Future Interests .....	1076-AE64
1677	Trust Fund Accounting and Appeals .....	1076-AE65
1678	Fee for Service .....	1076-AE66
1679	Law and Order on Indian Reservations .....	1076-AE67
1680	Probate of Indian Estates—Appeals to the Office of Hearings and Appeals .....	1076-AE71
1681	Leases and Permits .....	1076-AE73
1682	Indian Country Detention Facilities and Programs .....	1076-AE75
1683	Preference in Employment .....	1076-AE76
1684	Revision of the Membership Roll of the Eastern Band of Cherokee of North Carolina .....	1076-AE77
1685	Oil and Gas, Geothermal, and Solid Minerals Agreements .....	1076-AE79
1686	Tribal Energy Resource Agreements .....	1076-AE80



## DOI

## Bureau of Indian Affairs—Final Rule Stage

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

## Bureau of Indian Affairs—Long-Term Actions

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

## Bureau of Indian Affairs—Completed Actions

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

## Minerals Management Service—Prerule Stage

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

## Minerals Management Service—Proposed Rule Stage

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

## DOI

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

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

## Minerals Management Service—Final Rule Stage

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

## Minerals Management Service—Long-Term Actions

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

## Minerals Management Service—Completed Actions

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

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

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

## DOI

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

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

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

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

## Bureau of Reclamation—Prerule Stage

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

## Bureau of Reclamation—Proposed Rule Stage

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

## Bureau of Reclamation—Final Rule Stage

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

## Bureau of Land Management—Prerule Stage

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

## Bureau of Land Management—Proposed Rule Stage

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

## DOI

## Bureau of Land Management—Proposed Rule Stage (Continued)

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

## Bureau of Land Management—Final Rule Stage

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

## Bureau of Land Management—Completed Actions

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

## Office of the Secretary—Final Rule Stage

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

## Department of the Interior (DOI)

Final Rule Stage

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

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

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

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

**Timetable:**

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

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

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

Phone: 202 219-1136

Fax: 202 208-4867

**RIN:** 1090-AA91

## Department of the Interior (DOI)

Long-Term Actions

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

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

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

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

**Timetable:**

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

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

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

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

Phone: 202 208-4143

**RIN:** 1090-AA29

## Department of the Interior (DOI)

Completed Actions

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

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

Reason	Date	FR Cite
Withdrawn	02/01/06	

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

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

**RIN:** 1090-AA73

BILLING CODE 4310-RK-S

**Department of the Interior (DOI)**  
**Office of Hearings and Appeals (OHA)**
**Proposed Rule Stage**
**1470. PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION**

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

**Legal Authority:** Not Yet Determined

**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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

**RIN:** 1094-AA52

**1471. SPECIAL PROCEDURES FOR PUBLIC LANDS AND SURFACE MINING CASES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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

Phone: 703 235-3810

**RIN:** 1094-AA53

**Department of the Interior (DOI)**  
**Office of Hearings and Appeals (OHA)**
**Completed Actions**
**1472. EQUAL ACCESS TO JUSTICE ACT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 4

**Completed:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1094-AA49

**1473. HYDROPOWER LICENSING HEARINGS PROCESS**

**Priority:** Other Significant

**CFR Citation:** 43 CFR 4

**Completed:**

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

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Governmental Jurisdictions

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

**Agency Contact:** Robert More  
Phone: 703 235-3810

**RIN:** 1094-AA51

**BILLING CODE 4310-79-S**

**Department of the Interior (DOI)**  
**Office of the Special Trustee (OST)**
**Completed Actions**
**1474. AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 1200

**Completed:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

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

**RIN:** 1035-AA05

**BILLING CODE 4310-02-S**

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

Prerule Stage

**1475. RELEASE OF CAPTIVE-REARED MALLARDS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State

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

**RIN:** 1018-AI05

**1476. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION**

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	06/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI66

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 13.29

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	10/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

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

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

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

**RIN:** 1018-AU19

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

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

**Related RIN:** Related to 1018-AU54

**RIN:** 1018-AU53

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

**Proposed Rule Stage**

**1479. LIST OF MIGRATORY BIRDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 704; 16 USC 712

**CFR Citation:** 50 CFR 10.13

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AB72

**1480. SEIZURE AND FORFEITURE PROCEDURES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 12

**Legal Deadline:** None

**Abstract:** The Service proposes to amend our regulations that establish procedures relating to property seized and administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisal, administrative proceeding, petition for remission, and

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

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

**RIN:** 1018-AC89

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

**Priority:** Other Significant

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

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

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal, State

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

Phone: 703 358-2095

Email: peter\_thomas@fws.gov

**RIN:** 1018-AD87

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

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

**RIN:** 1018-AF09



## DOI—FWS

## Proposed Rule Stage

**1483. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVING OF THE BALD EAGLE IN THE LOWER 48 STATES FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to release additional supplementary information on the previous proposal to remove the bald eagle from the List of Endangered and Threatened Wildlife. This action is based on continued recovery gains and increasing population trends.**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
Phone: 703 358-2061  
Fax: 703 358-1735  
Email: michelle\_morgan@fws.gov**Related RIN:** Related to 1018-AT94**RIN:** 1018-AF21**1484. HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES, AND AMPHIBIANS TO THE UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 42; 16 USC 3371 to 3378**CFR Citation:** 50 CFR 14**Legal Deadline:** None**Abstract:** The proposed rule contains amendments designed to add numerous transport standards to part 14 for reptiles and amphibians. Standards have already been promulgated for mammals and birds.**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter\_thomas@fws.gov

**RIN:** 1018-AF27**1485. IMPORTATION OF CAPTIVE-BRED EXOTIC BIRDS INTO THE UNITED STATES FROM BREEDING FACILITIES IN OTHER COUNTRIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15**Legal Deadline:** None**Abstract:** On March 17, 1994, we published a proposed rule that included certain provisions of the Wild Bird Conservation Act (WBCA). This planned re-proposal would allow importing of captive-bred birds from facilities in other countries for species that are otherwise prohibited from import under the WBCA.**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1708

Fax: 703 358-2276

Email: roddy\_gabel@fws.gov

**RIN:** 1018-AF44**1486. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668, 704, 712, 1382, 1538(d) to (f), and 1540(f); 16 USC 3371 to 3378, 4223 to 4244, and 4901 to 4916; 18 USC 42; 31 USC 9701**CFR Citation:** 50 CFR 14**Legal Deadline:** None**Abstract:** This proposed rule will revise the importation, exportation, and transportation regulations pertaining to the movement of all wildlife and wildlife products into or out of the United States.**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Kevin Adams, Chief, Office of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS-LE-3000, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin\_adams@fws.gov

**RIN:** 1018-AF46**1487. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT-HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALUCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We received a petition to reclassify a certain population of the straight-horned markhor from endangered to threatened. We must determine whether a status review shows that the petitioned action is warranted; if so, we will propose to change the classification of the straight-

## DOI—FWS

## Proposed Rule Stage

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

**Timetable:**

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

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

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

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

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

**Timetable:**

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

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

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

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

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

**Timetable:**

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

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

Undetermined

**URL For More Information:**

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

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

Phone: 703 358-2034  
Email: erin\_williams@fws.gov

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

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

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

**RIN:** 1018-AI12

## DOI—FWS

## Proposed Rule Stage

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

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, Local, State, Tribal**Agency Contact:** Dr. Keith A. Morehouse, Department of the Interior, United States Fish and Wildlife Service, Div. of Bird Habitat Conservation MS MB4075, Arlington Square 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1784  
Fax: 703 358-2282  
Email: keith\_morehouse@fws.gov**RIN:** 1018-AI13**1492. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDINGS FOR THE GULF OF BOOTHIA AND WESTERN HUDSON POPULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18.30**Legal Deadline:** None**Abstract:** This rule announces proposed findings on the import of polar bears (*Ursus Maritimus*) taken in sport hunts from the Canadian Gulf of Boothia and Western Hudson polar bear populations under the Marine Mammal Protection Act.**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter\_thomas@fws.gov

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

Action	Date	FR Cite
NPRM	04/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert Gabel, Chief, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1708

Fax: 703 358-2276

Email: roddy\_gabel@fws.gov

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Governmental Jurisdictions, Organizations, Businesses**Government Levels Affected:** State, Federal**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1714

Email: brian\_millsap@fws.gov

**RIN:** 1018-AI96**1495. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING POSSESSION OF MIGRATORY BIRDS FOR EDUCATIONAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 92 Stat 3112 (16 USC 712(2)); PL 95-616; PL 106-108; 16 USC 668a; 16 USC 703 to 712; . . .**CFR Citation:** 50 CFR 21**Legal Deadline:** None**Abstract:** We plan to propose to amend migratory bird permit regulations to create a new permit category establishing conditions and criteria for obtaining a permit to possess migratory birds, including eagles, for educational purposes. Currently, this activity is authorized by a miscellaneous permit category.**Timetable:**

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

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

## DOI—FWS

## Proposed Rule Stage

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 14

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

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

Phone: 703 358-2095

Email: peter\_thomas@fws.gov

**RIN:** 1018-AJ24

#### 1497. INJURIOUS WILDLIFE SPECIES; BOIGA SNAKES

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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

Phone: 703 358-2034

Email: erin\_williams@fws.gov

**RIN:** 1018-AT28

#### 1498. ADDING SILVER CARP TO THE LIST OF INJURIOUS WILDLIFE

**Priority:** Other Significant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**URL For More Information:**

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

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

Phone: 703 358-2034

Email: erin\_williams@fws.gov

**RIN:** 1018-AT29

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

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

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

**CFR Citation:** 50 CFR 15.41; 50 CFR 15.42

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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

Phone: 703 358-1708

Fax: 703 358-2276

Email: michael\_kreger@fws.gov

**RIN:** 1018-AT30

## DOI—FWS

## Proposed Rule Stage

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

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

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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

Email: martin\_kodis@fws.gov

**RIN:** 1018-AT34

**1501. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE VIRGINIA NORTHERN FLYING SQUIRREL FROM THE LIST OF ENDANGERED AND THREATENED SPECIES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** Due to recovery, the Service is planning to propose delisting the Virginia northern flying squirrel.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AT37

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

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 402.02

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AT50

**1503. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE RECLASSIFYING ARGENTINIAN BROAD-SNOUDED CAIMAN POPULATION FROM ENDANGERED TO THREATENED**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AT56

## DOI—FWS

## Proposed Rule Stage

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

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

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

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

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

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

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

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

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

**Timetable:**

Action	Date	FR Cite
Proposed Policy	09/00/06	

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

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

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

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

**Timetable:**

Action	Date	FR Cite
Proposed Policy	09/00/06	

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

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

**RIN:** 1018-AT73

## DOI—FWS

## Proposed Rule Stage

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

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

**Timetable:**

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

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

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

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

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

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

**Timetable:**

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

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

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

Phone: 703 358-5496

Fax: 703 358-1869

Email: martin\_kodis@fws.gov

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

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

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

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle\_morgan@fws.gov

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

Final, Statutory, October 15, 2006.

Final, Judicial, October 15, 2006.

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

**Timetable:**

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

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

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

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

## DOI—FWS

## Proposed Rule Stage

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

**RIN:** 1018-AT92

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

**Related RIN:** Related to 1018-AF98

**RIN:** 1018-AT93

**1514. PROTECTION OF BALD EAGLES; DEFINITION**

**Priority:** Other Significant

**Legal Authority:** 16 USC 668a

**CFR Citation:** 50 CFR 22.3

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

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

**URL For More Information:**

migratorybirds.fws.gov

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

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

**RIN:** 1018-AT94

**1515. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AT99



## DOI—FWS

## Proposed Rule Stage

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

Action	Date	FR Cite
NPRM	12/00/06	

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

Action	Date	FR Cite
NPRM	04/00/06	

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

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

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

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

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

## DOI—FWS

## Proposed Rule Stage

**CFR Citation:** None

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Proposed Policy	09/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, Tribal

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

Phone: 703 358-2310

Fax: 703 358-2248

Email: dave\_walker@fws.gov

**RIN:** 1018-AU16

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

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

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

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle\_morgan@fws.gov

**RIN:** 1018-AU17

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU32

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

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Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU33

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

Final, Judicial, September 1, 2007.

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

## DOI—FWS

## Proposed Rule Stage

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

**RIN:** 1018-AU34

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

Final, Judicial, December 15, 2006.

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

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

**Federalism:** Undetermined

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

Phone: 703 358-2105  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU37

**1526. CIVIL PROCEDURES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 11

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin\_adams@fws.gov

**RIN:** 1018-AU38

**1527. CITES APPENDIX III LISTING OF GALAX**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

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

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

Phone: 703 358-1708

Email: pat\_ford@fws.gov

**RIN:** 1018-AU40

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

Phone: 703 358-5496

Fax: 703 358-1869

Email: martin\_kodis@fws.gov

**RIN:** 1018-AU41

## DOI—FWS

## Proposed Rule Stage

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

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

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

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** We plan to propose to establish annual hunting regulations for certain migratory game birds for the 2006-07 hunting season. We annually prescribe outside limits (frameworks), within which States may select hunting seasons. We also request proposals from Indian tribes that wish to establish special migratory bird hunting regulations on Federal Indian reservations and ceded lands, and proposals for the 2006/07 spring/summer migratory bird subsistence season in Alaska. Migratory game bird hunting seasons provide hunting opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory bird population status and habitat conditions.

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

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

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

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

**RIN:** 1018-AU42

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

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, July 2006.

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

**RIN:** 1018-AU43

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

**RIN:** 1018-AU44

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

## DOI—FWS

## Proposed Rule Stage

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

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU48

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

## DOI—FWS

## Proposed Rule Stage

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU50

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU51

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU52

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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

**Related RIN:** Related to 1018-AU53

**RIN:** 1018-AU54

**1540. • FEDERAL DUCK STAMP CONTEST REGULATIONS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 91

**Legal Deadline:** None

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

## DOI—FWS

## Proposed Rule Stage

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

**Timetable:**

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

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

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

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

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

**Timetable:**

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

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

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

**Related RIN:** Previously reported as 1018-AU39**RIN:** 1018-AU59**1542. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE MARBLED MURRELET FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We plan to propose to delist the marbled murrelet. This action is based on our 5-year review recommendation that the currently listed entity does not meet the requirements of a distinct population segment.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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Email: michelle\_morgan@fws.gov

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

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

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

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

## DOI—FWS

## Proposed Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

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

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Email: martha\_balislarsen@fws.gov

**RIN:** 1018-AU62

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
Phone: 703 358-2061  
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**RIN:** 1018-AU64

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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

**RIN:** 1018-AU65

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018-AU66

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018-AU67

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service is planning to propose a nonessential experimental



## DOI—FWS

## Proposed Rule Stage

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
Phone: 703 358-2061  
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**RIN:** 1018-AU68

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AU69

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

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill\_knauer@fws.gov

**RIN:** 1018-AU70

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

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3111

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

**Legal Deadline:** None

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Theo Matuskowitz, Department of the Interior, United States Fish and Wildlife Service, Office of Subsistence Management, 3601 C Street, Ste 1030, Anchorage, AK 99503  
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Email: theo\_matuskowitz@fws.gov

**RIN:** 1018-AU71

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

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

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

## DOI—FWS

## Proposed Rule Stage

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

**RIN:** 1018-AU72

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU75

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU76

## DOI—FWS

## Proposed Rule Stage

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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**RIN:** 1018-AU79

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

## DOI—FWS

## Proposed Rule Stage

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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**RIN:** 1018-AU82

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

## DOI—FWS

## Proposed Rule Stage

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RIN: 1018-AU85

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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RIN: 1018-AU87

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

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

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

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

**Final Rule Stage**

**1570. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING**

**Priority:** Other Significant

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

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

**Legal Deadline:** None

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

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

## DOI—FWS

## Final Rule Stage

**Timetable:**

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

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

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AG11

**1571. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING STATUSES OF 12 SPECIES OF PICTURE-WING FLIES FROM THE HAWAIIAN ISLANDS**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, April 2006.

**Abstract:** We plan to finalize listing status under the Endangered Species Act for 12 species of Hawaiian picture-wing flies: *Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia*. These species are found on one or more of the following Hawaiian Islands: Kauai, Oahu, Molokai, Maui, and Hawaii.

**Timetable:**

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

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

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

**1572. NATIONAL WILDLIFE REFUGE SYSTEM; APPROPRIATE REFUGE USES**

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

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

**Timetable:**

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

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

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

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

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

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

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

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

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

**Timetable:**

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

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

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

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

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

## DOI—FWS

## Final Rule Stage

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

**Timetable:**

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

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

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

**1575. IMPORTATION OF EXOTIC WILD BIRDS INTO THE UNITED STATES; ADDING BLUE-FRONTED AMAZON PARROTS FROM ARGENTINA'S APPROVED SUSTAINABLE USE MANAGEMENT PLAN TO THE APPROVED LIST OF NON-CAPTIVE BRED SPECIES**

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

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

**Timetable:**

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

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

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

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
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Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AH89

**1576. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF TWO AUSTRALIAN PARAKEETS FROM THE LIST OF ENDANGERED AND THREATENED SPECIES**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

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

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

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

**RIN:** 1018-AI04

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

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

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

**Timetable:**

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

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

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

## DOI—FWS

## Final Rule Stage

Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1714  
Email: brian\_millsap@fws.gov

RIN: 1018-AI07

### 1578. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

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

RIN: 1018-AI32

### 1579. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE FLORIDA DISTINCT POPULATION SEGMENT OF THE AMERICAN CROCODILE FROM ENDANGERED TO THREATENED

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

RIN: 1018-AI41

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

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2350

Fax: 703 358-2281

Email: tim\_vannorman@fws.gov

RIN: 1018-AI67

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal



## DOI—FWS

## Final Rule Stage

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

**RIN:** 1018-AI71

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI79

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI80

### 1585. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION

**Priority:** Other Significant

**Legal Authority:** PL 107-314

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

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

## DOI—FWS

## Final Rule Stage

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

**Timetable:**

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

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

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

**RIN:** 1018-AI92

### 1586. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE EASTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

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

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

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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Email: michelle\_morgan@fws.gov

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

**RIN:** 1018-AJ03

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

withdrawing this advance notice of proposed rulemaking.

**Timetable:**

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

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

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

**Related RIN:** Related to 1018-AF20, Related to 1018-AJ03, Related to 1018-AU63

**RIN:** 1018-AJ04

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

## DOI—FWS

## Final Rule Stage

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

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

**Agency Contact:** Javier Alvarez, Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1708  
Email: javier\_alvarez@fws.gov

**RIN:** 1018-AT31

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

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

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

**Timetable:**

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

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

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

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

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

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

**Timetable:**

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

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

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

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

**1591. REGULATIONS TO IMPLEMENT THE CAPTIVE WILDLIFE SAFETY ACT**

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

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

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

**Timetable:**

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

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

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

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**RIN:** 1018-AT69

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

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

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

**Timetable:**

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

## DOI—FWS

## Final Rule Stage

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

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

**Agency Contact:** Douglas Krofta,  
Branch of Listing, Endangered Species  
Program, Department of the Interior,  
United States Fish and Wildlife  
Service, Room 435, 4401 North Fairfax  
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**RIN:** 1018-AT90

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

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

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

**Timetable:**

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

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

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

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

Phone: 907 786-3873

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Email: bill\_knauer@fws.gov

**RIN:** 1018-AT98

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

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

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

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

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

**Timetable:**

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

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

**Agency Contact:** Abbey Kucera,  
Natural Resource Specialist,  
Department of the Interior, United  
States Fish and Wildlife Service,  
Kodiak National Wildlife Refuge, 1390  
Buskin River Road, Kodiak, AK 99615  
Phone: 907 487-2600  
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**RIN:** 1018-AU08

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

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

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

**Timetable:**

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

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

**Agency Contact:** Michelle Morgan,  
Endangered Species, Branch of  
Recovery and Delisting, Department of  
the Interior, United States Fish and  
Wildlife Service, 4401 North Fairfax  
Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Related to 1018-A144**RIN:** 1018-AU21

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

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

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

## DOI—FWS

## Final Rule Stage

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

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

**RIN:** 1018-AU22

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

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

**Timetable:**

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

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State

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

**Related RIN:** Split from 1018-AG46

**RIN:** 1018-AU24

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State

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

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

Phone: 703 358-1744

**Related RIN:** Split from 1018-AG46

**RIN:** 1018-AU25

**1599. NATIONAL WILDLIFE REFUGE SYSTEM; WILDERNESS STEWARDSHIP**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State

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

**Related RIN:** Split from 1018-AG46

**RIN:** 1018-AU27

## DOI—FWS

## Final Rule Stage

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

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

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

**RIN:** 1018-AU30

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

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AU47

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

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3111

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

**Legal Deadline:** None

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

**Timetable:**

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

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AU57

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

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

## DOI—FWS

## Final Rule Stage

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

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

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2105  
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**Related RIN:** Previously reported as 1018-AI51**RIN:** 1018-AU58**1604. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF VACATED GRAY WOLF REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Final Action	03/00/07	

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Related to 1018-AJ03, Related to 1018-AJ04**RIN:** 1018-AU63
**Department of the Interior (DOI)  
United States Fish and Wildlife Service (FWS)**

## Long-Term Actions

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

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

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

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

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

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

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

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

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

## DOI—FWS

## Long-Term Actions

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018-AG40

**1608. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE DOLLY VARDEN AS A THREATENED SPECIES IN WASHINGTON DUE TO SIMILARITY OF APPEARANCE TO BULL TROUT**

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

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

**Timetable:**

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

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

**Agency Contact:** Douglas Krofta, Branch of Listing, Endangered Species Program, Department of the Interior, United States Fish and Wildlife Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2105  
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**RIN:** 1018-AH68

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

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

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

**Timetable:**

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

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Related to 1018-AU22**RIN:** 1018-AI48

**1610. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS**

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

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

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

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

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**RIN:** 1018-AI98

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

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

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

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

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



## DOI—FWS

## Long-Term Actions

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**RIN:** 1018-AJ00

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:**

Undetermined

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018-AT36

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

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

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:**

Undetermined

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Previously reported as 1018-AH80

**RIN:** 1018-AT39

**1614. ADDING BIGHEAD CARP TO THE LIST OF INJURIOUS WILDLIFE**

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

**Unfunded Mandates:** Undetermined

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

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

**Timetable:**

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

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**URL For More Information:**

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

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

Phone: 703 358-2034

DOI—FWS

Long-Term Actions

Email: erin\_williams@fws.gov

RIN: 1018-AT49

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

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018-AU00

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

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

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

**RIN:** 1018-AU20

**1617. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISIONS TO THE REGULATIONS APPLICABLE TO PERMITS ISSUED UNDER THE ENDANGERED SPECIES ACT**

**Priority:** Other Significant

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

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michael D. Kreger  
Phone: 703 358-1708  
Fax: 703 358-2276  
Email: michael\_kreger@fws.gov

**RIN:** 1018-AF49

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

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

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

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

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

**RIN:** 1018-AU29

Department of the Interior (DOI)

Completed Actions

United States Fish and Wildlife Service (FWS)

**1618. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michael D. Kreger  
Phone: 703 358-1708  
Fax: 703 358-2276  
Email: michael\_kreger@fws.gov

**RIN:** 1018-AF49

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

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 23

**Completed:**

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

## DOI—FWS

## Completed Actions

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

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

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

Reason	Date	FR Cite
Withdrawn	03/16/06	

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

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

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

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

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

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

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

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

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

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

## DOI—FWS

## Completed Actions

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas\_krofta@fws.gov

RIN: 1018-AT75

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

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

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

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

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Email: douglas\_krofta@fws.gov

Related RIN: Related to 1018-AI28

RIN: 1018-AT78

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

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 100; 36 CFR 242

Completed:

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

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: William W. Knauer

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill\_knauer@fws.gov

RIN: 1018-AT81

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

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

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

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

Fax: 703 358-2434

Email: douglas\_krofta@fws.gov

RIN: 1018-AT84

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

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	10/18/05	70 FR 60658
Final Rule Effective	11/17/05	70 FR 60658

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

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Email: douglas\_krofta@fws.gov

RIN: 1018-AT86

**1631. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR SOUTHWESTERN WILLOW FLYCATCHER**

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	10/19/05	70 FR 60885
Final Action Effective	11/18/05	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

Phone: 703 358-2105

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Email: douglas\_krofta@fws.gov

Related RIN: Previously reported as 1018-AI49

RIN: 1018-AT88

**1632. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR WESTERN SNOWY PLOVER**

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	09/29/05	70 FR 56970
Final Action Effective	10/31/05	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

Agency Contact: Douglas Krofta

Phone: 703 358-2105

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RIN: 1018-AT89

**1633. MIGRATORY BIRD HUNTING; APPROVAL OF FOUR SHOT TYPES OR ALLOYS AS NONTOXIC**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
Fin rule; avail of Fin Env Assessmt and Fdg of No Signif Impact	01/26/06	71 FR 4294
Final rule effective (also includes former RINs 1018-AU09, 1018-AU13, and 1018-AU28)	02/27/06	71 FR 4294

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: George T. Allen

Phone: 703 358-1825

## DOI—FWS

## Completed Actions

Fax: 703 358-2217  
Email: george\_t\_allen@fws.gov

**Related RIN:** Merged with 1018-AU09, Merged with 1018-AU13, Merged with 1018-AU28

**RIN:** 1018-AU04

**1634. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2006-2007 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS**

**Priority:** Substantive, Nonsignificant

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

**Completed:**

Reason	Date	FR Cite
Final Rule	03/29/06	71 FR 15669
Final Rule Effective	04/01/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William W. Knauer  
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Email: bill\_knauer@fws.gov

**RIN:** 1018-AU05

**1635. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER, SONOMA COUNTY POPULATION**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
2nd NPRM Comment Period avail of DEA	10/25/05	70 FR 61591
2nd NPRM Comment Period End	11/14/05	

Reason	Date	FR Cite
Second NPRM Comment Period End	11/28/05	70 FR 69717
Final Action	12/14/05	70 FR 74137
Final Action Effective	01/13/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU23

**1636. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING GUNNISON'S SAGE GROUSE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	03/16/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta  
Phone: 703 358-2105  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU35

**1637. MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; SPRING/SUMMER ANNUAL HARVEST REGULATIONS FOR THE 2006 SUBSISTENCE SEASON**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 92

**Completed:**

Reason	Date	FR Cite
Final Action	02/28/06	71 FR 10404
Final Action Effective (subpart C of 50 CFR part 92)	03/30/06	71 FR 10404
Final Action Effective (subpart D of 50 CFR part 92)	04/02/06	
	04/02/2006 - 08/31/2006	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Fred Armstrong  
Phone: 907 786-3887

**RIN:** 1018-AU39

**1638. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; 5-YEAR REVIEW OF FOREIGN SPECIES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	12/20/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marie Maltese  
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**Related RIN:** Related to 1018-AG63

**RIN:** 1018-AU55

BILLING CODE 4310-55-S

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

**Proposed Rule Stage**

**1639. REVISIONS TO RIGHT-OF-WAY REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 462k

**CFR Citation:** 36 CFR 14

**Legal Deadline:** None

**Abstract:** This rule will revise existing regulations relating to the issuance of right-of-way permits across lands and waters under National Park Service administration. The current regulations are outdated. The new regulations will provide a process for the review,

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

## DOI—NPS

## Proposed Rule Stage

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD16**1640. COST RECOVERY FOR SPECIAL PARK USES****Priority:** Other Significant**Legal Authority:** 16 USC 1; 16 USC 462k; 16 USC 9a**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** The National Park Service issues special use permits for activities such as special events, commercial photography, and utility rights-of-way in areas of the National Park System. Processing these permit requests is costly, but the NPS has not instituted a system for cost recovery, as is authorized by law. This rule will establish a procedure to enable the NPS to recover its costs from the permit beneficiaries.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD18**1641. HISTORIC PRESERVATION CERTIFICATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 4702**CFR Citation:** 36 CFR 67**Legal Deadline:** None

**Abstract:** This rule would amend 36 CFR part 67, which governs the

certification of historic structures to receive Federal income tax incentives. This action is necessary so that the rule will more accurately reflect the management structure of the program, clarify the applicable standards of rehabilitation, and more rationally allocate the apportionment of the application fees.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

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

**Agency Contact:** Bryan Mitchell, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 354-2078  
Fax: 202 371-5197  
Email: bryan\_mitchell@nps.gov

**RIN:** 1024-AD24**1642. VESSEL MANAGEMENT IN GLACIER BAY NATIONAL PARK****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 410hh-4**CFR Citation:** 36 CFR 13.65**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/06	71 FR 10940
Final Rule	07/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD25**1643. MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2; 5 USC 301**CFR Citation:** 36 CFR 5**Legal Deadline:** None

**Abstract:** This rule would revise the filming regulations in 43 CFR part 5 and 36 CFR part 5 to implement Public Law 106-206 (May 26, 2000) by: (1) Establishing a reasonable fee for commercial filming activities and similar projects; (2) establishing uniform guidelines for commercial filming permit programs in agencies of the Department of the Interior and the Department of Agriculture; and (3) implementing requirements that agencies respond to applicants for commercial filming or still photography permits in a timely manner.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD30**1644. DISPOSITION OF CULTURALLY IDENTIFIABLE HUMAN REMAINS**

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

**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.11**Legal Deadline:** None

**Abstract:** This rule would establish procedures for the disposition of culturally identifiable human remains in the possession or control of museums or Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

## DOI—NPS

## Proposed Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Tim McKeown,  
National NAGPRA Program officer,  
Department of the Interior, National  
Park Service, 1849 C Street NW.,  
Washington, DC 20240  
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Email: tim\_mckeown@nps.gov

**RIN:** 1024-AD31

#### 1645. BACKCOUNTRY USE RESTRICTIONS AT WUPATKI NATIONAL MONUMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3;  
16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7.94

**Legal Deadline:** None

**Abstract:** This rule will help NPS better manage backcountry areas to protect cultural and natural resources in Wupatki National Monument (NM). It is necessary because of repeated acts of vandalism, including destruction of petroglyph panels, collecting of cultural and natural objects for souvenirs, inappropriate disposal of human waste, off-trail hiking, and littering. These actions have caused severe damage to fragile park resources. Access to these areas would be restricted and permitted only for research, traditional cultural activities, or other well-justified special uses approved by the park superintendent. The need for this rule has been documented in the recently approved General Management Plan (GMP) for Wupatki NM. If the rule is not enacted, this damage will continue and potentially lead to impairment of park resources. The area is currently under an emergency closure.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Jerry L. Case,  
Regulatory Program Manager,  
Department of the Interior, National  
Park Service, 1849 C Street NW, Room  
7241 MIB, Washington, DC 20240  
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Email: jerry\_case@nps.gov

**RIN:** 1024-AD33

#### 1646. OLYMPIC NATIONAL PARK SPECIAL REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1

**CFR Citation:** 36 CFR 7.28

**Legal Deadline:** None

**Abstract:** This rule would make updates to the park's special regulations relating to fishing, protection of forest lands within the park, and conversion of longstanding closures and public use limits into special regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case,  
Regulatory Program Manager,  
Department of the Interior, National  
Park Service, 1849 C Street NW, Room  
7241 MIB, Washington, DC 20240  
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**RIN:** 1024-AD35

#### 1647. ST. CROIX NATIONAL SCENIC RIVER VESSEL SPEED LIMITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3;  
16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would establish vessel speed limits and other water surface use restrictions as recommended in the lower St. Croix Cooperative management plan (2002). This rule would affect only waters in the NPS-managed zone of the River from the north city limits of Stillwater, MN, to Xcel Hydroelectric Dam at St. Croix Falls, WI. Increase in use of this section of the river has led to visitor use conflicts and resource damage. This rule would encourage safe water use, manage visitor conflicts, and mitigate shoreline damage caused by vessel wakes.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/06	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case,  
Regulatory Program Manager,  
Department of the Interior, National  
Park Service, 1849 C Street NW, Room  
7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD36

#### 1648. VOYAGEURS NATIONAL PARK—SPECIAL REGULATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3;  
16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** Prior to the establishment of Voyageurs National Park and continuing through today, the use of motorized boats have been allowed on a limited number of interior lakes approximately 6 that are not road accessible. Snowmobile use on these same lakes is permitted through special regulations. Current regulations prohibit motorboat use on lakes not accessible by a road and therefore a special regulation is needed to allow motor boat use to continue.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case,  
Regulatory Program Manager,  
Department of the Interior, National  
Park Service, 1849 C Street NW, Room  
7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD37

#### 1649. NATIONAL PARK SYSTEM UNITS IN ALASKA

**Priority:** Other Significant

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

**CFR Citation:** 36 CFR 13

## DOI—NPS

## Proposed Rule Stage

**Legal Deadline:** None

**Abstract:** The special regulations for Alaska, 36 CFR part 13, were first adopted in 1981 as “interim guidance.” While individual sections of part 13 have been amended and new sections added since 1981, there had been no comprehensive effort to revise the general and park specific Part 13 regulations until a final rule was published on January 3, 2005. That was Phase I of a comprehensive revision, and this proposed rule is Phase II of the process. Phase II covers a variety of diverse actions such as subsistence use of timber, seaweed collection in Glacier Bay NP, Alek River management issues, ORV use in Dry Bay, fishing closure at Brooks Camp, managing camping and trail use at Kenai Fjords NP, updating definitions, prohibiting motorized vehicles to herd wildlife, and establishing wildlife viewing distances in several park areas. NPS has committed to seek special regulations in areas where they would be appropriate for the effective management of park areas.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD38

**1650. NATIONAL CAPITOL REGION—PARKING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would amend the National Capital Region’s special regulations regarding violations for illegally parked vehicles. The amendment will add a provision addressing parking violations when the vehicle’s driver is absent. Absence of

a provision of this type in the current regulations has resulted in the dismissal of citations and increasing numbers of parking violations. The amendment would create a rebuttable prima facie presumption that the registered owner of an illegally parked vehicle was the person who committed the violation. This is similar to the parking laws of many jurisdictions.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD40

**1651. ● GATEWAY NATIONAL RECREATION AREA, JAMAICA BAY UNIT, PERSONAL WATERCRAFT USE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would designate areas where personal watercraft may operate in the Jamaica Bay Unit of Gateway National Recreation Area.

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/06	71 FR 9495
NPRM Comment Period End	04/25/06	
Final Rule	09/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206

Email: jerry\_case@nps.gov

**RIN:** 1024-AD41

**1652. ● GATEWAY NATIONAL RECREATION AREA, SANDY HOOK UNIT, PERSONAL WATERCRAFT USE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3; 16 USC 460(q); 16 USC 9a; 16 USC 1

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would designate areas where personal watercraft may operate in Gateway National Recreation Area.

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/06	71 FR 9488
NPRM Comment Period End	04/25/06	
Final Rule	09/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD42

**1653. ● MAKING MOTION PICTURES, TELEVISION PRODUCTIONS, OR SOUNDTRACKS ON DEPARTMENT OF THE INTERIOR LANDS**

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

**Legal Authority:** 25 USC 2

**CFR Citation:** 43 CFR 5.1

**Legal Deadline:** None

**Abstract:** The National Park Service (NPS) is revising regulations found at 43 CFR 5.1 establish a reasonable fee for commercial filming activities or similar projects, such as still photography, where a permit is required. Public Law 106-206 directs the Secretaries of the Interior and Agriculture to establish a reasonable fee system for commercial filming and certain still photography activities on lands under the Secretaries’ jurisdiction.



## DOI—NPS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD43**1654. ● OLYMPIC NATIONAL PARK SPECIAL REGULATIONS—CAPE LOOKOUT NATIONAL SEASHORE****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 36 CFR 7.49**Legal Deadline:** None

**Abstract:** The rule will implement the provisions of NPS general regulations authorizing Cape Lookout National Seashore to allow the use of Personal Watercraft (PWC). Personal watercraft use was suspended in April 2002 and will continue to be prohibited until we promulgate a special regulation. This special regulation will allow limited access in well defined areas and under specific operating conditions while operating within Cape Lookout National Seashore.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD44**1655. ● DRY TORTUGAS NATIONAL PARK—SPECIAL REGULATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 410 et seq**CFR Citation:** 36 CFR 7.27**Legal Deadline:** None

**Abstract:** The proposed rule implements Public Law 102-525 (16 U.S.C. 410, et seq.), which established Dry Tortugas National Park and abolished Fort Jefferson National Monument. It also implements provisions for visitor use and resource protection.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240

Phone: 202 208-4206

Email: jerry\_case@nps.gov

**RIN:** 1024-AD45**1656. ● FIRE ISLAND NATIONAL SEASHORE—OFF-ROAD DRIVING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 36 CFR 7.20**Legal Deadline:** None

**Abstract:** The proposed rule would establish standards for eligibility and issuance of driving permits for off-road vehicle operation on Fire Island National Seashore lands. This rule would also establish limits for use such as dates, times of day, and other operational conditions for driving off-road on park lands. This rule is necessary so that the National Park Service may more effectively manage off-road vehicle use and protect park resources.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD46**Department of the Interior (DOI)  
National Park Service (NPS)****Final Rule Stage****1657. GATEWAY NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 9a**CFR Citation:** 36 CFR 7.29**Legal Deadline:** None

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

regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/06	71 FR 9488
Final Rule	06/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AC95

## DOI—NPS

## Final Rule Stage

**1658. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 9a**CFR Citation:** 36 CFR 7.51**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/06	71 FR 13792
NPRM Comment Period End	05/16/06	
Final Rule	07/00/06	

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

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AC99**1659. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT; FUTURE APPLICABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.13**Legal Deadline:** None

**Abstract:** This proposed rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act (NAGPRA). This section will clarify the applicability of NAGPRA to museums and Federal agencies following the statutory deadlines for completion of summaries and inventories.

**Timetable:**

Action	Date	FR Cite
NPRM	10/20/04	69 FR 61613
Final Rule	06/00/06	

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

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

**RIN:** 1024-AD05**1660. BOATING AND WATER USE ACTIVITIES****Priority:** Other Significant**Legal Authority:** 16 USC 3**CFR Citation:** 36 CFR 3**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/26/03	68 FR 51207
NPRM Comment Period End	12/24/03	
Final Action	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD07**1661. NATIVE AMERICAN HANDICRAFTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 5964**CFR Citation:** 36 CFR 51**Legal Deadline:** None

**Abstract:** This rule would implement section 416 of the National Parks

Omnibus Management Act of 1998, which encourages promotion of the sale of authentic United States Indian, Alaska native, Native Samoan, and Native Hawaiian handicrafts in units of the National Park System.

**Timetable:**

Action	Date	FR Cite
NPRM	03/25/04	69 FR 15286
Final Action	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Jo A. Pendry, Concessions Program Manager, Department of the Interior, National Park Service, 1201 I Street NW., Washington, DC 20240  
Phone: 202 513-7156  
Fax: 202 219-1173

**RIN:** 1024-AD20**1662. GULF ISLANDS NATIONAL SEASHORE: PERSONAL WATERCRAFT USE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 462(k)**CFR Citation:** 36 CFR 7.12**Legal Deadline:** None

**Abstract:** This rule would allow personal watercraft use in designated areas of the park. The rule is necessary because the regulations that currently allow personal watercraft use in units of the National Park System expired on April 22, 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/05	70 FR 12988
Final Rule	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW, Room 7241 MIB, Washington, DC 20240  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD21

**Department of the Interior (DOI)**  
**National Park Service (NPS)**
**Completed Actions**
**1663. PICTURED ROCKS NATIONAL LAKESHORE; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 7.32

**Completed:**

Reason	Date	FR Cite
NPRM	11/15/04	69 FR 65556
Final Rule	10/27/05	70 FR 61893

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case

Phone: 202 208-4206

Email: jerry\_\_case@nps.gov

**RIN:** 1024-AC93

**1664. SPECIAL REGULATION FOR DRY TORTUGAS PARK**

**Timetable:**

Action	Date	FR Cite
Duplicate of RIN 1024-AD45	04/12/06	

**RIN:** 1024-AD32

**BILLING CODE** 4310-70-S

**Department of the Interior (DOI)**  
**Bureau of Indian Affairs (BIA)**
**Proposed Rule Stage**
**1665. IRRIGATION PROJECTS AND SYSTEMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 385

**CFR Citation:** 25 CFR 171

**Legal Deadline:** None

**Abstract:** BIA is revising this rule to incorporate new procedures on billing and collection of Government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

**Timetable:**

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35167
NPRM Comment Period End	09/03/96	
Second NPRM	05/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** John Anevski, Civil Engineer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4655 MIB, Washington, DC 20240

Phone: 202 208-5480

**RIN:** 1076-AD44

development and fund essential tribal programs, benefits, and services. BIA plans to revise the regulations in part 290 to include additional criteria to assist the Secretary in making this determination.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 219-4066

**RIN:** 1076-AE24

**Government Levels Affected:** Federal, Local, Tribal

**Agency Contact:** Peter Maybee, Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4550 MIB, Washington, DC 20240

Phone: 202 208-5787

Fax: 202 208-6170

**RIN:** 1076-AE35

**1668. USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 1401 et seq

**CFR Citation:** 25 CFR 87

**Legal Deadline:** None

**Abstract:** This rule will update the existing provisions to reflect the changes to the Indian Judgment Funds Distribution Act that were made in 1992 by Public Law 102-572.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240

Phone: 202 513-7626

Fax: 202 219-2327

**RIN:** 1076-AE43

**1666. TRIBAL REVENUE ALLOCATION PLANS**

**Priority:** Other Significant

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 290

**Legal Deadline:** None

**Abstract:** The Secretary of the Interior is responsible for reviewing tribal plans for allocating revenues from gaming activities. The Secretary must determine whether the proposed rule is sufficient to promote tribal economic

**1667. INDIAN COUNTRY LAW ENFORCEMENT**

**Priority:** Other Significant

**Legal Authority:** 25 USC 2802

**CFR Citation:** 25 CFR 12

**Legal Deadline:** None

**Abstract:** BIA plans to amend its regulation governing law enforcement in Indian country by revising section 12.4 of subpart A and by adding new section 12.24 to subpart C to allow tribal law enforcement officials to travel outside Indian country to respond to incidents in another area and to transport evidence to and from locations in Indian country.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**1669. APPEALS FROM ADMINISTRATIVE ACTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 9

## DOI—BIA

## Proposed Rule Stage

**CFR Citation:** 25 CFR 2**Legal Deadline:** None

**Abstract:** This rule will: (1) Clarify who has a right to file and appeal; (2) provide firm deadlines for filing appeals and responses; (3) provide options to appellants if BIA delays making a decision on an appeal; and (4) provide an expedited process for certain classes of appeals.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Cathy Wilson, Supervisory Water Rights Specialist, Department of the Interior, Bureau of Indian Affairs, 400 North 5th Street, 13th Floor POB 10, MS 420 Two Arizona Center, Phoenix, AZ 85004  
Phone: 602 379-6789  
Fax: 602 379-6835

**RIN:** 1076-AE48**1670. UNCLAIMED MONEYS/WHEREABOUTS UNKNOWN****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301**CFR Citation:** 25 CFR 116**Legal Deadline:** None

**Abstract:** This rule will create one account in the Department to hold Individual Indian Moneys funds of any account holders who cannot be located. It will explain the actions the Department will take to determine the current address of an account holder whose whereabouts are unknown. It will set forth an account holder's duty to inform the Department of a current address. It will authorize the holder of an IIM account whose funds have been transferred to the Unknown Moneys account to make a claim for the transferred funds at any time.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE55**1671. GRAZING PERMITS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 5 USC 301**CFR Citation:** 25 CFR 166**Legal Deadline:** None

**Abstract:** This rule will amend the procedures the BIA uses to approve, grant, and administer permits for grazing on tribal land, individually owned Indian land, and Government land.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE57**1672. PROBATE OF INDIAN ESTATES, EXCEPT FOR MEMBERS OF THE FIVE CIVILIZED TRIBES****Priority:** Substantive, Nonsignificant

**Legal Authority:** 36 Stat 856, as amended; secs 1, 2, 36 Stat 855, as amended

**CFR Citation:** 25 CFR 15**Legal Deadline:** None

**Abstract:** This rule will amend the procedures that the Secretary follows to initiate the probate of the trust estate of a deceased individual Indian who owned trust or restricted property.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE59**1673. TRIBAL PROBATE CODES****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2201 – 2211**CFR Citation:** 25 CFR 18**Legal Deadline:** None

**Abstract:** This rule will establish procedures for a tribe to obtain the Secretary's approval for a tribal probate code.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE61**1674. LAND ACQUISITION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; RS 161**CFR Citation:** 25 CFR 151; 25 CFR 226**Legal Deadline:** None

**Abstract:** This rule would address the procedures for and criteria against which the Secretary will accept acquisitions of land into trust or restricted status on behalf of an individual Indian or tribe.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No

## DOI—BIA

## Proposed Rule Stage

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE62

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**1675. CONVEYANCES OF TRUST OR RESTRICTED INDIAN LAND; REMOVAL OF TRUST OR RESTRICTED STATUS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 118 Stat 1773; 5 USC 301; 96 Stat 2515; RS 161

**CFR Citation:** 25 CFR 152

**Legal Deadline:** None

**Abstract:** This rule would implement conveyances authorized by the Indian Land Consolidation Act of 2000, as amended by the American Indian probate Reform Act of 2004.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE63

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**1676. LIFE ESTATES AND FUTURE INTERESTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2; 25 USC 2201 – 2211; 25 USC 372; 25 USC 373; 25 USC 487; 25 USC 607; 25 USC 9; 94 Stat 2515; 96 Stat 530

**CFR Citation:** 25 CFR 179

**Legal Deadline:** None

**Abstract:** This rule would update the methodology for valuation of life estates and future interests and reflect requirements under the American Indian Probate Reform Act that certain life estates be “without regard to waste.”

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE64

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**1677. TRUST FUND ACCOUNTING AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 116 Stat 79; 25 USC 9; 5 USC 553; PL 103-412; PL 107-153

**CFR Citation:** 25 CFR 116

**Legal Deadline:** None

**Abstract:** This rule would define the administrative review and appeal process for any issues arising from quarterly statements of performance or historical statements of account.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE65

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**1678. FEE FOR SERVICE**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 35 Stat 312

**CFR Citation:** 25 CFR 213

**Legal Deadline:** None

**Abstract:** This rule will amend procedures to acquire leases, establish rent and royalty rates, ensure

environmentally sound operations, and remove restrictions against alienation on Indian lands.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE66

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**1679. LAW AND ORDER ON INDIAN RESERVATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 13; 25 USC 2; 25 USC 200; 25 USC 9; 28 Stat 586; 42 Stat 208; 5 USC 301; RS 463; RS 465

**CFR Citation:** 25 CFR 11

**Legal Deadline:** None

**Abstract:** This rule would update the listing of Courts of Indian Offenses (CFR Courts) and add provisions for drug abuse, child abuse, and family violence.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Ralph Gonzales, Tribal Relations Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Ave. NW., Washington, DC 20240

Phone: 202 513-7629

Fax: 202 208-5113

**RIN:** 1076-AE67

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**1680. PROBATE OF INDIAN ESTATES—APPEALS TO THE OFFICE OF HEARINGS AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 36 Stat 855 to 856, as amended

**CFR Citation:** 25 CFR 4

## DOI—BIA

## Proposed Rule Stage

**Legal Deadline:** None

**Abstract:** This rule will establish procedures to appeal Indian probate matters to the Office of Hearings and Appeals

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240  
Phone: 202 273-4680

**RIN:** 1076-AE71

### 1681. LEASES AND PERMITS

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 162

**Legal Deadline:** None

**Abstract:** This rule will establish procedures for entering into business leases on Indian and Government lands.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240  
Phone: 202 273-4680

**RIN:** 1076-AE73

### 1682. INDIAN COUNTRY DETENTION FACILITIES AND PROGRAMS

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** This action may affect the private sector under PL 104-4.

**Legal Authority:** 25 USC 2801

**CFR Citation:** 25 CFR 10

**Legal Deadline:** None

**Abstract:** The Bureau of Indian Affairs is amending its regulations to make clear the Bureau's intent and policy regarding detention centers in Indian country throughout the United States. This action will affect Federal officers who engage in activities throughout the country; therefore, the information must be widely disseminated and universally recognized, a regulatory amendment is the best action for the Bureau to accomplish these goals.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Peter Maybee, Division of Law Enforcement, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4550 MIB, Washington, DC 20240  
Phone: 202 208-5787  
Fax: 202 208-6170

**RIN:** 1076-AE75

### 1683. PREFERENCE IN EMPLOYMENT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 43; 25 USC 44; 5 USC 8336

**CFR Citation:** 25 CFR 5

**Legal Deadline:** None

**Abstract:** The Bureau of Indian Affairs is proposing to revise the preference in employment regulations by clarifying the application of Indian preference within the Bureau of Indian Affairs and other organizations within the Department of the Interior. This revision will be consistent with the regulation for the application of Indian preference for the Indian Health Service found at 43 CFR 136.41.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Elizabeth Colliflower, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20240

Phone: 202 513-7612

Fax: 202 208-5113

**RIN:** 1076-AE76

### 1684. REVISION OF THE MEMBERSHIP ROLL OF THE EASTERN BAND OF CHEROKEE OF NORTH CAROLINA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 71 Stat 374, sec 2

**CFR Citation:** 25 CFR 75

**Legal Deadline:** None

**Abstract:** The Eastern Band of Cherokee Indians has asked that the regulations in part 75 be removed because the Federal Government is not involved in the tribe's enrollment process. The enrollment applications are filed with the Tribal Enrollment Office, the Tribal Enrollment Committee determines an applicant's eligibility, and the Tribal Council decides any appeals concerning adverse determinations made by the Tribal Enrollment Committee.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 513-7626  
Fax: 202 219-2327

**RIN:** 1076-AE77

### 1685. OIL AND GAS, GEOTHERMAL, AND SOLID MINERALS AGREEMENTS

**Priority:** Info./Admin./Other

**Legal Authority:** 25 USC 2; 25 USC 2101 to 2108; 25 USC 9

**CFR Citation:** 25 CFR 225

**Legal Deadline:** None

**Abstract:** This rule will be a technical, administrative change to clarify the entire subchapter regarding energy and minerals.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

## DOI—BIA

## Proposed Rule Stage

**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE79**1686. • TRIBAL ENERGY RESOURCE AGREEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 109-58**CFR Citation:** 25 CFR 224**Legal Deadline:** None**Abstract:** This rule would implement title V, section 503 (Indian Energy), of the Energy Policy Act of 2005, which requires the Secretary to establish and implement an Indian energy resource development program.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Darryl Francois, Office of Indian Energy and Economic Development, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-7253**RIN:** 1076-AE80

## Department of the Interior (DOI)

## Final Rule Stage

## Bureau of Indian Affairs (BIA)

**1687. ALASKA RESUPPLY OPERATION****Priority:** Info./Admin./Other**Legal Authority:** R.S. 465**CFR Citation:** 25 CFR 142**Legal Deadline:** None**Abstract:** This proposed rule makes technical revisions to reflect terms now in common usage, e.g., "Regional Director" and "Traffic Manager." A new section refers to the application of Indian preference in hiring pursuant to the Indian Reorganization Act of 1934 (25 USC 479).**Timetable:**

Action	Date	FR Cite
NPRM	08/03/00	65 FR 47704
NPRM Comment Period End	10/02/00	
Final Action	05/00/06	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Duncan Brown, Regulatory Analyst, Department of the Interior, Bureau of Indian Affairs, Room 7229 MIB 1849 C Street NW, Washington, DC 20240

Phone: 202 208-4582

Fax: 202 219-2100

Email: duncan\_l\_brown@ios.doi.gov

**RIN:** 1076-AE04**1688. LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS****Priority:** Other Significant**Legal Authority:** 25 USC 635**CFR Citation:** 25 CFR 162**Legal Deadline:** None**Abstract:** BIA plans to amend its regulations governing leasing of Indian trust and restricted lands by revising subpart A and by adding subpart C and D covering residential leases and business leases on trust and restricted land.**Timetable:**

Action	Date	FR Cite
NPRM	02/10/04	69 FR 6500
NPRM Comment Period End	05/10/04	
Final Action	06/00/06	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Kayla Danks, Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW. MS 4639-MIB, Washington, DC 20240

Phone: 202 208-3615

Fax: 202 219-1065

**RIN:** 1076-AE36**1689. PREPARATION OF ROLLS OF INDIANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2; 25 USC 9; 5 USC 301**CFR Citation:** 25 CFR 61**Legal Deadline:** None**Abstract:** This rule will add the enrollment eligibility criteria for individuals who apply to share in the distribution of Western Shoshone Judgment funds. It will also set forth the method for establishing an application deadline date.**Timetable:**

Action	Date	FR Cite
NPRM	05/19/05	70 FR 28859
Comment Period End	07/18/05	
Final Action	05/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 513-7626  
Fax: 202 219-2327**RIN:** 1076-AE44**1690. HOME-LIVING PROGRAMS AND SCHOOL CLOSURE AND CONSOLIDATION****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-110

DOI—BIA

Final Rule Stage

**CFR Citation:** 25 CFR 36; 25 CFR 48  
**Legal Deadline:** None  
**Abstract:** As required by the No Child Left Behind Act of 2001, the Secretary of the Interior has developed regulations using negotiated rulemaking that address home-living programs and school closure and consolidation. The provisions covering home-living situations address home-living staffing, programs, and privacy. The closure and

consolidation portion of the rule contains procedures for closing, consolidating, or substantially curtailing a school.

**Timetable:**

Action	Date	FR Cite
NPRM	07/12/04	69 FR 41770
NPRM Comment Period End	11/09/04	
Final Action	07/00/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Catherine Freels, Designated Federal Official, Department of the Interior, Bureau of Indian Affairs, 500 Gold Ave. SW. Room 7202, Albuquerque, NM 87102  
 Phone: 505 248-7240

**RIN:** 1076-AE51

Department of the Interior (DOI)  
 Bureau of Indian Affairs (BIA)

Long-Term Actions

**1691. CERTIFICATES OF DEGREE OF INDIAN BLOOD**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 9

**CFR Citation:** 25 CFR 70

**Legal Deadline:** None

**Abstract:** This rule will codify procedures for processing certificates of degree of Indian blood.

**Timetable:**

Action	Date	FR Cite
NPRM	04/18/00	65 FR 20775
NPRM Comment Period Extended	06/20/00	65 FR 38228
NPRM Comment Period End	07/17/00	
NPRM Comment Period Extended	08/16/00	
NPRM Comment Period Extended	06/25/01	66 FR 33654

Action	Date	FR Cite
NPRM Comment Period End	12/31/01	
NPRM	07/00/07	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
 Phone: 202 513-7626  
 Fax: 202 219-2327

**RIN:** 1076-AD97

**1692. STANDARDS FOR APPROVING TRIBAL PER CAPITA DISTRIBUTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 117c

**CFR Citation:** 25 CFR 111

**Legal Deadline:** None

**Abstract:** This rule will provide standards for the review and approval of tribal requests for the authority to make per capita distributions from tribal funds held in trust by the Secretary of the Interior under Public Law 98-164, 25 U.S.C. 117a and 117b.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
 Phone: 202 513-7626  
 Fax: 202 219-2327

**RIN:** 1076-AE45

Department of the Interior (DOI)  
 Bureau of Indian Affairs (BIA)

Completed Actions

**1693. INDIAN ELECTRIC POWER UTILITIES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 175

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Anevski

Phone: 202 208-5480

**RIN:** 1076-AD45

**1694. REINDEER IN ALASKA**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 243

**Completed:**

Reason	Date	FR Cite
NPRM	03/11/04	69 FR 11784
Final Action	01/13/06	71 FR 2426

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kathy Nunan  
 Phone: 202 208-3615  
 Fax: 202 219-1065

**RIN:** 1076-AE37

**1695. PROCLAMATION OF RESERVATIONS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** None

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	



## DOI—BIA

## Completed Actions

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kathy Nunan

Phone: 202 208-3615

Fax: 202 219-1065

**RIN:** 1076-AE40**1696. LEASING OF TRIBAL LANDS FOR MINERAL DEVELOPMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 211**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer

Phone: 202 273-4680

**RIN:** 1076-AE68**1697. TERMS AND CONDITIONS:****COAL LEASES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 200**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer

Phone: 202 273-4680

**RIN:** 1076-AE69**1698. DEPOSIT OF PROCEEDS FROM LANDS WITHDRAWN FOR NATIVE SELECTION****Priority:** Info./Admin./Other**CFR Citation:** 25 CFR 124**Completed:**

Reason	Date	FR Cite
Final Action	07/14/05	70 FR 40660

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Lorie Curtis

Phone: 505 816-1203

**RIN:** 1076-AE74**1699. MANAGEMENT OF TRIBAL ASSETS OF THE UTE INDIAN TRIBE****Priority:** Info./Admin./Other**CFR Citation:** 25 CFR 217**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michele Singer

Phone: 202 273-4680

**RIN:** 1076-AE78**BILLING CODE** 4310-02-S

## Department of the Interior (DOI)

## Prerule Stage

## Minerals Management Service (MMS)

**1700. TAKES VS. ENTITLEMENTS REPORTING****Priority:** Other Significant**Legal Authority:** 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 5 USC 301 et seq**CFR Citation:** 30 CFR 205**Legal Deadline:** None**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.**Timetable:**

Action	Date	FR Cite
ANPRM	11/29/05	70 FR 71421
2nd ANPRM	04/07/06	71 FR 17774
ANPRM Comment Period End	06/06/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Local, State**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC29**1701. REQUIREMENTS FOR MATERIAL, PERSONNEL AND PIPE HANDLING OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 30 CFR 250.108**Legal Deadline:** None**Abstract:** MMS is seeking comments on various approaches to regulating operations involving the movement of material, personnel, and pipe on the Outer Continental Shelf (OCS) facilities. MMS is examining several regulatory approaches because material,

personnel, and pipe handling incidents continue to occur on the OCS on a regular basis. Responses to this request will help MMS establish an appropriate regulatory approach for improving the safety of these operations.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170-4817

Phone: 703 787-1032

Email: rules.comments@mms.gov

**RIN:** 1010-AD14

## DOI—MMS

## Prerule Stage

**1702. SAFETY MANAGEMENT SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** MMS is seeking comments on regulatory options for the development of safety and environmental management systems (SEMS) for operations conducted on the Outer Continental Shelf (OCS) under MMS jurisdiction. The options range from voluntary implementation to establishment of a 12-element program. MMS believes that effective use of SEMS would improve safety and environmental performance on the OCS. Comments on the options will help MMS determine the best approach for integrating SEMS into its regulatory program.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local

**Agency Contact:** Bud Danenberger, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170  
Phone: 703 787-1598

**RIN:** 1010-AD15**1703. REDUCTION IN OIL AND GAS ROYALTY RATES IN THE OUTER CONTINENTAL SHELF UNDER THE DEEP WATER ROYALTY RELIEF ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 30 CFR 203; 30 CFR 260**Legal Deadline:** None

**Abstract:** Currently MMS regulations state that a lease is not entitled to royalty suspension volume (RSV) if the lease is in a field that included a lease that produced before Deep Water Royalty Relief Act. A recent court

decision held that MMS had no authority to deny royalty relief based on those circumstances. Also, where an eligible lease was placed on a field with other eligible leases, MMS regulations require that all eligible leases share the one RSV. The court held MMS has no authority to impose this restriction. Rulemaking is necessary to conform the regulations to the court decision.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD29**Department of the Interior (DOI)  
Minerals Management Service (MMS)****Proposed Rule Stage****1704. LATE AND OVERPAYMENT INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 et seq**CFR Citation:** 30 CFR 206; 30 CFR 218; 30 CFR 230**Legal Deadline:** None

**Abstract:** This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department

of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC27**1705. PREPAYMENT OF ROYALTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735**CFR Citation:** 30 CFR 204**Legal Deadline:** None

**Abstract:** This rule allows payors to prepay royalty in lieu of monthly royalty payments for their marginal properties with approval from the affected States. It will establish the criteria used by payors, States, and MMS to calculate, report, and monitor royalty prepayments.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	
NPRM Comment Period End	08/00/07	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC31**1706. END-OF-LIFE ROYALTY RELIEF****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396 et seq**CFR Citation:** 30 CFR 203**Legal Deadline:** None

**Abstract:** This rule proposes to amend the circumstances that discontinue the existing royalty relief for end-of-life oil and gas leases and expands the eligibility criteria for leases to qualify for this program.

## DOI—MMS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	
NPRM Comment Period End	08/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC58**1707. VALUATION OF OIL FROM INDIAN LEASES****Priority:** Other Significant

**Legal Authority:** 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1701 et seq

**CFR Citation:** 30 CFR 206**Legal Deadline:** None

**Abstract:** This rule would modify the regulations that establish royalty value for oil produced from Indian leases and create a new form for collecting value and differential data. These changes would decrease reliance on oil posted prices and make Indian oil royalty valuation more consistent with the terms of Indian leases.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/20/95	60 FR 65610
NPRM	02/12/98	63 FR 7089
NPRM Comment Period Extended	04/09/98	
NPRM Comment Period End	05/13/98	
Comment Period Extended to 03/20/2000	02/28/00	65 FR 10436
Supplemental NPRM	06/00/06	
Supplemental NPRM Comment Period End	08/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Tribal

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211

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Email: sharron.gebhardt@mms.gov

**Related RIN:** Previously reported as 1010-AC24

**RIN:** 1010-AD00**1708. REDUCTION TO ROYALTY RELIEF IN SPECIAL CIRCUMSTANCES****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 203**Legal Deadline:** None

**Abstract:** The recently published final rule 1010-AC71 created a process for certain leases (those that are inadequately helped by our formal relief systems) to seek special royalty relief. However overly restrictive eligibility criteria may exclude some leases that fulfill statutory purposes while redundant criteria may include other leases that do not fit statutory purposes. This rule would refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	
NPRM Comment Period End	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD02**1709. LEASING OF SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF****Priority:** Other Significant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rulemaking will rewrite the existing rules at 30 CFR part 256 to make them clearer. The rule has been reorganized and streamlined to

better reflect the 5-year and lease sale processes as they have evolved since the last rewrite in the 1980's. There are few substantive changes to the rule.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/06	
NPRM Comment Period End	09/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:**

Undetermined

**Agency Contact:** Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 22070  
Phone: 703 787-1275

**RIN:** 1010-AD06**1710. PIPELINE SAFETY RULE PHASE I****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1331 et seq**CFR Citation:** 30 CFR 250; 43 USC 1331 et seq**Legal Deadline:** None

**Abstract:** Subpart J Safety regulations are 20 years old and technically and administratively out of date with MMS policies, practices, and safety requirements issued elsewhere in regional notices to lessees (NTLs) and letters to lessees (LTLs). This proposed rule is the first phase of a planned two-phase update of the regulations. This phase I will incorporate the NTLs and LTLs and give the requirements the force and weight of law. Additionally, the rule will be rewritten and reformatted for added clarity and will incorporate several new pipeline design standards to technically update the design information included in the current regulation.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

## DOI—MMS

## Proposed Rule Stage

Phone: 703 787-1604  
 Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov  
**RIN:** 1010-AD11

**1711. OIL AND GAS PRODUCTION RATES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would amend provisions regarding oil and natural gas production. This is a complete rewrite of that section and addresses issues such as production rates and burning oil and flaring and venting natural gas. Currently there are restrictions on production rates that are no longer needed and the limits on flaring and venting natural gas are open to interpretation. The proposed rule would eliminate most restrictions on production rates and clarify flaring and venting limits.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	
NPRM Comment Period End	07/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1604  
 Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov

**RIN:** 1010-AD12

**1712. RIGHTS OF USE AND EASEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule would extend existing bonding requirements of Rights of Use and Easement holders to cover decommissioning. Most Rights of Use and Easement holders need bonding to cover their obligations, so this will not increase the cost for them. This rule

changes the length of time that the bond must be kept in place. The other changes clarify existing provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	
NPRM Comment Period End	11/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
 Phone: 703 787-1604  
 Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov

**RIN:** 1010-AD13

**1713. OPEN AND NONDISCRIMINATORY MOVEMENT OF OIL AND GAS AS REQUIRED BY THE OUTER CONTINENTAL SHELF LANDS ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1863

**CFR Citation:** 30 CFR 270

**Legal Deadline:** None

**Abstract:** The Outer Continental Shelf Lands Act (OCSLA) requires pipelines to provide open and non-discriminatory access to shippers of production. The Federal Energy Regulatory Commission (FERC) has historically enforced this provision through its enforcement of the Natural Gas Act (NGA) and the Interstate Commerce Act. Beginning in the 1990s, FERC began relinquishing NGA jurisdiction over some of these pipelines. FERC contended it still maintained authority under OCSLA, however, the Courts have ruled otherwise. In order to provide shippers with a methodology to file complaints alleging denial of access or discriminatory access, MMS is proposing regulations to fill this regulatory gap.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Scott Ellis, Department of the Interior, Minerals Management Service, P.O. Box 25165, Denver, CO 80225  
 Phone: 303 275-7125

**RIN:** 1010-AD17

**1714. REVISIONS TO RULES GOVERNING PLATFORMS AND STRUCTURES AND PIPELINES**

**Priority:** Other Significant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The proposed revisions are necessary because of aging OCS infrastructure and the movement of OCS facilities into deeper waters through the use of new technology. These proposed revisions would require lease operators and pipeline right-of-way holders to: (1) Submit information on the structural integrity of their OCS platforms; (2) submit an inspection program to MMS yearly; (3) provide additional information if they propose using unbonded flexible pipe or install pipeline risers on floating platforms. The proposed rule, at the request of industry, incorporates an industry-developed document into our regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Larry Ake, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20070  
 Phone: 703 787-1567

**RIN:** 1010-AD18

**1715. OIL AND GAS WELL CEMENTING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 250.198; 30 CFR 250.415

**Legal Deadline:** None

**Abstract:** MMS is proposing to incorporate by reference the First Edition of the American Petroleum Institute's Recommended Practice for

## DOI—MMS

## Proposed Rule Stage

Cementing Shallow Water Flow Zones in Deep Water Wells (API RP 65) into its regulations. This action will establish a series of best cementing practices for lessees to evaluate when cementing wells in deep water areas of the OCS that are prone to shallow water flow.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170-4817  
Phone: 703 787-1032  
Email: rules.comments@mms.gov

**RIN:** 1010-AD19

**1716. REPORTING AMENDMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189; 30 USC 190; 30 USC 359; 31 USC 3716; 43 USC 1334; 44 USC 3505(a); 5 USC 301 et seq

**CFR Citation:** 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218

**Legal Deadline:** None

**Abstract:** This rule would amend current reporting requirements to delete references to old reports, designations, systems, and codes; and add new ones as needed, including taxpayer identification number reporting required by the Debt Collection Improvement Act. It will also change the definition of individual in the Privacy Act regulations to be consistent with congressional intent. MMS faces substantial risk if it does not provide regulatory authority for the current reporting scheme.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department

of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AD20

**1717. ALTERNATE ENERGY-RELATED USES ON THE OUTER CONTINENTAL SHELF**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 285

**Legal Deadline:** None

**Abstract:** This rulemaking is required by section 388 of the Energy Policy Act of 2005. This rule will establish a cohesive Federal permitting process for alternate energy-related uses on the Outer Continental Shelf (OCS), including renewable energy development, and for alternate uses of existing OCS platforms. It will establish procedures for revenue sharing with affected States and granting access to the OCS for alternate energy-related uses.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/30/05	70 FR 77345
NPRM	08/00/06	
NPRM Comment	10/00/06	
Period End		

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal, State

**Agency Contact:** Amy White, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170  
Phone: 703 787-1536

**RIN:** 1010-AD30

**1718. • GEOTHERMAL VALUATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 202; 30 CFR 206; 30 CFR 210; 30 CFR 212

**Legal Deadline:** None

**Abstract:** The current MMS regulations for geothermal valuation and reporting must be changed to implement the

recently passed Energy Policy Act of 2005. The Energy Policy Act of 2005 changes the methodology for geothermal valuation and simplifies the calculations for geothermal resources, for both direct use and electrical-generation purposes

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	
Final Rule	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

Fax: 303 231-3385

Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AD32

**1719. • DEEP GAS AND OFFSHORE ALASKA PROVISIONS**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** PL 109-190

**CFR Citation:** 30 CFR 203

**Legal Deadline:** Final, Statutory, February 3, 2006.

**Abstract:** This rule implements three new royalty relief incentives specified by the Energy Policy Act of 2005 (PL 109-190). The new incentives are: (1) A royalty suspension volume of 35 BCF for gas produced from ultra deep (20,000 feet or more subsea) reservoirs on shallow water leases in the Gulf of Mexico; (2) Extension of at least the existing deep gas incentives plus the new ultra deep gas incentive to leases in the Gulf located in water depths between 200 and 400 meters of water; and (3) Provision of pre-production royalty relief to leases offshore Alaska when it is necessary to promote development, increased production, or production of marginal resources.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	
NPRM Comment	08/00/06	
Period End		
Final Rule	10/00/06	

## DOI—MMS

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD33**1720. • REVENUE SHARING FOR ALTERNATIVE USES ON THE OUTER CONTINENTAL SHELF****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** PL 109-190**CFR Citation:** 30 CFR 285**Legal Deadline:** None

**Abstract:** This rule implements section 338(a)(2)(B) of the Energy Policy Act of 2005. The law requires DOI (MMS) to establish a formula for equitable distribution of 8(g) revenue (27% of Federal royalties) among States within

15 miles of the geographic center of a project for alternative energy projects.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	
NPRM Comment Period End	07/00/06	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Marshall B. Rose, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1536  
Fax: 703 787-1141  
Email: marshall.rose@mms.gov

**RIN:** 1010-AD34**1721. • DEBT COLLECTION****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 89-508**CFR Citation:** 30 CFR 218**Legal Deadline:** None

**Abstract:** Current regulations do not contain a debt collection rule as

required by the Federal Claims Collection Act of 1966 (Pub. L. 89-508, 80 Stat. 308), as amended by the Debt Collection Act of 1982 and the Debt Collection Improvement Act of 1996 (Pub. L. 104-134, 110 Stat. 1321), and the Collection Standards (31 CFR Ch. IX) established jointly by Departments of Treasury and Justice. This rulemaking will satisfy the regulatory requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AD35
**Department of the Interior (DOI)  
Minerals Management Service (MMS)**

## Final Rule Stage

**1722. INCIDENT REPORTING****Priority:** Other Significant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** There continues to be rapid growth in offshore exploration and production activities in the Gulf of Mexico. Since safety is our top priority, we must upgrade our accident investigation functions. To do this we need accurate and timely information. This rule is the only way to require operators, lessees, and permit holders in the Outer Continental Shelf (OCS) to give us a written report about each OCS accident. It will also establish clearer guidelines for accident reporting thresholds and timing.

**Timetable:**

Action	Date	FR Cite
NPRM	07/08/03	68 FR 40585
NPRM Comment Period End	12/05/03	

Action	Date	FR Cite
Final Action Effective	05/00/06	
Final Action	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC57**1723. PROPRIETARY TERMS AND DATA DISCLOSURE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250; 30 CFR 251**Legal Deadline:** None

**Abstract:** This rule would modify the proprietary terms for geophysical data and information and any of their derivatives that MMS acquires under 30 CFR part 251. We propose to change the beginning of the proprietary terms from the date of submission to MMS to the date MMS issues the permit. The rule would also allow selective disclosure of geological and geophysical data and information and allow selective disclosure of data and information generated on a lease to persons with a direct interest in issues concerning field determination and royalty relief eligibility.

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/02	67 FR 46942
NPRM Comment Period End	09/18/02	
Final Action	03/30/06	71 FR 116033
Final Action Effective	05/01/06	

## DOI—MMS

## Final Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC81**1724. DATA RELEASE AND DEFINITIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250 subpart A**Legal Deadline:** None

**Abstract:** This rule would amend 30 CFR part 250 subpart A by adding a new definition revising the existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new section pertaining to notifying MMS on production status. We are reorganizing the forms data release table and adding entries for three new forms.

**Timetable:**

Action	Date	FR Cite
NPRM	03/23/05	70 FR 14607
NPRM Comment Period End	06/21/05	
Final Rule	05/00/06	
Final Rule Effective	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC99**1725. PROTECTION OF MARINE MAMMALS AND ENDANGERED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule would revise subpart B to require lessees to provide

information on the requirements of the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). It identifies environmental, monitoring, and mitigation information that lessees must submit with exploration and development and production. The proposed rule would ensure that lessees conduct their activities in a manner consistent with the provisions of the ESA and MMPA.

**Timetable:**

Action	Date	FR Cite
NPRM	07/06/05	70 FR 52953
NPRM Comment Period End	11/07/05	
Final Rule	07/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD10**1726. PROVIDING CONTACT INFORMATION TO MMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 396; 30 USC 189; 31 USC 3176; 43 USC 1334; 44 USC 3506(a); 5 USC 301 et seq**CFR Citation:** 30 CFR 290**Legal Deadline:** None

**Abstract:** MMS needs to amend its current regulations to reflect updated procedures for businesses to use when supplying MMS with their contact information. Because the existing rule contains obsolete procedures, MMS is not receiving updated contact information that it needs to be able to send important correspondence to companies. This rule will put a small burden on industry to complete an address/contact form on an as-needed basis. The form will be made available to industry by request or via the MMS website.

**Timetable:**

Action	Date	FR Cite
Final Rule	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211  
Phone: 303 231-3211  
Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AD22**1727. COST RECOVERY FOR PLANS, PERMITS, AND INSPECTIONS FOR OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 9701**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** The Independent Office Appropriations Act of 1952 (31 U.S.C. 9701) established that government services should be self-sustaining to the extent possible. This Act authorized Government agencies to charge fairly for these services, based on the costs to the Government, the value of the service to the recipient, public policy, and other relevant facts. MMS incurs costs for various services it provides to the oil and gas industry operating in the Outer Continental Shelf (OCS). This rule would enable MMS to recover these costs, which may include filing fees for geological and geophysical permits, exploration and development plans, deep water operations plans, well permits, facility permits, and structure permits. MMS currently does not charge for these services. Rulemaking is the only method available to impose these fees and comply with the intent of Congress to recover Government costs.

This is a separate rulemaking from the proposed rule for cost recovery (RIN 1010-AD16), which proposes fees for different services.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/25/05	70 FR 15246
ANPRM Comment Period End	04/25/05	
NPRM	11/14/05	70 FR 69118
Final Rule	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No

## DOI—MMS

## Final Rule Stage

**Government Levels Affected:** State  
**Agency Contact:** Angela Mazzullo,  
 Department of the Interior, Minerals  
 Management Service, 381 Eldon Street,  
 Herndon, VA 20170  
 Phone: 703 787-1691  
**RIN:** 1010-AD23

### 1728. DOCUMENTS INCORPORATED BY REFERENCE FOR OIL AND GAS AND SULPHUR OPERATIONS

**Priority:** Substantive, Nonsignificant.  
 Major status under 5 USC 801 is  
 undetermined.

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule incorporates the  
 new editions of 11 American Petroleum  
 Institute documents and 9 measurement  
 standards. All of these documents are  
 currently incorporated by reference in  
 regulations governing oil and gas and  
 sulfur operations in the OCS.

Additionally, the final rule incorporates  
 the reaffirmed edition of 27  
 measurement documents currently  
 incorporated by reference. MMS looked  
 at the non-rule-making alternative of  
 taking no action. This rule is important  
 because it will provide the oil and gas  
 industry with uniform guidelines and  
 up-to-date requirements for design,  
 construction, operation, and

maintenance of equipment OCS  
 facilities.

**Timetable:**

Action	Date	FR Cite
Final Rule	05/00/06	

**Regulatory Flexibility Analysis  
 Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Wilbon A. Rhone,  
 Department of the Interior, Minerals  
 Management Service, 381 Eldon Street,  
 Herndon, VA 20170  
 Phone: 703 787-1587

**RIN:** 1010-AD24

### Department of the Interior (DOI) Minerals Management Service (MMS)

### Long-Term Actions

### 1729. FEDERAL SODIUM AND POTASSIUM VALUATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** Not Yet Determined

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** This rule will: (1) Create  
 valuation rules for sodium and  
 potassium minerals, which are  
 currently subject to generic regulations

governing solid minerals; (2) make  
 existing rules more specific and clear.  
 This rule would affect all lessees  
 because they would have to comply  
 when computing Federal production  
 royalties.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/07	

**Regulatory Flexibility Analysis  
 Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt,  
 Lead Regulatory Specialist, Department  
 of the Interior, Minerals Management  
 Service, MS 302B2, P.O. Box 25165,  
 Denver, CO 80225-3211  
 Phone: 303 231-3211  
 Fax: 303 231-3385  
 Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AD21

### Department of the Interior (DOI) Minerals Management Service (MMS)

### Completed Actions

### 1730. PLANS AND INFORMATION

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 250; 30 CFR 250

**Completed:**

Reason	Date	FR Cite
NPRM	05/17/02	67 FR 35372
Comment Period Extended	12/13/02	67 FR 46616
Final Action	08/30/05	70 FR 51478
Final Action Effective	01/01/06	

**Regulatory Flexibility Analysis  
 Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
 Phone: 703 787-1604  
 Fax: 703 787-1093

Email: kumkum.ray@mms.gov

**RIN:** 1010-AC47

### 1731. BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 250

**Completed:**

Reason	Date	FR Cite
Final Action	03/07/06	71 FR 11310
Final Action Effective	04/06/06	

**Regulatory Flexibility Analysis  
 Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
 Phone: 703 787-1604

Fax: 703 787-1093

Email: kumkum.ray@mms.gov

**RIN:** 1010-AC96

### 1732. SUSPENSION OF OPERATIONS FOR ULTRA-DEEP DRILLING

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 30 CFR 250

**Completed:**

Reason	Date	FR Cite
NPRM	02/14/05	70 FR 7451
Final Rule	12/16/05	70 FR 74659

**Regulatory Flexibility Analysis  
 Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
 Phone: 703 787-1604



## DOI—MMS

## Completed Actions

Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov  
 RIN: 1010-AD09

### 1733. ADMINISTRATIVE COST RECOVERY FOR OCS OIL AND GAS OPERATIONS

**Priority:** Other Significant  
**CFR Citation:** 30 CFR 250

**Completed:**

Reason	Date	FR Cite
Final Action	08/25/05	70 FR 49871
Final Rule Effective	01/06/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Angela Mazzullo  
 Phone: 703 787-1691

RIN: 1010-AD16

### 1734. REDUCTION IN OIL AND GAS ROYALTY RATES IN THE OUTER CONTINENTAL SHELF UNDER THE DEEP WATER ROYALTY RELIEF ACT

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 30 CFR 203; 30 CFR 260

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Marshall B. Rose  
 Phone: 703 787-1536

Fax: 703 787-1141  
 Email: marshall.rose@mms.gov

RIN: 1010-AD25

### 1735. TEMPORARY WAIVER OF OCS OIL AND GAS FEES

**Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	10/27/05	70 FR 61891

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt  
 Phone: 303 231-3211

Fax: 303 231-3385  
 Email: sharron.gebhardt@mms.gov

RIN: 1010-AD27

### 1736. RELIEF OR REDUCTION IN ROYALTY RATES—NEW DEEP GAS AND OFFSHORE ALASKA PROVISIONS

**Priority:** Other Significant**CFR Citation:** 30 CFR 203**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray  
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Fax: 703 787-1093  
 Email: kumkum.ray@mms.gov

RIN: 1010-AD31

BILLING CODE 4310-MR-S

## Department of the Interior (DOI)

## Proposed Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

### 1737. ABANDONED COAL REFUSE SITES

**Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 786; 30 CFR 829;  
 30 CFR 701

**Legal Deadline:** None

**Abstract:** OSM intends to propose new rules governing permitting and performance standards for the recovery of coal from abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis****Required:** No

**Government Levels Affected:**  
 Undetermined

**Agency Contact:** Art Abbs,  
 Birmingham Field Office Director,  
 Department of the Interior, Office of  
 Surface Mining Reclamation and  
 Enforcement, 135 Gemini Circle, Suite  
 215, Homewood, AL 35209

Phone: 205 290-7282  
 Email: aabs@osmre.gov

RIN: 1029-AB70

### 1738. PLACEMENT OF EXCESS SPOIL

**Priority:** Other Significant

**Legal Authority:** 30 USC 1201 et seq  
**CFR Citation:** 30 CFR 701; 30 CFR 773;  
 30 CFR 780; 30 CFR 781; 30 CFR 785;  
 30 CFR 816; 30 CFR 817

**Legal Deadline:** None

**Abstract:** This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil from surface coal mining operations into waters of the United States. In addition, it will modify the backfilling and

grading regulations to minimize the creation of excess spoil and it will revise the regulations governing surface coal mining operations within 100 feet of a perennial or intermittent stream to more closely track the underlying statutory provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	01/07/04	69 FR 1036
Second NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Dave Hartos, Physical  
 Scientist, Department of the Interior,  
 Office of Surface Mining Reclamation  
 and Enforcement, Three Parkway  
 Center, Pittsburgh, PA 15220

Phone: 412 937-2902  
 Email: dhartos@osmre.gov

RIN: 1029-AC04

## DOI—OSMRE

## Proposed Rule Stage

**1739. FINANCIAL ASSURANCES****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800**Legal Deadline:** None**Abstract:** We are considering rulemaking to ensure adequate funding for the treatment of unanticipated long-term pollutant discharges including acid or toxic mine drainage, that develop as a result of surface coal mining operations.**Timetable:**

Action	Date	FR Cite
ANPRM	05/17/02	67 FR 35070
ANPRM Comment Period End	10/15/02	67 FR 46617
NPRM	08/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 208-2829  
Email: drice@osmre.gov**RIN:** 1029-AC05**1740. OWNERSHIP AND CONTROL****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847**Legal Deadline:** None**Abstract:** The ownership and control re-proposed rule would amend the provisions of an earlier rule pertaining to the definitions of ownership and control, permit eligibility determinations, and challenges to ownership or control findings. The proposed rule would also clarify what constitutes a transfer, assignment, or sale of permit rights.**Timetable:**

Action	Date	FR Cite
NPRM	12/29/03	68 FR 75036
Second NPRM	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Earl Bandy, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 2679 Regency Road, Lexington, KY 40503  
Phone: 859 260-8427  
Email: ebandy@osmre.gov**RIN:** 1029-AC08**1741. • TENNESSE FEDERAL PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 942**Legal Deadline:** None**Abstract:** OSM intends to propose revisions to its regulations governing surface coal mining operations in the state of Tennessee. The revisions would: (1) Provide an alternative bonding mechanism for the treatment of acid mine drainage and (2) revise other requirements for the amount of ground cover required during revegetation when the postmining land use is wildlife habitat, undeveloped land, recreation use, or forest land. The proposed revisions should promote reforestation of mined land in Tennessee.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Tim Dieringer, Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 710 Locust Street, 2nd Floor, Knoxville, TN 37902  
Phone: 865-545-4103  
Email: tdieringer@osmre.gov**RIN:** 1029-AC50

## Department of the Interior (DOI)

## Final Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1742. REVEGETATION****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816**Legal Deadline:** None**Abstract:** This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.**Timetable:**

Action	Date	FR Cite
NPRM	03/17/05	70 FR 13076
Final Rule	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Jim Fulton, Chief, Denver Field Division, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3320, Denver, CO 80202  
Phone: 303 844-1400  
Email: jfulton@osmre.gov**RIN:** 1029-AC02**1743. FEE ALLOCATION RULE****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 870; 30 CFR 872**Legal Deadline:** None**Abstract:** This rule sets forth the criteria and procedures that we are proposing to use to establish fees under the abandoned mine reclamation program provisions of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The fixed-rate fees established under SMCRA expire soon. However, SMCRA requires that, for coal produced after the expiration date, a new fee rate be established to continue to provide for transfers from the

## DOI—OSMRE

## Final Rule Stage

Abandoned Mine Reclamation Fund to the Combined Benefit Fund. This proposed rule would implement that requirement. We are also proposing to revise our regulations governing allocation and disposition of the fees collected and of other AML Fund income.

**Timetable:**

Action	Date	FR Cite
NPRM	09/17/04	
Final Action	05/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 208-2829  
Email: drice@osmre.gov

**RIN:** 1029-AC47

## Department of the Interior (DOI)

## Completed Actions

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

## 1744. INDIAN LANDS

**Priority:** Routine and Frequent**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750**Completed:**

Reason	Date	FR Cite
Withdrawn	03/01/06	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal

**Agency Contact:** Vermell Davis  
Phone: 202 208-2802  
Email: gvDavis@osmre.gov

**RIN:** 1029-AB83**Completed:**

Reason	Date	FR Cite
NPRM	12/03/03	68 FR 67776
Final Action	10/20/05	70 FR 61194

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Andy DeVito  
Phone: 202 208-2701  
Email: adevito@osmre.gov

**RIN:** 1029-AC06**Government Levels Affected:** None

**Agency Contact:** Andy DeVito  
Phone: 202 208-2701  
Email: adevito@osmre.gov

**RIN:** 1029-AC48

## 1747. TRANSFER, ASSIGNMENT, OR SALE OF PERMIT RIGHTS

**Priority:** Other Significant**CFR Citation:** 30 CFR 774**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Earl Bandy  
Phone: 859 260-8427  
Email: ebandy@osmre.gov

**RIN:** 1029-AC49

BILLING CODE 4310-05-S

## 1745. PROCESSING STATE PROGRAM AMENDMENTS

**Priority:** Other Significant**CFR Citation:** 30 CFR 732

## 1746. CIVIL PENALTY ADJUSTMENTS

**Priority:** Other Significant**CFR Citation:** 30 CFR 774**Completed:**

Reason	Date	FR Cite
Direct Final Rule	11/22/05	70 FR 70698

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No

## Department of the Interior (DOI)

## Prerule Stage

## Bureau of Reclamation (RB)

## 1748. ● REGULATING NON-CONTRACT USE OF COLORADO RIVER WATER IN THE LOWER BASIN

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 373; 43 USC 485; 43 USC 617; 5 USC 552**CFR Citation:** 43 CFR 415**Legal Deadline:** None

**Abstract:** The rule is needed to prevent non-contract use of Colorado River water and motivate non-contract well users to sign subcontracts authorizing

them to use water. Arizona, California, and Nevada all recognize that action is necessary to stop non-contract use of Colorado River water in the Lower Basin. There is no viable alternative to a rule for addressing non-contract use.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/00/06	
ANPRM Comment Period End	08/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

**Agency Contact:** Dale E. Ensminger, Contract and Repayment Specialist, Department of the Interior, Bureau of Reclamation, P.O. Box 61470, Boulder City, NV 89006-1470  
Phone: 702 293-8659  
Fax: 702 293-8042

**RIN:** 1006-AA50

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**

**Proposed Rule Stage**

**1749. IMPLEMENTATION OF THE TRUCKEE RIVER OPERATING AGREEMENT**

**Priority:** Other Significant

**Legal Authority:** 104 Stat 3294

**CFR Citation:** 43 CFR 419

**Legal Deadline:** None

**Abstract:** This rule would implement the Truckee River Operating Agreement in accordance with the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990. The Agreement's primary purposes are to modify reservoir operations in the Truckee River basin, enhance conditions for threatened and endangered fish species, increase drought protection, improve water quality, and enhance stream flows. The Agreement was signed by the Department of the Interior, the States of California and Nevada, the Truckee Meadows Water Authority, and the Pyramid Lake Paiute Tribe.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth Parr, Manager, Special Projects, Department of the Interior, Bureau of Reclamation, Lahontan Basin Area Office, 705 North Plaza Street, Room 320, Carson City, NV 89701-4015  
 Phone: 775 882-3436

**RIN:** 1006-AA48

**1750. • USE OF RECLAMATION LANDS, FACILITIES, AND WATER SURFACES**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 43 USC 373; 43 USC 387; 43 USC 395; 43 USC 9701

**CFR Citation:** 43 CFR 429

**Legal Deadline:** None

**Abstract:** This rule implements OMB Circular A-25 on Federal policy regarding fees for services and for sale or use of resources. This revision will: (1) Incorporate changes to Circular A-25 ; (2) clarify provisions related to authorized and unauthorized uses of lands, facilities, and water surfaces; (3)

revise the method for establishing the value of the rights of use; (4) define short-term and long-term uses of lands, facilities and water surfaces; and (5) add a requirement to use Reclamation's form 7-2540, for short-term uses, and SF 299 for long-term uses, in accordance with the President's Memorandum on Improving Broadband Deployment on Federal Lands.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	
NPRM Comment	02/00/07	
Period End		

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Marian Mather, Policy Analyst, Department of the Interior, Bureau of Reclamation, Denver Federal Center – D-5300, Denver, CO 80225

Phone: 303 445-2895

Fax: 303 445-6690

Email: mmather@do.usbr.gov

**RIN:** 1006-AA51

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**

**Final Rule Stage**

**1751. PUBLIC CONDUCT ON BUREAU OF RECLAMATION FACILITIES, LANDS AND WATERBODIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 460 1-31; 43 USC 3736

**CFR Citation:** 43 CFR 423; 43 CFR 429

**Legal Deadline:** None

**Abstract:** This proposed rule would establish regulations regarding public conduct on Reclamation lands and Reclamation projects, waters, and real property subject to the administration of Reclamation or in its custody. The

rule is necessary to ensure the safety of the public, Reclamation employees, dams, facilities, and other resources in our jurisdiction. This proposed rule would replace an interim rule that we issued on April 17, 2002, and extended on April 3, 2003. It would also make changes to 43 CFR part 429 to make the two rules consistent.

**Timetable:**

Action	Date	FR Cite
NPRM	09/13/05	70 FR 54214
NPRM Comment	11/14/05	
Period End		
Final Rule	06/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gary Anderson, Policy Analyst, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225-0007  
 Phone: 303 445-2891

**RIN:** 1006-AA45

**BILLING CODE** 4310-09-S

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**

Prerule Stage

**1752. • GAS HYDRATE PRODUCTION INCENTIVES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 189; 30 USC 359; 43 USC 1740; Energy Policy Act of 2005, Sec 353

**CFR Citation:** 43 CFR 3100

**Legal Deadline:** Other, Statutory, February 6, 2006, ANPRM. Final, Statutory, August 8, 2006. ANPRM - Statutory - 02/06/2006; Final Rule - Statutory - 08/08/2006; Sec. 353 of the Energy Policy Act requires an advance notice of proposed rulemaking 180 days after enactment of the Act, and a final rule implementing the Act within 365 days after enac.

**Abstract:** This rule will implement section 353 of the Energy Policy Act by promoting production from gas hydrate resources on Federal lands in Alaska and the Outer Continental Shelf by providing royalty incentives.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/08/06	71 FR 11559
ANPRM Comment Period End	04/07/06	
NPRM	07/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Thomas J. Zelenka, Petroleum Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240

Phone: 202 452-0334

Email: thomas\_zelenka@blm.gov

**RIN:** 1004-AD81

**1753. • ENHANCED OIL AND NATURAL GAS PRODUCTION THROUGH CARBON DIOXIDE INJECTION**

**Priority:** Other Significant

**Legal Authority:** 30 USC 189; 30 USC 359; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 354

**CFR Citation:** 43 CFR 3100

**Legal Deadline:** Other, Statutory, February 6, 2006, ANPRM. Final, Statutory, August 8, 2006. Sec. 354 of the Energy Policy Act requires an advance notice of proposed rulemaking 180 days after enactment of the Act, and a final rule implementing the Act within 365 days after enactment.

**Abstract:** This rule will implement Section 354 of the Energy Policy Act by providing for royalty relief incentives to promote the capture, transportation, and injection of produced carbon dioxide (CO<sub>2</sub>), natural CO<sub>2</sub>, and other appropriate gases or other matter for injection/sequestration into oil and gas fields, in order to promote oil and natural gas production from the Outer Continental Shelf (OCS) and onshore Federal leases.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/08/06	71 FR 11557
ANPRM Comment Period End	04/07/06	
NPRM	07/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Thomas J. Zelenka, Petroleum Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240

Phone: 202 452-0334

Email: thomas\_zelenka@blm.gov

**RIN:** 1004-AD82

**1754. • RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT; LINEAR RIGHT-OF-WAY RENTAL PAYMENT SCHEDULE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 367

**CFR Citation:** 43 CFR 2800; 43 CFR 2880

**Legal Deadline:** Final, Statutory, August 8, 2006, Final Rule. Final rule required by Energy Policy Act of 2005, Sec. 267, by August 8, 2006.

**Abstract:** This advance notice of proposed rulemaking will seek public comments and suggestions on how to update the linear right-of-way payment schedule covering most linear rights-of-way granted under section 28 of the Mineral Leasing Act and title V of the Federal Land Policy and Management Act for facilities such as power lines, fiber optic lines, pipelines, roads, and ditches.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Ron Montagna, Supervisory Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 1000 LS, Washington, DC 20240

Phone: 202 452-7782

Fax: 202 452-7708

Email: ron\_montagna@blm.gov

**RIN:** 1004-AD87

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**

**Proposed Rule Stage**

**1755. OIL AND GAS ONSHORE  
ORDER NO. 1**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1740

**CFR Citation:** 43 CFR 3164

**Legal Deadline:** None

**Abstract:** This proposed rule would clarify the schedule for submitting and processing applications, define terms used, and introduce concepts that will make filing and processing more efficient. BLM does not intend to add significant new requirements. The rule is a joint rule with the U.S. Forest Service.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/05	70 FR 43349
Comment Period Extended	08/26/05	70 FR 50262
Second NPRM	03/13/06	71 FR 12656
Comment Period End	04/12/06	
Final Rule	07/00/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** James Burd, Natural Resource Specialist, Department of the Interior, Bureau of Land Management, MS 501 LS1849 C Street NW., Washington, DC 20240  
Phone: 202 452-5017

**RIN:** 1004-AD59

**1756. MARGINAL OIL/GAS ROYALTY  
RATE REDUCTION PROGRAM**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 30 USC 181 et seq

**CFR Citation:** 43 CFR 3103.4-2

**Legal Deadline:** None

**Abstract:** This rulemaking will replace the existing stripper oil royalty reduction program. The new program will incorporate most of the Inspector General's concerns and recommendations from its three audits. In addition, the new program will expand Federal royalty relief to marginal gas production. Until this rule is promulgated, Sec. 343 of the Energy Policy Act of 2005, pertaining to marginal property production incentives, applies.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rudy Baier, Division of Fluid Mineral Lease and Reservoir Management, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
Phone: 202 653-2153

**RIN:** 1004-AD65

**1757. PUBLIC LANDS AND  
RESOURCES; LAW ENFORCEMENT—  
CRIMINAL; RECREATION PROGRAMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1241 to 1249; 16 USC 4601-6a; 16 USC 670g to 670n; 43 USC 1733

**CFR Citation:** 43 CFR 9268

**Legal Deadline:** None

**Abstract:** This rule will remove outdated and superseded provisions in the law enforcement regulations pertaining to recreation management.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Felicia Probert, Chief Ranger, National Interagency Fire Center, Department of the Interior, Bureau of Land Management, 3833 S. Development Avenue, Boise, ID 87305  
Phone: 208 387-5131  
Fax: 208 387-5136  
Email: felicia.probert@nifc.blm.gov

Keith Aller, Deputy Director, Office of Law Enforcement and Security, Department of the Interior, Bureau of Land Management, 1849 C Street NW, Washington, DC 20240  
Phone: 202 501-4819  
Fax: 202 502-2582  
Email: keith\_aller@blm.gov

**RIN:** 1004-AD66

**1758. HEAVY OIL ROYALTY  
REDUCTION PROGRAM**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 188

**CFR Citation:** 43 CFR 3103

**Legal Deadline:** None

**Abstract:** This rule will provide for a reduced royalty rate for producing a low gravity oil. It will determine what should be the threshold for what constitutes low gravity oil, and whether and/or how BLM will impose restrictions such as price thresholds, production caps, or other limitations.

**Timetable:**

Action	Date	FR Cite
Notice of Suspension	04/27/05	70 FR 21810
NPRM	09/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal, Local, State

**Federalism:** Undetermined

**Agency Contact:** Rudy Baier, Division of Fluid Mineral Lease and Reservoir Management, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 653-2153

**RIN:** 1004-AD67

**1759. MINING CLAIMS UNDER THE  
GENERAL MINING LAW; SURFACE  
MANAGEMENT**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 21 et seq; 43 USC 1701 et seq

**CFR Citation:** 43 CFR 3800

**Legal Deadline:** None

**Abstract:** This rulemaking will determine whether or to what degree the Department of the Interior will charge fair market value for the surface use of unclaimed lands and lands where claims have been determined to be invalid for mining activities involving locatable minerals under the Mining Law.

## DOI—BLM

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/06	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

**Agency Contact:** Scott Haight, Department of the Interior, Bureau of Land Management, P.O. Box 1160, Lewistown, MT 59547  
Phone: 406 538-1930  
Email: scott\_haight@blm.gov

**RIN:** 1004-AD69**1760. • OIL AND GAS LEASING IN THE NATIONAL PETROLEUM RESERVE—ALASKA****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1733; 43 USC 1740; 43 USC 6508**CFR Citation:** 43 CFR 3130**Legal Deadline:** None

**Abstract:** This rule will establish new administrative procedures for the efficient transfer, consolidation, segregation, suspension, and unitization of Federal leases in the National Petroleum Reserve in Alaska. It will implement section 347 of the Energy Policy Act of 2005.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Greg Noble, Chief, Energy Branch, Department of the Interior, Bureau of Land Management, AK-941, 6881 Abbott Loop, Anchorage, AK 99507-2599  
Phone: 907 267-1429

**RIN:** 1004-AD78**1761. • MINERAL LANDS AVAILABLE FOR LOCATING LODE AND PLACER MINING CLAIMS AND MILL AND TUNNEL SITES; SPECIAL LAWS IN ADDITION TO FLPMA THAT REQUIRE RECORDING OR NOTICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 122; 30 USC 22 et seq; 30 USC 521 to 525; 30 USC

611 to 615; 30 USC 621 to 625; 43 USC 1201; 43 USC 299

**CFR Citation:** 43 CFR 3710; 43 CFR 3720; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3839**Legal Deadline:** None

**Abstract:** This rule will amend the regulations on locating, filing, and maintaining mining claims or sites by consolidating the remaining provisions scattered in various portions of Groups 3700 and 3800 that address lands available for location of mining claims or sites, and certain statutes requiring a mining claimant to meet them in order to maintain claim.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Roger A. Haskins, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240

Phone: 202 452-0355

Fax: 202 653-7397

Email: roger\_haskins@blm.gov

**RIN:** 1004-AD79**1762. • GEOTHERMAL RESOURCE LEASING; GEOTHERMAL RESOURCES UNIT AGREEMENTS: UNPROVEN AREAS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1001 et seq; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 221 et seq**CFR Citation:** 43 CFR 3200; 43 CFR 3280**Legal Deadline:** None

**Abstract:** The rule will implement changes in geothermal leasing and geothermal unitization regulations—an all competitive leasing system, new royalty and fee structures, and production incentives—required by the Energy Policy Act of 2005, and will also include some other technical changes. The Energy Policy Act of 2005 (Act), subtitle B, Geothermal Energy, requires new regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/06	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Kermit Witherbee, National Geothermal Program Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW, 501 LS, Washington, DC 20240  
Phone: 202 452-0385

Fax: 202 452-0386

Email: kermit\_witherbee@blm.gov

**RIN:** 1004-AD86**1763. • SALES: FEDERAL LAND POLICY AND MANAGEMENT ACT****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 43 USC 1713; 43 USC 1740**CFR Citation:** 43 CFR 2710**Legal Deadline:** None

**Abstract:** This rule will provide for improved administration of sales of public land under the Federal Land Policy and Management Act. It will expand provision for temporary segregation in aid of sale; provide for determining value by using commonly acceptable appraisal procedures; require notices of decision to sell public land to include a prospectus; require the applicant to comply with laws and regulations on hazardous materials before a patent is issued; limit the issuance of patents to the sale proponent or qualified high bidder; and remove obsolete provisions and reorganize the regulations for clarity.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land

## DOI—BLM

## Proposed Rule Stage

Management, 1849 C Street NW,  
Washington, DC 20240  
Phone: 202 452-7779  
Fax: 202 452-7708  
Email: jeff\_holdren@blm.gov

**RIN:** 1004-AD88

#### 1764. • COLOR-OF-TITLE AND OMITTED LANDS

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 43 USC 1068 to 1068a; 43 USC 1721; 43 USC 1740; 43 USC 178; 43 USC 992 to 993

**CFR Citation:** 43 CFR 2540

**Legal Deadline:** None

**Abstract:** This rule will revise the regulations on sale of public lands to persons with color-of-title, sale of erroneously meandered lands in Arkansas, Louisiana, and Wisconsin, and sale of certain omitted lands to improve their clarity, reduce duplication, streamline requirements, reduce burdens, and remove obsolete provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**URL For Public Comments:** www.regulations.gov

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW, Washington, DC 20240  
Phone: 202 452-7779  
Fax: 202 452-7708  
Email: jeff\_holdren@blm.gov

**RIN:** 1004-AD89

### Department of the Interior (DOI) Bureau of Land Management (BLM)

## Final Rule Stage

#### 1765. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA

**Priority:** Other Significant

**Legal Authority:** 43 USC 1181d; 43 USC 1740; 43 USC 315; 43 USC 315a to 315r

**CFR Citation:** 43 CFR 4100

**Legal Deadline:** None

**Abstract:** This rule will ensure that BLM documents its consideration of the social, cultural, environmental, and economic consequences of grazing changes; provide that changes in grazing use will be phased in under certain circumstances; allow BLM to share title with permittees and lessees to range improvements in certain circumstances; make clear how BLM will authorize grazing if a BLM decision affecting a grazing permit is stayed pending administrative appeal; remove provisions in the present regulations concerning conservation use grazing permits; ensure adequate time for developing and successfully implementing an appropriate management action when BLM finds that rangelands do not meet standards and guidelines for rangeland health and that authorized grazing is a significant factor in not achieving one or more land health standards or not conforming with guidelines for grazing administration; and revise some administrative service charges.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/03/03	68 FR 9964
NPRM	12/08/03	68 FR 68452

Action	Date	FR Cite
NPRM Comment Period End	03/02/04	
Final Action	04/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Affairs Group (WO-630), 1849 C Street NW, Washington, DC 20240  
Phone: 202 452-5042  
Fax: 202 653-5287  
Email: ted\_hudson@blm.gov

**RIN:** 1004-AD42

#### 1766. ALASKA NATIVE VETERAN ALLOTMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 270-1 to 270-3

**CFR Citation:** 43 CFR 2568

**Legal Deadline:** None

**Abstract:** This proposed rule would delete the requirement at 43 CFR 2568.77 that a veteran applicant must have posted the corners of his or her claim prior to filing an application with BLM. Removal of this requirement would place veteran allotment applicants on the same footing as thousands of applicants who filed under the original 1906 Alaska Native Allotment Act.

**Timetable:**

Action	Date	FR Cite
NPRM	10/07/05	70 FR 58654
Comment Period End	12/06/05	
Final Rule	04/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1004-AD60

#### 1767. PERMITS FOR RECREATION ON PUBLIC LANDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 460l-6a; 43 USC 1740; Pub L 108-447

**CFR Citation:** 43 CFR 2930

**Legal Deadline:** None

**Abstract:** This rule will implement the Federal Lands Recreation Enhancement Act of 2004 (the Act), which replaces the permit fee authority of the Land and Water Conservation Fund Act, by changing the authority references in the regulations. The rule will also establish a \$100 maximum penalty for a first offender's failure to pay a recreation fee, in accordance with the Act.



## DOI—BLM

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	11/22/05	70 FR 70570
Commend Period Extended	01/18/06	71 FR 2899
NPRM Comment Period End	01/24/06	
Comment Period End	03/20/06	
Final Rule	10/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 1004-AD68**1768. SALES OF FOREST PRODUCTS; PREPARATION FOR SALE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1181e**CFR Citation:** 43 CFR 5420**Legal Deadline:** None

**Abstract:** This rule will make thinning timber sales more efficient by allowing third party scaling on any thinning timber sale that imposes an upper limit on the average diameter at breast height (DBH) of the trees to be harvested, such as 20 inches DBH. The rule will also establish procedures to minimize the potential for log theft.

**Timetable:**

Action	Date	FR Cite
NPRM	11/17/05	70 FR 69714
NPRM Comment Period End	01/17/06	
Final Rule	06/00/06	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 1004-AD70**1769. SEGREGATION OF LANDS PROPOSED FOR SALE****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2091; 43 CFR 2710**Legal Deadline:** None

**Abstract:** BLM is issuing this final rule to extend the time period for land segregations from 270 days to two years to facilitate the processing of land sales applications.

**Timetable:**

Action	Date	FR Cite
Final Rule	06/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 1004-AD74**1770. OIL AND GAS; COMBINED HYDROCARBONS LEASING; TAR SANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** Energy Policy Act of 2005**CFR Citation:** 43 CFR 3141**Legal Deadline:** None

**Abstract:** This rule will amend current regulations to reflect provisions in the Energy Policy Act of 2005 pertaining to combined hydrocarbon leasing. Section 350 of the Act amends the Mineral Leasing Act of 1920 to allow the Secretary to issue separate leases for tar sands and for oil and gas in specially designated tar sands areas.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/07/05	70 FR 58610
Interim Final Rule Comment Period End	12/06/05	
Final Rule	05/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 1004-AD76**1771. • RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT****Priority:** Routine and Frequent**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2800; 43 CFR 2880**Legal Deadline:** None

**Abstract:** This rule will revise the Cost Recovery Processing and Monitoring Fees Schedules for FLPMA and MLA Rights-of-Way; Linear Rights-of-Way Rent Schedule; Communications Use Rental Schedule; and Strict Liability Cap. The rule will implement provisions in a final rule published on April 22, 2005, that require that we annually adjust the fees to take into account changes in certain economic indicators.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Kelly D. Odom, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW. 401 LS, Washington, DC 20240

## DOI—BLM

Final Rule Stage

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**Department of the Interior (DOI)  
Bureau of Land Management (BLM)**

Completed Actions

**1772. COST RECOVERY; MINERAL FILINGS AND OPERATIONS****Priority:** Other Significant**CFR Citation:** 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800**Completed:**

Reason	Date	FR Cite
NPRM	12/15/00	65 FR 78440
Second NPRM	07/19/05	70 FR 41533
Second NPRM Comment Period End	08/18/05	
Final Rule	10/07/05	70 FR 58854
Final Rule Effective	11/07/05	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Energy Effects:** Statement of Energy Effects planned as required by Executive Order 13211.**Agency Contact:** Cynthia Ellis

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RIN: 1004-AC64

**1773. APPEALS PROCEDURES; HEARINGS PROCEDURES****Priority:** Info./Admin./Other**CFR Citation:** 43 CFR 1840; 43 CFR 1850**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Cynthia Ellis

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RIN: 1004-AC99

**1774. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3730; 43 CFR 3740; 43 CFR 3820; 43 CFR 3860; 43 CFR 3870**Completed:**

Reason	Date	FR Cite
Withdrawn – No further action anticipated.	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Barbara

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RIN: 1004-AD32

**1775. CONSERVATION; HELIUM LEASING****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 16; 43 CFR 3196**Completed:**

Reason	Date	FR Cite
Withdrawn – No further action anticipated	02/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Joseph B. Peterson

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RIN: 1004-AD35

**1776. STRIPPER WELL ROYALTY REDUCTIONS; RECORDS RETENTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3100**Completed:**

Reason	Date	FR Cite
Direct final Rule	09/07/05	70 FR 53072

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rudy Baier

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RIN: 1004-AD71

**1777. MINING CLAIM AND SITE MAINTENANCE FEES—FEE ADJUSTMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3834**Completed:**

Reason	Date	FR Cite
Interim Final Rule	09/01/05	70 FR 52028

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Frank Bruno

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RIN: 1004-AD75

**1778. • APPLICATION PROCEDURES AND FILING OF FORMS; CORRECTION OF STATE OFFICE ADDRESS FOR FILINGS AND RECORDINGS****Priority:** Info./Admin./Other**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 1821**Legal Deadline:** None**Abstract:** This rule updates the address of the Arizona State Office to reflect relocation of the office.**Timetable:**

Action	Date	FR Cite
Final Action	11/17/05	70 FR 69687

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

## DOI—BLM

## Completed Actions

**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Affairs Group (WO-630), 1849 C Street NW, Washington, DC 20240  
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**RIN:** 1004-AD77

**1779. • ONSHORE OIL AND GAS OPERATIONS; CORRECTING AMENDMENT**

**Priority:** Info./Admin./Other  
**Legal Authority:** 43 USC 1740  
**CFR Citation:** 43 CFR 3160  
**Legal Deadline:** None

**Abstract:** This administrative rule corrects a cross-reference relating to onshore oil and gas operations.

**Timetable:**

Action	Date	FR Cite
Final Rule	12/22/05	70 FR 75954
Final Rule Effective	12/22/05	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For Public Comments:**  
[www.regulations.gov](http://www.regulations.gov)

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**RIN:** 1004-AD80

**1780. • OIL AND GAS LEASE ACREAGE LIMITATION EXEMPTIONS; REINSTATEMENT OF OIL AND GAS LEASES**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 30 USC 189; 30 USC 359; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, secs 352 and 371  
**CFR Citation:** 43 CFR 3100

**Legal Deadline:** None

**Abstract:** This rule will amend the regulations on Oil and Gas Leasing to respond to provisions of the Energy Policy Act of 2005 (EPAAct) that change BLM's oil and gas lease acreage limitations and oil and gas lease reinstatement procedures. Section 352 of the EPAAct expands the types of lease holdings that are exempt from the lease acreage holding limitations. Section 371 of the EPAAct extends the maximum time to file a lease reinstatement petition from 15 months to 24 months.

**Timetable:**

Action	Date	FR Cite
Final Rule	03/24/06	71 FR 14821

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For Public Comments:**  
[www.regulations.gov](http://www.regulations.gov)

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**RIN:** 1004-AD83

**1781. • APPLICATION PROCEDURES AND FILING OF FORMS; CORRECTION OF STATE OFFICE ADDRESS FOR FILINGS AND RECORDINGS**

**Priority:** Info./Admin./Other  
**Legal Authority:** 43 USC 1740  
**CFR Citation:** 43 CFR 1821.10  
**Legal Deadline:** None

**Abstract:** This rule updates the address of the Montana State Office to reflect a change in the office address.

**Timetable:**

Action	Date	FR Cite
Final Rule	03/03/06	71 FR 10844

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1004-AD85  
**BILLING CODE** 4310-84-S

**Department of the Interior (DOI)  
 Office of the Secretary (OS)**

**Final Rule Stage**

**1782. • MAKING MOTION PICTURES, TELEVISION PRODUCTIONS, OR SOUNDTRACKS ON DOI LANDS**

**Priority:** Other Significant  
**Legal Authority:** PL 106-206  
**CFR Citation:** 43 CFR 5  
**Legal Deadline:** None

**Abstract:** This rule implements legislation that directs establishment of a reasonable fee for commercial filming activities or similar projects, such as still photography, where a permit is required. Public Law 106-206 directs

the Secretaries of the Interior and Agriculture to establish a reasonable fee system for commercial filming and some still photography activities on lands under their jurisdiction. To comply with a GAO recommendation to expedite implementation of Public Law 106-206, the Department is publishing this final rule to remove from 43 CR 5.1(a) the statement that prohibits NPS from charging a fee for the making of motion pictures, television productions or sound tracks.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Jerry Case, Regulations Program Manager, Department of the Interior, Office of the Secretary, National Park Service, 1849 C Street NW, Washington, DC 20240

DOI—OS

Final Rule Stage

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Phone: 202 208-4206

**RIN:** 1093-AA10

[FR Doc. 06-2945 Filed 04-21-06; 8:45 am]

**BILLING CODE 4310-10-S**