



Federal Register

**Monday,
October 31, 2005**

Part XI

**Department of the
Interior**

Semiannual Regulatory Agenda

DEPARTMENT OF THE INTERIOR (DOI)

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Ch. I

30 CFR Chs. II and VII

36 CFR Ch. I

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Regulatory Agenda

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual regulatory agenda.

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

2005 and spring 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 Executive Secretariat, Department of the Interior, at the address above or at 202-208-5257 or 202-208-3071.

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

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

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

Dated: September 20, 2005
Richard A. Stephan,
Federal Register Liaison Officer.

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

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

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Assistant Secretary for Policy, Management and Budget—Completed Actions

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Office of Hearings and Appeals—Proposed Rule Stage

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Office of Hearings and Appeals—Final Rule Stage

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Office of the Special Trustee—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1627	American Indian Trust Fund Management Reform Act	1035-AA05

Office of the Special Trustee—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1628	Procedures for Depositing Funds	1035-AA04

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1630	Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes	1018-A197
1631	Humane and Healthful Transport of Wild Mammals and Birds to the United States	1018-AJ24
1632	General Permit Procedures; Revision to Appeal Process for Migratory Bird Permits	1018-AU19

United States Fish and Wildlife Service—Proposed Rule Stage

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1635	Convention on International Trade in Endangered Species (CITES)	1018-AD87
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1637	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
1638	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles, and Amphibians to the United States	1018-AF27
1639	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries	1018-AF44
1640	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14	1018-AF46
1641	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
1642	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands	1018-AG23
1643	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species	1018-AG64
1644	Addition of Black Carp (<i>Mylopharyngodon piceus</i>) to the List of Injurious Wildlife	1018-AG70
1645	Corrections to Rights-of-Way Regulations	1018-AI12
1646	North American Wetlands Conservation Act and Neotropical Migratory Bird Conservation Act Grant Administration Policies	1018-AI13
1647	Import of Polar Bear Trophies From Canada; Findings for the Gulf of Boothia and Western Hudson Populations ...	1018-AI65
1648	Endangered and Threatened Wildlife and Plants; Delisting of the Arizona Agave	1018-AI79
1649	Endangered and Threatened Wildlife and Plants; Nonessential Experimental Population of the Northern Aplomado Falcon	1018-AI80
1650	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened ...	1018-AI83
1651	U.S. Proposals for CITES Appendix III; Black Cohosh	1018-AI91

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1654	Wild Bird Conservation Act; Review of Regulations To Allow Imports of Exotic Wild Birds	1018-AT30
1655	Marine Mammals; and Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program	1018-AT34
1656	Endangered and Threatened Wildlife and Plants; Removal of the Virginia Northern Flying Squirrel from the List of Endangered and Threatened Species	1018-AT37
1657	Endangered and Threatened Wildlife and Plants; Removal of the Yellowstone Grizzly Bear Population From the List of Endangered and Threatened Species	1018-AT38
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1659	Revised Definition of "Destruction or Adverse Modification" for Endangered Species Act Section 7 Consultations ..	1018-AT50
1660	Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened	1018-AT56
1661	Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation	1018-AT60
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1663	Migratory Bird Hunting: Revision of Language Used in Regulations for Approving Nontoxic Shot for Use in Waterfowl Hunting	1018-AT67
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1665	Mosquito and Mosquito-Borne Disease Management	1018-AT72
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1670	Marine Mammals: Proposed Incidental Take Authorization During Specified Activities	1018-AT82
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1673	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for 3 Willamette Species: Willamette Daisy, Fender's Blue Butterfly, and Kincaid's Lupine	1018-AT91
1674	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Willoway Monardella	1018-AT92
1675	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for the Alameda Whipsnake	1018-AT93
1676	Protection of Bald Eagles and Definition	1018-AT94
1677	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D; 2006-2007 Subsistence Taking of Wildlife Regulations	1018-AT98
1678	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations	1018-AT99
1679	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for 16 Freshwater Mussels, 1 Freshwater Snail, and 5 Fishes in Tennessee	1018-AU01
1680	Kodiak National Wildlife Refuge Permit requirement for Conservation Easement Lands	1018-AU08
1681	Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Pacific Coast Distinct Population Segment of the Western Snowy Plover	1018-AU11
1682	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2007-2008 Subsistence Taking of Wildlife Regulations	1018-AU15
1683	Negotiation of Annual Funding Agreements With Tribes (Manual Chapter)	1018-AU16
1684	Endangered and Threatened Wildlife and Plants; Proposed Correction to the Grizzly Bear Entry in the List of Endangered and Threatened Wildlife	1018-AU17
1685	Special Rule for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter (<i>Enhydra lutris kenyoni</i>)	1018-AU21
1686	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Sonoma County Population	1018-AU23
1687	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southern California Distinct Vertebrate Population Segment of the Mountain Yellow-Legged Frog (<i>Rana Muscosa</i>)	1018-AU30
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1689	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Spikedace and Loachminnow	1018-AU33
1690	Designation of Critical Habitat for Yadeon's piperia	1018-AU34
1691	Endangered and Threatened Wildlife and Plants; Listing Gunnison's Sage Grouse	1018-AU35
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United States Fish and Wildlife Service—Proposed Rule Stage (Continued)

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1695	CITES Appendix-III Listing of galax (<i>Galax urceolata</i>)	1018-AU40
1696	Marine Mammals: Incidental Take During Specified Activities	1018-AU41
1697	Migratory Bird Hunting; 2006-2007 Migratory Game Bird Hunting Regulations	1018-AU42
1698	Re-evaluation of final listing determination for Queen Charlotte Goshawk	1018-AU43
1699	Critical Habitat Designation for Suisun thistle and soft birds beak	1018-AU44
1700	Critical Habitat Designation for Holmgren and Shivwits milk vetches	1018-AU45
1701	Critical Habitat Designation for Alabama Beach Mouse	1018-AU46
1702	Revision of Critical Habitat Designation for the Kootenai River White Sturgeon	1018-AU47
1703	Revision of Critical Habitat Designation for the Wintering Piping Plover	1018-AU48
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1706	Critical Habitat Designation for Branton's milk-vetch and Lyon's penchaeta	1018-AU51
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1708	Removal of the Western Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Species	1018-AU53
1709	Removal of the Great Lakes Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Species	1018-AU54
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United States Fish and Wildlife Service—Final Rule Stage

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1715	Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Species	1018-AH53
1716	Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout From Endangered to Threatened With a Special Rule	1018-AH57
1717	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
1718	Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Species	1018-AI04
1719	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations	1018-AI07
1720	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations	1018-AI32
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1726	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Jacinto Valley Crownscale	1018-AJ11
1727	Endangered and Threatened Wildlife and Plants; Listing the Salt Creek Tiger Beetle	1018-AJ13
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1729	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
1730	Subsistence Management Regulations for Public Lands in Alaska; Southwestern Alaska Coastal Areas	1018-AT81
1731	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Arkansas River Shiner	1018-AT84
1732	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Spreading Navarretia	1018-AT86
1733	Endangered and Threatened Wildlife and Plants; Designating Critical Habitat for Southwestern Willow Flycatcher	1018-AT88

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1736	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2006-2007 Subsistence Taking of Fish and Shellfish Regulations	1018-AU05
1737	Delisting the Preble's Meadow Jumping Mouse	1018-AU12
1738	National Wildlife Refuge System; Mission, Goals, and Purposes	1018-AU24
1739	National Wildlife Refuge System; Wildlife-Dependent Recreation (Hunting and Fishing, Wildlife Observation and Photography, Environmental Education, and Interpretation)	1018-AU25
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United States Fish and Wildlife Service—Long-Term Actions

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1742	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
1743	Federal Falconry Standards and Falconry Permitting	1018-AG11
1744	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
1745	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
1746	Release of Captive-Reared Mallards	1018-AI05
1747	Endangered and Threatened Wildlife and Plants; Delisting of and Withdrawal of Proposed Critical Habitat for the Cactus Ferruginous Pygmy Owl	1018-AI48
1748	Migratory Bird Permits; Revisions to General Exceptions	1018-AI96
1749	Revision of Migratory Bird Hunting Regulations	1018-AI98
1750	Revision of the Regulations Governing the Transport of Eagle Feathers	1018-AJ00
1751	Endangered and Threatened Wildlife and Plants; Delisting the Eastern Distinct Population Segment of the Gray Wolf	1018-AJ03
1752	Endangered and Threatened Wildlife and Plants; Delisting of the Western Distinct Population Segment of the Gray Wolf	1018-AJ04
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1754	Endangered and Threatened Wildlife and Plants; Amendment to the Nonessential Experimental Population Rule for the Mexican Gray Wolf	1018-AT36
1755	Endangered and Threatened Wildlife and Plants; Amendment to Manatee Protection Areas in Florida (Barge Canal Exception)	1018-AT39
1756	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for the Topeka Shiner	1018-AU00
1757	Proposed Reclassification of the Gray Bat From Endangered to Threatened	1018-AU20
1758	Proposed Rule to Remove the Arizona Distinct Population Segment of the Cactus Ferruginous Pygmy-Owl from the Federal List of Endangered and Threatened Wildlife	1018-AU22
1759	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act	1018-AU29

United States Fish and Wildlife Service—Completed Actions

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1761	Addition of the Great White Shark and the Cape Stag Beetles to Appendix III Under CITES	1018-AH66
1762	Public Notice for CITES Appendix III Listing of Spanish Cedar by the Government of Peru	1018-AH99
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United States Fish and Wildlife Service—Completed Actions (Continued)

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1766	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle	1018-AI82
1767	Endangered and Threatened Wildlife and Plants; Removal of Eggert's Sunflower From the List of Endangered and Threatened Species and Determination that Designation of Critical Habitat Is Not Prudent	1018-AJ08
1768	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Fish Slough Milk-Vetch	1018-AJ09
1769	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Munz's Onion	1018-AJ10
1770	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Coastal-Puget Sound, St. Mary-Belly River, and Jarbidge River Population Segments of Bull Trout	1018-AJ12
1771	Endangered and Threatened Wildlife and Plants; Listing the Boreal Toad	1018-AT43
1772	Marine Mammals: Revised Definition of "Authentic Native Articles of Handicrafts and Clothing"	1018-AT48
1773	Listing the Miami Blue Butterfly as Endangered; Listing the Cassius Blue, Ceraunus Blue, and Nickerbean (Ammon) Blue Butterflies as Threatened Due to Similarity of Appearance to the Miami Blue	1018-AT51
1774	Migratory Bird Permits; Federal Falconry Standards; Adding Connecticut to the List of States That Meet Federal Falconry Standards	1018-AT63
1775	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Tiger Salamander, Central Population; 50 CFR 17	1018-AT68
1776	Seasons, Harvest Limits, Methods, and Means Related to Taking of Wildlife for Subsistence Uses During 2005-2006 Regulatory Year (Subpart D)	1018-AT70
1777	Migratory Bird Hunting; 2005-2006 Migratory Game Bird Hunting Regulations	1018-AT76
1778	Listing of 7 Foreign Butterfly Species Under the Endangered Species Act	1018-AT83
1779	Migratory Bird Hunting; Approval of 62 Percent Iron/25 Percent Tungsten/13 Percent Nickel Shot as Nontoxic for Hunting Waterfowl and Coots	1018-AT87
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1784	Migratory Bird Hunting; Approval of Tungsten-Bronze (Tungsten-Copper-Tin-Iron) Shot as Nontoxic for Hunting Waterfowl and Coots	1018-AU13
1785	2005-2006 Refuge-Specific Hunting and Sport Fishing Regulations	1018-AU14
1786	Migratory Bird Hunting; Approval of 58 Percent Tungsten/34 Percent Tin/4 Percent Iron Shot as Nontoxic for Hunting Waterfowl and Coots	1018-AU28
1787	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout	1018-AU31

National Park Service—Proposed Rule Stage

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1790	Revisions to Right-of-Way Regulations	1024-AD16
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1793	Vessel Management in Glacier Bay National Park	1024-AD25
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National Park Service—Final Rule Stage

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1810	Fire Island National Seashore; Personal Watercraft	1024-AC94
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Bureau of Indian Affairs—Proposed Rule Stage (Continued)

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Bureau of Indian Affairs—Completed Actions

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1856	Safety Management Systems	1010-AD15
1857	Reduction in Oil and Gas Royalty Rates in the Outer Continental Shelf under the Deep Water Royalty Relief Act ..	1010-AD29
1858	Alternate Energy-Related Uses on the Outer Continental Shelf	1010-AD30

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1859	Late and Overpayment Interest	1010-AC27
1860	Takes vs. Entitlements Reporting	1010-AC29
1861	Prepayment of Royalties	1010-AC31

DOI

Minerals Management Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1862	End-of-Life Royalty Relief	1010-AC58
1863	Valuation of Oil From Indian Leases (Reg Plan Seq No. 68)	1010-AD00
1864	Reduction to Royalty Relief in Special Circumstances	1010-AD02
1865	Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf	1010-AD06
1866	Protection of Marine Mammals and Endangered Species	1010-AD10
1867	Pipeline Safety Rule Phase I	1010-AD11
1868	Oil and Gas Production Rates	1010-AD12
1869	Rights of Use and Easement	1010-AD13
1870	Open and Nondiscriminatory Movement of Oil and Gas as Required by the Outer Continental Shelf Lands Act	1010-AD17
1871	Revisions to Rules Governing Platforms and Structures and Pipelines	1010-AD18
1872	Oil and Gas Well Cementing Requirements	1010-AD19
1873	Reporting and Compliance With the Debt Collection Improvement and Privacy Acts	1010-AD20
1874	Federal Sodium and Potassium Valuation	1010-AD21
1875	Cost Recovery for Plans, Permits, and Inspections for Oil and Gas Operations in the Outer Continental Shelf	1010-AD23
1876	Documents Incorporated by Reference for Oil and Gas and Sulphur Operations	1010-AD24
1877	Reduction in Oil and Gas Royalty Rates in the Outer Continental Shelf under the Deep Water Royalty Relief Act ..	1010-AD25
1878	Relief or Reduction in Royalty Rates - New Deep Gas and Offshore Alaska Provisions (Reg Plan Seq No. 69)	1010-AD31

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

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1879	Plans and Information	1010-AC47
1880	Incident Reporting	1010-AC57
1881	Proprietary Terms and Data Disclosure	1010-AC81
1882	Blowout Prevention for Production Tree Coiled Tubing Workover Operations	1010-AC96
1883	Data Release and Definitions	1010-AC99
1884	Suspension of Operations for Ultra-Deep Drilling	1010-AD09
1885	Administrative Cost Recovery for OCS Oil and Gas Operations	1010-AD16
1886	Providing Contact Information to MMS	1010-AD22
1887	Temporary Waiver of OCS Oil and Gas Fees	1010-AD27

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1888	Documents Incorporated by Reference for Offshore Floating Production Facilities	1010-AC85
1889	Federal Gas Valuation	1010-AD05
1890	Technical Amendment to Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS); Relief or Reduction in Royalty Rates; Deep Gas Provisions	1010-AD26
1891	Hurricane-related Royalty Relief	1010-AD28

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1892	Abandoned Coal Refuse Sites	1029-AB70
1893	Placement of Excess Spoil (Reg Plan Seq No. 70)	1029-AC04
1894	Financial Assurances	1029-AC05
1895	Ownership and Control Settlement Rule	1029-AC08
1896	Transfer, Assignment, or Sale of Permit Rights	1029-AC49

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

DOI

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1897	Indian Lands	1029-AB83
1898	Revegetation	1029-AC02
1899	Processing State Program Amendments	1029-AC06
1900	Fee Allocation Rule	1029-AC47
1901	Civil Penalty Adjustments	1029-AC48

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1902	Public Conduct on Bureau of Reclamation Facilities, Lands and Waterbodies	1006-AA45
1903	Implementation of the Truckee River Operating Agreement	1006-AA48

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1904	Public Conduct on Bureau of Reclamation Lands and Projects; Extension of Expiration Date	1006-AA49

Bureau of Land Management—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1905	Mining Claims Under the General Mining Law; Surface Management	1004-AD69

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1906	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32
1907	Oil and Gas Onshore Order No. 1	1004-AD59
1908	Alaska Native Veteran Allotments	1004-AD60
1909	Marginal Oil/Gas Royalty Rate Reduction Program	1004-AD65
1910	Public Lands and Resources; Law Enforcement—Criminal; Recreation Programs	1004-AD66
1911	Heavy Oil Royalty Reduction Program	1004-AD67
1912	Permits for Recreation on Public Lands	1004-AD68
1913	Sales of Forest Products; Preparation for Sale	1004-AD70

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1914	Cost Recovery; Mineral Filings and Operations	1004-AC64
1915	Grazing Administration—Exclusive of Alaska (Reg Plan Seq No. 71)	1004-AD42
1916	Stripper Well Royalty Reductions; Records Retention	1004-AD71
1917	Segregation of Lands Proposed for Sale	1004-AD74
1918	Mining Claim and Site Maintenance Fees - Fee Adjustment	1004-AD75

DOI

Bureau of Land Management—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1919	Oil and Gas; Combined Hydrocarbons Leasing; Tar Sands	1004-AD76

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

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1920	Appeals Procedures; Hearings Procedures	1004-AC99
1921	Conservation; Helium Leasing	1004-AD35

Department of the Interior (DOI)

Final Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1619. 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	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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)

1620. 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 two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

Timetable:

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

DOI—ASPMB

Long-Term Actions

1849 C Street NW., Washington, DC
20240
Phone: 202 208-4143

RIN: 1090-AA29

1621. DEPARTMENT HEARINGS AND APPEALS; PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 571 to 583

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/06	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Charles E. Breece, Deputy Director, Department of the Interior, 801 N. Quincy Street, Suite 300, Arlington, VA 22203
Phone: 703 235-3810

RIN: 1090-AA73

Department of the Interior (DOI)

Completed Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

1622. COLLECTION OF DEBTS BY ADMINISTRATIVE WAGE GARNISHMENT

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 39

Completed:

Reason	Date	FR Cite
Final Action	08/03/05	70 FR 44512

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William Webber
Phone: 202 208-5684

RIN: 1090-AA93

BILLING CODE 4310—RK—S

Department of the Interior (DOI)

Proposed Rule Stage

Office of Hearings and Appeals (OHA)

1623. EQUAL ACCESS TO JUSTICE ACT

Priority: Substantive, Nonsignificant

Legal Authority: PL 96-481

CFR Citation: 43 CFR 4

Legal Deadline: None

Abstract: Under this Act, an eligible person may obtain reimbursement for attorney's fees when the person prevails over the Department in a legal proceeding. This rule establishes procedures for submitting and consideration of reimbursement requests.

Timetable:

Action	Date	FR Cite
NPRM	10/05/05	70 FR 58167
Final Action	10/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

Phone: 703 235-3750

RIN: 1094-AA49

1624. • SPECIAL RULES APPLICABLE TO PUBLIC AND HEARINGS AND APPEALS

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 rule revises the special rules applicable to public and hearings and appeals.

Timetable:

Action	Date	FR Cite
NPRM	07/00/06	

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 20003

Phone: 703 235-3750

RIN: 1094-AA52

1625. • SPECIAL PROCEDURES FOR PUBLIC LANDS AND SURFACE MINING CASES

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: 43 CFR 23

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 for reconsideration of a decision; (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.

DOI—OHA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	
Final Action	10/00/06	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Will A. Irwin,
Administrative Judge, Department ofthe Interior, Office of Hearings and
Appeals, 801 N. Quincy Street,
Arlington, VA 20003
Phone: 703 235-3750

RIN: 1094-AA53

Department of the Interior (DOI)

Final Rule Stage

Office of Hearings and Appeals (OHA)

1626. ● HYDROPOWER LICENSING
HEARINGS PROCESS

Priority: Other Significant

Legal Authority: 16 USC 797(e); 16
USC 811

CFR Citation: 43 CFR 4

Legal Deadline: Final, Statutory,
November 7, 2005, Energy Policy Act
of 2005.Abstract: This rule implements the
requirement in section 261 of theEnergy Policy Act of 2005 that Interior,
Commerce, and Agriculture publish a
joint rule to provide for trial-type
hearings on disputed issues of material
fact relating to conditions and
prescriptions to be included in
hydropower licenses under the Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/05	

Regulatory Flexibility Analysis
Required: YesSmall Entities Affected: Governmental
JurisdictionsGovernment Levels Affected: Federal,
Local, State, TribalAgency Contact: Robert More,
Department of the Interior, 801 North
Quincy Street, Suite 300, Arlington, VA
22203
Phone: 703 235-3810

RIN: 1094-AA51

BILLING CODE 4310-79-S

Department of the Interior (DOI)

Final Rule Stage

Office of the Special Trustee (OST)

1627. AMERICAN INDIAN TRUST
FUND MANAGEMENT REFORM ACT

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 4001

CFR Citation: 25 CFR 1200

Legal Deadline: None

Abstract: Part 1200 describes the
processes by which Indian tribes can
manage tribal funds currently held in
trust by the United States. It describes
how tribes may withdraw their funds
from trust status, how they may returnfunds to trust status, and how they may
request technical assistance or grants to
help prepare or manage funds or to
ensure capability to manage those
funds. This rulemaking updates certain
titles, addresses, and document
references.

Timetable:

Action	Date	FR Cite
Final Action	12/00/05	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Sarah Yepa, Chief,
Division of Quality Assurance,
Department of the Interior, Office of the
Special Trustee, Suite 1000, 505
Marquette Avenue, NW Suite 1000,
Albuquerque, NM 87102
Phone: 505 248-5751
Fax: 505 248-5782

RIN: 1035-AA05

Department of the Interior (DOI)

Completed Actions

Office of the Special Trustee (OST)

1628. PROCEDURES FOR
DEPOSITING FUNDS

Priority: Substantive, Nonsignificant

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: 1035-AA04

BILLING CODE 4310-10-S

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

Prerule Stage

1629. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION; 50 CFR 17.21

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17.21(g)

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
ANPRM	02/00/06	

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, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2350
 Fax: 703 358-2281
 Email: tim_vannorman@fws.gov

RIN: 1018-AI66

1630. 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: This request for comments will generate input needed to develop a proposed regulation 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	12/12/05	
Period End		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AI97

1631. 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	12/15/05	70 FR 54700
Period End		

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

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

States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2095
 Email: peter_thomas@fws.gov

RIN: 1018-AJ24

1632. 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 better ensure consistent permit decisions nationally.

Timetable:

Action	Date	FR Cite
ANPRM	01/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: Federal, Local, State, Tribal

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

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

RIN: 1018-AU19

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

Proposed Rule Stage

1633. LIST OF MIGRATORY BIRDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 704; 16 USC 712

CFR Citation: 50 CFR 10.13

Legal Deadline: None

Abstract: The List of Migratory Birds found at 50 CFR 10.13 is being revised to bring the list into conformity with generally accepted taxonomy and nomenclature [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 but are not included 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	10/00/05	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-1714
 Email: brian_millsap@fws.gov
RIN: 1018-AB72

1634. SEIZURE AND FORFEITURE PROCEDURES—50 CFR PART 12

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3371 et seq

CFR Citation: 50 CFR 12

Legal Deadline: None

Abstract: The Service proposes to amend regulations in 50 CFR part 12 that establish procedures relating to property seized and administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisalment,

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	01/00/06	

**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

1635. 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	
Correction	06/29/00	65 FR 40167
Second NPRM	12/00/05	

**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, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2095
 Email: peter_thomas@fws.gov

RIN: 1018-AD87

1636. 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	12/00/05	

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

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

RIN: 1018-AF09

DOI—FWS

Proposed Rule Stage

1637. 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 Species. This action is based on continued recovery gains and increasing population trends.**Timetable:**

Action	Date	FR Cite
NPRM	07/06/99	64 FR 36454
NPRM Comment Period End	10/05/99	
NPRM	12/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, 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**1638. 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	12/00/05	
Final Action	06/00/06	

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, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter_thomas@fws.gov

RIN: 1018-AF27**1639. 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	01/00/06	

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, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-1708

Fax: 703 358-2276

Email: roddy_gabel@fws.gov

RIN: 1018-AF44**1640. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE, 50 CFR PART 14****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 668, 704, 712, 1382, 1538(d) to (f), and 1540(f); 16 USC 3371 to 3378, 4223 to 4244, and 4901 to 4916; 18 USC 42; 31 USC 9701**CFR Citation:** 50 CFR 14**Legal Deadline:** None**Abstract:** This proposed rule will revise the importation, exportation, and transportation regulations pertaining to the movement of all wildlife and wildlife products into or out of the United States.**Timetable:**

Action	Date	FR Cite
ANPRM	07/15/98	63 FR 38143
ANPRM Comment Period End	09/14/98	
NPRM	05/00/06	

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**1641. 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

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

1642. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR 12 SPECIES OF PICTURE-WING FLIES FROM THE HAWAIIAN ISLANDS

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

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

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3964
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 Comment Period End	11/03/05	
Final Action	04/00/06	

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

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AG23

1643. 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	04/00/06	

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

1644. ADDITION OF BLACK CARP (MYLOPHARYNGODON PICEUS) 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 black carp (*Mylopharyngodon piceus*) 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	06/02/00	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 Comment Period End	08/04/03	68 FR 33431
NPRM—Comment reopen, Notice of Draft Envir. Assess/Econ. Analysis	08/30/05	70 FR 51326
Second NPRM Comment Period End	10/31/05	70 FR 51326

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, Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203

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Proposed Rule Stage

Phone: 703 358-2034
 Email: erin_williams@fws.gov
 RIN: 1018-AG70

1645. CORRECTIONS TO RIGHTS-OF-WAY REGULATIONS

Priority: Info./Admin./Other

Legal Authority: PL 101-475

CFR Citation: 50 CFR 29

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Brenda Johnson-Turner, Realty Specialist, Department of the Interior, United States Fish and Wildlife Service, 4401 N Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2363
 Email: brenda_johnson-turner@fws.gov

RIN: 1018-AI12

1646. 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	03/00/06	

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

1647. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDINGS FOR THE GULF OF BOOTHIA AND WESTERN HUDSON POPULATIONS

Priority: Other Significant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18.30

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	
Final Action	05/00/06	

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, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2095
 Email: peter_thomas@fws.gov

RIN: 1018-AI65

1648. 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 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	11/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
 Phone: 703 358-2061
 Fax: 703 358-1735
 Email: michelle_morgan@fws.gov

RIN: 1018-AI79

1649. 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

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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
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, Avail Documents	02/09/05	70 FR 6819
NPRM Comment Period Reopened, Public Hearings, Avail of Draft Monitoring Plan	09/16/05	70 FR 54701
Public Hearing	10/11/05	
Public Hearing	10/13/05	
Second NPRM Comment Period End	11/15/05	
Final Rule	02/00/06	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AI80

1650. 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	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AI83

1651. U.S. PROPOSALS FOR CITES APPENDIX III; BLACK COHOSH

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 23

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	01/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Dr. Patricia S. De Angelis, Botanist, Division of Scientific Authority; Chair, Plant Conserv. All., Medicinal Plant Working Grp., 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: patricia_deangelis@fws.gov

RIN: 1018-AI91

1652. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA RED-LEGGED FROG

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, March 31, 2004, Settlement agreement. Final, Judicial, November 30, 2005.

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

Timetable:

Action	Date	FR Cite
NPRM	04/13/04	69 FR 19619
Public Hearing Request Due Date	05/28/04	69 FR 19619
NPRM Comment Period End	06/14/04	
NPRM Comment Period Extended	06/14/04	69 FR 32966
Comment Period End	07/14/04	69 FR 32966
Second NPRM	10/00/05	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AJ16

1653. ADDING SILVER CARP (HYPOPTHALMICHTHYS MOLITRIX) AND LARGESCALE SILVER CARP (HYPOPTHALMICHTHYS HARMANDI) TO THE LIST OF INJURIOUS WILDLIFE

Priority: Other Significant

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 the silver

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carp (*Hypophthalmichthys molitrix*) and largescale silver carp (*Hypophthalmichthys harmandi*) 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	10/00/05	

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, Endangered 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

1654. 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	06/00/06	

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

1655. MARINE MAMMALS; AND 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

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	03/00/06	
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

1656. 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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AT37

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1657. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE YELLOWSTONE GRIZZLY BEAR POPULATION FROM THE LIST OF ENDANGERED AND THREATENED SPECIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service is planning to propose to remove the Yellowstone population of grizzly bears from the List of Endangered and Threatened Species. This population has reached its recovery goals.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle__morgan@fws.gov

RIN: 1018-AT38**1658. ADDING BIGHEAD CARP (HYPOPHthalmichthys nobilis) 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	11/17/03	68 FR 54409
Period End		
NPRM	03/00/06	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Erin Williams, Endangered 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-AT49**1659. REVISED DEFINITION OF "DESTRUCTION OR ADVERSE MODIFICATION" FOR ENDANGERED SPECIES ACT SECTION 7 CONSULTATIONS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 402.02**Legal Deadline:** None**Abstract:** Fish and Wildlife Service and National Marine Fisheries Service will revise 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	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Richard E Sayers Jr., Chief, Branch of Consultation and Habitat Conservation Planning, Department of the Interior, United States Fish and Wildlife Service, ARLSQ-420, 4401 N. Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2106

Fax: 703 358-1735

Email: rick__sayers@fws.gov

RIN: 1018-AT50**1660. SPECIAL RULE RECLASSIFYING ARGENTINIAN BROAD-SNOURED CAIMAN POPULATION FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to propose to downlist the broad-snouted caiman (*Caiman latirostris*) population in Argentina from endangered to threatened under the Endangered Species Act, with a special rule (under section 4(d) of ESA) allowing the importation into the United States of skins and products from the Argentinian population of broad-snouted caiman, if certain conditions are satisfied.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/05	

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**1661. 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

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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	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

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

Related RIN: Related to 1018-AG11

RIN: 1018-AT60

1662. 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 propose to list six foreign bird species under the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

1663. MIGRATORY BIRD HUNTING: REVISION OF LANGUAGE USED IN REGULATIONS FOR APPROVING NONTOXIC SHOT FOR USE IN WATERFOWL HUNTING

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

Legal Authority: 16 USC 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	10/00/05	

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

1664. REGULATIONS TO IMPLEMENT THE CAPTIVE WILDLIFE SAFETY ACT

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 14

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

Abstract: We plan to propose to implement the Captive Wildlife Safety Act (CWSA) by adding subpart K to 50

CFR 14. The CWSA amends the Lacey Act by making it illegal to buy, sell, transport, receive, or acquire live lions, tigers, leopards, cheetahs, jaguars, and cougars or any hybrid of these species across State lines, or to import or export any of these species.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

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

Phone: 703 358-1949

Fax: 703 358-1947

Email: kevin_adams@fws.gov

RIN: 1018-AT69

1665. 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	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

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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

1666. 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	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AT73

1667. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; COACHELLA VALLEY MILK-VETCH CRITICAL HABITAT DESIGNATION

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We proposed critical habitat for the Coachella Valley milk-vetch, which occurs in Southern California.

Timetable:

Action	Date	FR Cite
NPRM	12/14/04	69 FR 74468
NPRM Comment	07/14/04	69 FR 74468
Period End		
Public Hearing	01/28/05	
Request Due Date		
NPRM Comment	09/27/05	70 FR 56434
Period Reopened		
Comment Period End	10/27/05	
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AT74

1668. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; THREAD-LEAVED BRODIAEA CRITICAL HABITAT DESIGNATION

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We proposed critical habitat for the Thread-Leaved Brodiaea, a plant, which occurs in Southern California.

Timetable:

Action	Date	FR Cite
NPRM	12/08/04	69 FR 71283
Public Hearing	01/24/05	
Request Due Date		
NPRM Comment	02/07/05	
Period End		
NPRM Comment	10/06/05	70 FR 58361
Period Reopened		
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AT75

1669. 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	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Related to 1018-AJ13

RIN: 1018-AT79

1670. MARINE MAMMALS: PROPOSED INCIDENTAL TAKE AUTHORIZATION DURING SPECIFIED ACTIVITIES

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

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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	10/00/05	
Final Action	09/00/06	

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

1671. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE CUI-UI FROM THE LIST OF ENDANGERED AND THREATENED SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service is planning to propose to remove the Cui-ui, a fish, from the List of Endangered and Threatened Species 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	02/00/06	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AT85

1672. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR ST. ANDREW BEACH MOUSE, PERDIDO KEY BEACH MOUSE, AND CHOTAWHATCHEE 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 plan to propose critical habitat for the St. Andrew beach mouse, Perdido Key beach mouse, and Chotawhatchee beach mouse along the coast of the Florida panhandle and Alabama.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	
Final Action	11/00/06	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AT90

1673. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR 3 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 plan to propose critical habitat for 3 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	10/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Related to 1018-AE53

RIN: 1018-AT91

1674. 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 plan to propose critical habitat for the Willowy monardella, a plant in Southern California.

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Timetable:

Action	Date	FR Cite
NPRM	11/00/05	
Final Action	11/00/06	

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

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AT92**1675. 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 plan to propose critical habitat for the Alameda whipsnake, a snake in central California.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	
Final Action	10/00/06	

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

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Related to 1018-AF98**RIN:** 1018-AT93**1676. PROTECTION OF BALD EAGLES AND 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	12/00/05	

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**1677. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D; 2006-2007 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS****Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

Abstract: This proposed rule will revise the regulations for seasons,

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

Timetable:

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

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

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

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill_knauer@fws.gov

RIN: 1018-AT98**1678. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

Abstract: This 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

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Proposed Rule Stage

C Street, Suite 1030, Anchorage, AK 99503

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill_knauer@fws.gov

RIN: 1018-AT99

1679. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR 16 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 16 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	12/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU01

1680. 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	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Abbey Kucera, Natural Resource Specialist, Department of the Interior, United States Fish and Wildlife Service, Kodiak National Wildlife Refuge, 1390 Buskin River Road, Kodiak, AK 99615

Phone: 907 487-2600

Fax: 907 487-2144

Email: abbey_kucera@fws.gov

RIN: 1018-AU08

1681. 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 Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU11

1682. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2007-2008 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS

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

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

DOI—FWS

Proposed Rule Stage

1683. NEGOTIATION OF ANNUAL FUNDING AGREEMENTS WITH TRIBES (MANUAL CHAPTER)

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

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

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	01/00/06	

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

1684. 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	06/00/06	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358–2061

Fax: 703 358–1735

Email: michelle_morgan@fws.gov

RIN: 1018–AU17

1685. 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	10/11/05	70 FR 46388
Period End		
Final Action	04/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Related to 1018–AI44

RIN: 1018–AU21

1686. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA TIGER SALAMANDER, SONOMA COUNTY POPULATION

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, July 15, 2005.

Final, Judicial, December 1, 2005.

Abstract: The Service will designate critical habitat for the Sonoma County population of California tiger salamander (*Ambystoma californiense*) under the Endangered Species Act of 1973, as amended. The critical habitat is located in Sonoma County, California.

Timetable:

Action	Date	FR Cite
NPRM	08/02/05	70 FR 44301
Public Hearing	09/08/05	
NPRM Comment	10/03/05	
Period End		
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018–AU23

DOI—FWS

Proposed Rule Stage

1687. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SOUTHERN CALIFORNIA DISTINCT VERTEBRATE POPULATION SEGMENT OF THE MOUNTAIN YELLOW-LEGGED FROG (RANA MUSCOSA)

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: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU30

1688. ● 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 will 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	
Final Action	09/00/06	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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-AU32

1689. ● 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 plan to 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	11/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

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

RIN: 1018-AU33

1690. ● 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, December 1, 2005.

Final, Judicial, December 1, 2006.

Abstract: We plan to propose to designate Critical Habitat for Yadeon's piperia, a plant in the Monterey region of central California.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU34

1691. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING GUNNISON'S SAGE GROUSE

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to propose to list Gunnison's sage grouse, a pheasant-like bird in western Colorado, under the Endangered Species Act.

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, Branch of Listing, Endangered

DOI—FWS

Proposed Rule Stage

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: marjorie_nelson@fws.gov

RIN: 1018-AU35

1692. • 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	12/00/05	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal, Local, State

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU37

1693. • 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 propose 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	02/00/06	

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

1694. • MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; PROPOSED SPRING/SUMMER SUBSISTENCE ANNUAL HARVEST REGULATIONS FOR MIGRATORY BIRDS IN ALASKA DURING THE 2006 SUBSISTENCE SEASON

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 703 to 712

CFR Citation: 50 CFR 92

Legal Deadline: None

Abstract: This action establishes annual spring/summer migratory bird subsistence harvest regulations in Alaska for the 2006 subsistence season.

Timetable:

Action	Date	FR Cite
NPRM	09/22/05	70 FR 55691
NPRM Comment Period End	11/21/05	
Final Action	01/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018-AU39

1695. • CITES APPENDIX-III LISTING OF GALAX (GALAX URCEOLATA)

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	12/00/05	

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

1696. • MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES

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 Bering Sea and adjacent coast of Alaska during oil and gas industry activities for 5 years.

Timetable:

Action	Date	FR Cite
NPRM	03/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

DOI—FWS

Proposed Rule Stage

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

1697. • MIGRATORY BIRD HUNTING; 2006-2007 MIGRATORY GAME BIRD HUNTING REGULATIONS

Priority: Economically Significant. Major under 5 USC 801.

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

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: 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. 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	04/00/06	

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, MS

MBSP-4107, 4401 North Fairfax Dr, Arlington, VA 22203
Phone: 703 358-1714
Email: ronald_kokel@fws.gov

RIN: 1018-AU42

1698. • 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
NPRM	07/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

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

RIN: 1018-AU43

1699. • 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	04/00/06	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

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

RIN: 1018-AU44

1700. • 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 plan to propose to designate critical habitat for the Holmgren and Shivwits milk vetches.

Timetable:

Action	Date	FR Cite
NPRM	03/00/06	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU45

1701. • CRITICAL HABITAT DESIGNATION FOR ALABAMA BEACH MOUSE

Priority: Other Significant

Unfunded Mandates: Undetermined

DOI—FWS

Proposed Rule Stage

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 plan to propose to designate critical habitat for the Alabama Beach Mouse along the coast of Alabama.

Timetable:

Action	Date	FR Cite
NPRM	01/00/06	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU46

1702. • 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: NPRM, Judicial, December 15, 2005.

Final, Judicial, December 15, 2006.

Abstract: We plan to propose to revise the currently designated critical habitat for the Kootenai River White Sturgeon in Idaho.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU47

1703. • 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: NPRM, Judicial, December 13, 2005.

Final, Judicial, December 13, 2006.

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
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU48

1704. • ADDING GRAHAM'S PENSTEMON 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 plan to propose to add Graham's Penstemon to the List of

Endangered and Threatened Plants, and also to designate critical habitat for the species.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU49

1705. • 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 15, 2005.

Final, Judicial, November 15, 2006.

Abstract: We plan to 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	11/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU50

DOI—FWS

Proposed Rule Stage

1706. • 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 plan to propose to designate critical habitat for Braunton's milk-vetch and Lyon's penchaeta, two plants.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/05	

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

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU51**1707. • 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 plan to 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	11/00/05	

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

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AU52**1708. • REMOVAL OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service proposes to establish a western distinct population segment (DPS) of the gray wolf and remove the DPS from the List of Endangered and Threatened Species.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU53**1709. • REMOVAL OF THE GREAT LAKES DISTINCT POPULATION SEGMENT OF THE GRAY WOLF FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service 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 Species.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU54**1710. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS: 5-YEAR REVIEW OF FOREIGN SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Statutory, ESA requirement. ESA requires review of listings every 5 years.**Abstract:** We will review the current list of foreign species to solicit information on their current status and determine if any should be reclassified or delisted. Psittacine birds have been reviewed separately. Other taxonomic groups may be dealt with separately as the review proceeds.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/05	

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

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

DOI—FWS

Proposed Rule Stage

Email: marie__maltese@fws.gov

Related RIN: Related to 1018–AG63

RIN: 1018–AU55

Department of the Interior (DOI)

Final Rule Stage

United States Fish and Wildlife Service (FWS)

1711. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: Based on comments received, we may finalize a rule to list the Tibetan antelope (*Pantholops hodgsonii*) as endangered under the Endangered Species Act.

Timetable:

Action	Date	FR Cite
Notice	04/25/00	65 FR 24171
NPRM Comment Period End	06/26/00	
NPRM	10/06/03	68 FR 57646
Hearing requests due	11/20/03	68 FR 57646
NPRM Comment Period End	01/05/04	
Final Action	10/00/05	

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–AF49

1712. U.S. PROPOSALS FOR CITES APPENDIX III; CERTAIN TURTLE SPECIES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: This action would add certain native turtle species to Appendix III of the Convention on International Trade in Endangered

Species of Wild Fauna and Flora. If adopted, exports of the species would require CITES documentation from the Service to ensure that foreign countries accept the shipments. This action is necessary to monitor the impact of trade on the species in an effort to maintain healthy populations.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4217
NPRM Comment Period End	03/13/00	65 FR 4217
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1018–AF69

1713. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF ENDANGERED STATUS AND DESIGNATION OF CRITICAL HABITAT FOR THE GILA CHUB

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We are finalizing endangered status and the designation of critical habitat for the Gila chub, a fish, in the Gila River Basin of Arizona, southwestern New Mexico, and Sonora, Mexico.

Timetable:

Action	Date	FR Cite
NPRM	08/09/02	67 FR 51947

Action	Date	FR Cite
Hearing request due date	09/23/02	67 FR 51947
NPRM Comment Period End	10/08/02	
NPRM Comment Period Reopened	08/31/05	70 FR 51732
Public Meeting	09/13/05	
Public Meeting	09/14/05	
Public Meeting	09/15/05	
Second NPRM Comment Period End	09/30/05	
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie__nelson@fws.gov

RIN: 1018–AG16

1714. 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.

DOI—FWS

Final Rule Stage

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	12/00/05	

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

1715. 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	12/00/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AH53

1716. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED WITH A SPECIAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to 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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AH57

1717. 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 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
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	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

Phone: 703 358-2095

Email: peter_thomas@fws.gov

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

Phone: 703 358-1708

Fax: 703 358-2276

Email: michael_kreger@fws.gov

RIN: 1018-AH89

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1718. 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	12/00/05	

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**1719. 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	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Tribal**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian_millsap@fws.gov**RIN:** 1018–AI07**1720. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 20**Legal Deadline:** None**Abstract:** This rule would establish a regulation authorizing State wildlife agencies to conduct indirect and/or direct population control management activities on resident Canada geese, including the take of birds. The intent of this rule is to allow State wildlife management agencies sufficient flexibility to deal with problems caused by resident Canada geese and to guide and direct Canada goose population growth and management activities in the coterminous United States.**Timetable:**

Action	Date	FR Cite
NPRM	08/21/03	68 FR 50496

Action	Date	FR Cite
NPRM Comment Period End	10/20/03	68 FR 50496
Final Action	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Tribal**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358–1714
Email: brian_millsap@fws.gov**RIN:** 1018–AI32**1721. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE AMERICAN CROCODILE FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to make a final determination on the proposed rule to reclassify the American crocodile from endangered to threatened. This action is based on the substantial improvement in the species' status and improved understanding of the species' biology and management needs. Since its listing in 1975, the population of the American crocodile in Florida has more than doubled and its distribution has expanded. Land acquisition has also provided protection for many important nesting areas.**Timetable:**

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

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

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the Interior, United States Fish and Wildlife Service, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AI41

1722. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PERMITS FOR FOREIGN LISTED SPECIES

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 used for issuing Endangered Species Act permits for foreign listed species.

Timetable:

Action	Date	FR Cite
Notice of Proposed Policy	08/18/03	68 FR 49512
Comment Period End	10/17/03	68 FR 49512
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2350

Fax: 703 358-2281

Email: tim_vannorman@fws.gov

RIN: 1018-AI67

1723. 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	06/06/03	68 FR 19888
Request Due Date		
NPRM Comment	06/23/03	
Period End		
NPRM Comment	04/08/04	69 FR 18516
Period Reopened;		
Draft Economic		
Analysis; Notice of		
Public Hearing		
Other/Public Hearing	04/29/04	69 FR 18516
NPRM Comment	05/10/04	
Period End		
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AI71

1724. 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	06/09/03	68 FR 20228
Request Due Date		
NPRM Comment	06/23/03	
Period End		

Action	Date	FR Cite
NPRM Comment	04/08/04	69 FR 18515
Period Reopen,		
Draft Econ Analysis		
Avail, Public		
Hearing		
NPRM Comment	05/24/04	
Period End		
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AI72

1725. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION

Priority: Other Significant

Legal Authority: PL 107-314

CFR Citation: 50 CFR 21

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	06/02/04	69 FR 31074
NPRM Comment	08/02/04	69 FR 31074
Period End		
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

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RIN: 1018-AI92

1726. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN JACINTO VALLEY CROWNSCALE

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, October 1, 2005.

Abstract: We will designate critical habitat for the San Jacinto Valley Crownscale. On October 13, 1998, the San Jacinto Valley Crownscale, a plant species endemic to California, was listed as an endangered species.

Timetable:

Action	Date	FR Cite
NPRM	10/06/04	69 FR 59844
Public Hearing Request Due Date	11/22/04	69 FR 59844
NPRM Comment Period End	12/06/04	
Other/NPRM Comment Period Reopened	08/31/05	70 FR 51739
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: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AJ11

1727. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SALT CREEK TIGER BEETLE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Abstract: We will list the Salt Creek tiger beetle (*Cicindela nevadica lincolniiana*) as endangered pursuant to the Endangered Species Act of 1973, as amended (Act). This subspecies is endemic to eastern Nebraska saline wetlands and associated streams in the northern third of Lancaster County and southern margin of Saunders County in Nebraska. On February 1, 2005, this action was proposed under an erroneous RIN (1018-AE59).

Timetable:

Action	Date	FR Cite
NPRM under 1018-AE59	02/01/05	70 FR 5101
Public Hearing Request Due Date	03/18/05	70 FR 5101
NPRM Comment Period End	04/04/05	
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: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Related to 1018-AT79

RIN: 1018-AJ13

1728. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF MEXICAN BOBCAT FROM LIST OF ENDANGERED SPECIES

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We received a petition to delist the Mexican bobcat (*Lynx rufus escuinapae*). 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	05/19/05	70 FR 28895
Public Hearing Request Due Date	07/05/05	70 FR 28895
NPRM Comment Period End	08/17/05	
Final Action	01/00/06	

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

1729. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN MIGUEL ISLAND FOX, SANTA ROSA ISLAND FOX, SANTA CRUZ ISLAND FOX, AND SANTA CATALINA ISLAND FOX

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

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

Timetable:

Action	Date	FR Cite
NPRM	10/07/04	69 FR 60134
NPRM Comment Period End	12/06/04	69 FR 60134
Final Action	11/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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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Related RIN: Related to 1018-AI28

RIN: 1018-AT78

1730. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; SOUTHWESTERN ALASKA COASTAL AREAS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3101 to 3126

CFR Citation: 50 CFR 100; 36 CFR 242

Legal Deadline: None

Abstract: We proposed to revise and clarify the jurisdiction of the Federal Subsistence Management Program in coastal areas in southwestern Alaska.

Timetable:

Action	Date	FR Cite
NPRM	12/08/04	69 FR 70940
NPRM Comment Period End	01/24/05	
NPRM Comment Period Reopened	08/29/05	70 FR 50999
Final Action	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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

Phone: 907 786-3873

Fax: 907 786-3898

Email: bill_knauer@fws.gov

RIN: 1018-AT81

1731. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE ARKANSAS RIVER SHINER

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Final, Statutory, September 30, 2005.

Final, Judicial, September 30, 2005.

Abstract: We proposed critical habitat for the Arkansas River shiner, a fish, in portions of the Canadian River in New Mexico, Texas, and Oklahoma.

Timetable:

Action	Date	FR Cite
NPRM	10/06/04	69 FR 59859
NPRM Comment Period End	04/30/05	
NPRM Comment Period Extended	04/28/05	70 FR 21987
NPRM Comment Period End	06/17/05	70 FR 21987
NPRM Comment Period Reopened	08/01/05	70 FR 44078
Comment Period End	08/31/05	70 FR 44078
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: Marjorie Nelson, Chief, 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-AT84

1732. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SPREADING NAVARRETTIA

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, October 1, 2005.

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

Timetable:

Action	Date	FR Cite
NPRM	10/07/04	69 FR 60110
Public Hearing Request Due Date	11/22/04	69 FR 60110
NPRM Comment Period End	12/06/04	
NPRM Comment Period Reopened	08/31/05	70 FR 51742
NPRM Comment Period End	09/14/05	
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018-AT86

1733. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR SOUTHWESTERN WILLOW FLYCATCHER

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

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

Final, Statutory, September 30, 2005.

Final, Judicial, September 30, 2005.

Abstract: We proposed critical habitat for the Southwestern willow flycatcher in portions of California, Nevada, New Mexico, Utah, and Colorado.

Timetable:

Action	Date	FR Cite
NPRM Under RIN 1018-AI49	10/12/04	69 FR 60706
NPRM Comment Period Extended Under RIN 1018-AI49	12/13/04	69 FR 72161
NPRM Comment Period Extended	03/31/05	70 FR 16474
Availability of Draft Economic Analysis and Draft Environmental Assessment	04/28/05	70 FR 21988
Extended Comment Period End	05/31/05	70 FR 16474
NPRM Comment Period Reopened	07/07/05	70 FR 39227
NPRM Comment Period End	07/18/05	70 FR 39227
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Previously reported as 1018-AI49

RIN: 1018-AT88

1734. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR WESTERN SNOWY PLOVER

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, December 1, 2004.
Final, Statutory, September 20, 2005.
Final, Judicial, September 20, 2005.

Abstract: We proposed critical habitat for the Western snowy plover in California and Oregon.

Timetable:

Action	Date	FR Cite
NPRM	12/17/04	69 FR 75607
Public Hearing Request Due Date	01/31/05	
NPRM Comment Period End	02/15/05	
Proposed Rule, NOA draft econ analysis	08/16/05	70 FR 48094
NPRM Comment Period End	09/28/05	70 FR 48094
Final Action	09/29/05	70 FR 56970
Final Action Effective	10/31/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal, Local, State

Agency Contact: Marjorie Nelson, Chief, 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-AT89

1735. MIGRATORY BIRD HUNTING; APPROVAL OF TUNGSTEN-IRON-COPPER-NICKEL, IRON-TUNGSTEN-NICKEL, TUNGSTEN-BRONZE (ADDITIONAL FORMULATION), TUNGSTEN-TIN-IRON SHOT TYPES/ALLOYS AS NONTOXIC

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

Legal Authority: 40 Stat. 755; 16 USC 703 to 712; 16 USC 742a-j; PL 106-108; 113 Stat. 1491; ...

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: We received applications for approval of tungsten-iron-copper-nickel shot, iron-tungsten-nickel alloy, tungsten-bronze (additional formulation) shot, and tungsten-tin-iron shot as nontoxic for waterfowl hunting. We are obligated under regulations at 50 CFR 20.134 to consider all such applications.

Timetable:

Action	Date	FR Cite
ANPRM: Tungsten-Iron-Copper-Nickel Shot; 1018-AU04	01/21/05	70 FR 3180
ANPRM: Tungsten-Bronze Shot; 1018-AU13	05/02/05	70 FR 22624
ANPRM: Iron-Tungsten-Nickel Alloys; 1018-AU09	05/02/05	70 FR 22625
ANPRM: Tungsten-Tin-Iron Shot; 1018-AU28	06/02/05	70 FR 49541
NPRM for all 4 Shot Types/Alloys; NOA	08/24/05	70 FR 49541
NPRM/NOA for all 4 Shot Types/Alloys—Comment Period End	09/23/05	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

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

Related RIN: Previously reported as 1018-AU09, Previously reported as 1018-AU13, Previously reported as 1018-AU28

RIN: 1018-AU04

1736. 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

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 2006-07 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 2005-06 Subsistence Taking of Fish and Wildlife Regulations," which expire on March 31, 2006. 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	01/06/05	70 FR 1216
Final Rule	03/00/06	

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-AU05

DOI—FWS

Final Rule Stage

1737. 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 the proposal to delist the Preble's Meadow Jumping Mouse, removing it from the List of Endangered Species.**Timetable:**

Action	Date	FR Cite
NPRM	02/02/05	70 FR 5404
Final Rule	02/00/06	
Public hearing request due date	03/21/05	70 FR 5404
NPRM Comment Period End	05/03/05	

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU12**1738. 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	01/00/06	

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**1739. 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	01/00/06	

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.govJames W. Kurth, Deputy Chief, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, MS 670 ARLSQ, Washington, DC 20240
Phone: 703 358-1744**Related RIN:** Split from 1018-AG46**RIN:** 1018-AU25**1740. 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	01/00/06	

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

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

Long-Term Actions

1741. IMPLEMENTATION OF THE 1994 AMENDMENTS TO THE MARINE MAMMAL PROTECTION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 to 1374

CFR Citation: 50 CFR 18

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AE72

1742. TAKING OF MARINE MAMMALS BY LEVEL B HARASSMENT; ISSUANCE OF GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH AND PERMITS FOR PHOTOGRAPHY, EDUCATIONAL, AND COMMERCIAL PURPOSES

Priority: Substantive, Nonsignificant

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

CFR Citation: 50 CFR 18

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1018-AF26

1743. 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.

Timetable:

Action	Date	FR Cite
NPRM	02/09/05	70 FR 6978
NPRM Comment Period End	05/10/05	70 FR 6978
Final Action	10/00/06	

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

RIN: 1018-AG11

1744. 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 Species. 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.

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AG40

1745. 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

DOI—FWS

Long-Term Actions

(*Salvelinus malma*) in Washington State as threatened under the “Similarity of Appearance” provision of the Endangered Species Act.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

RIN: 1018–AH68

1746. 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	12/10/03	68 FR 51231
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

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

Email: brian_millsap@fws.gov

RIN: 1018–AI05

1747. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF AND WITHDRAWAL OF PROPOSED CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

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

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Federal

Federalism: Undetermined

Agency Contact: Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov

Related RIN: Related to 1018–AU22

RIN: 1018–AI48

1748. MIGRATORY BIRD PERMITS; REVISIONS TO GENERAL EXCEPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: PL 95–616; 92 Stat 3112 (16 USC 712(2)); PL 106–108

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: Under this rule, some public institutions which are now exempted from permit requirements would be required to obtain permits in order to possess migratory birds. It would create new exemptions for State and Federal resource managers and it would establish husbandry requirements applicable to exempt facilities.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions, Organizations, Businesses

Government Levels Affected: State, Federal

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

RIN: 1018–AI96

1749. 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

DOI—FWS

Long-Term Actions

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

Phone: 703 358—1949

Fax: 703 358—1947

Email: kevin_adams@fws.gov

RIN: 1018—AI98

1750. 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 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358—1949

Fax: 703 358—1947

Email: kevin_adams@fws.gov

RIN: 1018—AJ00

1751. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE EASTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We are planning to remove the eastern Distinct Population Segment (DPS) of the gray wolf, consisting of 21 States, from the List of Endangered and Threatened Species. The reasons

for this action are the following: The achievement of all recovery criteria and completion of suitable state wolf management plans by Minnesota, Wisconsin, and Michigan.

Timetable:

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

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358—2061

Fax: 703 358—1735

Email: michelle_morgan@fws.gov

Related RIN: Related to 1018—AF20

RIN: 1018—AJ03

1752. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: We plan to remove the western Distinct Population Segment (DPS) of the gray wolf from the List of Endangered and Threatened Species.

The reason for this action is the following: On the basis of estimates compiled in December 2002, we conclude that the wolf population has achieved the required third year of its population recovery criteria.

Timetable:

Action	Date	FR Cite
ANPRM	04/01/03	68 FR 15879
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358—2061

Fax: 703 358—1735

Email: michelle_morgan@fws.gov

Related RIN: Related to 1018—AF20

RIN: 1018—AJ04

1753. INJURIOUS WILDLIFE SPECIES; BOIGA SNAKES

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

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: 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, Endangered Species, Department of the Interior, United States Fish and

DOI—FWS

Long-Term Actions

Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2034
Email: erin_williams@fws.gov

RIN: 1018-AT28

1754. 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 2000, a panel of scientists recommended a revision to the experimental population rule after conducting a 3-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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AT36

1755. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO MANATEE PROTECTION AREAS IN FLORIDA (BARGE CANAL EXCEPTION)

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

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	08/10/01	66 FR 42317
Public Hearings	08/29/01	66 FR 45662
	9/11-13, 2001	
Public Hearing	09/13/01	66 FR 42317
NPRM Comment	10/09/01	
Period End		
Final Action	01/07/02	67 FR 680
NPRM under	04/16/02	67 FR 18572
1018-AH80		
Public Hearing	05/31/02	67 FR 18572
Request Due Date		
NPRM Comment	06/17/02	
Period End		
Final Rule	09/20/02	67 FR 59408
—Emergency Rule		
Effective		
Immediately		
Final Rule Effective	11/08/02	67 FR 68449
Immediately		
NPRM	11/08/02	67 FR 68449
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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735

Email: michelle_morgan@fws.gov

Related RIN: Previously reported as 1018-AH80

RIN: 1018-AT39

1756. 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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203
Phone: 703 358-2061
Fax: 703 358-1735
Email: michelle_morgan@fws.gov

RIN: 1018-AU00

1757. PROPOSED 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

DOI—FWS

Long-Term Actions

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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

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Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AU20

1758. PROPOSED RULE TO REMOVE THE ARIZONA DISTINCT POPULATION SEGMENT OF THE CACTUS FERRUGINOUS PYGMY-OWL FROM THE FEDERAL LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Other Significant

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 list the cactus ferruginous pygmy-owl as endangered, we are proposing 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
NPRM—Public Meeting	09/07/05	70 FR 53139
Final Action	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, ARL SQ 436, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2061

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Email: michelle_morgan@fws.gov

Related RIN: Related to 1018-AI48

RIN: 1018-AU22

1759. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISIONS TO THE REGULATIONS APPLICABLE TO PERMITS ISSUED UNDER THE ENDANGERED SPECIES ACT

Priority: Other Significant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 13; 50 CFR 17

Legal Deadline: None

Abstract: Presently, Safe Harbor Agreements and Candidate Conservation Agreements with

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

Timetable:

Action	Date	FR Cite
NPRM 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)

United States Fish and Wildlife Service (FWS)

Completed Actions

1760. INTERAGENCY GUIDANCE FOR THE PRESCRIPTION OF FISHWAYS PURSUANT TO SECTION 18 OF THE FEDERAL POWER ACT

Priority: Other Significant

CFR Citation: None

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Robin Nims-Elliott
Phone: 703 358-2161
Email: robin_nimselliott@fws.gov

RIN: 1018-AH42

1761. ADDITION OF THE GREAT WHITE SHARK AND THE CAPE STAG BEETLES TO APPENDIX III UNDER CITES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Pat Ford
Phone: 703 358-1708
Email: pat_ford@fws.gov

RIN: 1018-AH66

DOI—FWS

Completed Actions

1762. PUBLIC NOTICE FOR CITES APPENDIX III LISTING OF SPANISH CEDAR BY THE GOVERNMENT OF PERU

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Pat Ford

Phone: 703 358-1708

Email: pat_ford@fws.gov

RIN: 1018-AH99

1763. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND DESIGNATION OF CRITICAL HABITAT FOR THREE SNAILS AND ONE AMPHIPOD

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Revised PR, Reopen Comment, Draft Econ Analysis/Envir Assessment, Updated CH Legal Descriptions	05/04/05	70 FR 23083
Final Action	08/09/05	70 FR 46303
Final Action Effective	09/08/05	70 FR 46303

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Marjorie Nelson

Phone: 703 358-2105

Fax: 703 358-2434

Email: marjorie_nelson@fws.gov

RIN: 1018-AI15

1764. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SOUTHWEST ALASKAN DISTINCT POPULATION SEGMENT OF THE NORTHERN SEA OTTER

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	08/09/05	70 FR 46365
Final Action Effective	09/08/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson

Phone: 703 358-2105

Fax: 703 358-2434

Email: marjorie_nelson@fws.gov

RIN: 1018-AI44

1765. MIGRATORY BIRD PERMITS; EIDERDOWN FROM ICELAND

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 21

Completed:

Reason	Date	FR Cite
Withdrawn	08/30/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Brian Millsap

Phone: 703 358-1714

Email: brian_millsap@fws.gov

RIN: 1018-AI64

1766. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE SCIMITAR-HORNED ORYX, ADDAX, AND DAMA GAZELLE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	09/02/05	70 FR 52319
Final Action Effective	10/03/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Gabel

Phone: 703 358-1708

Fax: 703 358-2276

Email: roddy_gabel@fws.gov

RIN: 1018-AI82

1767. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF EGGERT'S SUNFLOWER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES AND DETERMINATION THAT DESIGNATION OF CRITICAL HABITAT IS NOT PRUDENT

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	08/18/05	70 FR 48482
Final Action Effective	09/19/05	70 FR 48482

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle_morgan@fws.gov

RIN: 1018-AJ08

1768. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE FISH SLOUGH MILK-VETCH

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	06/09/05	70 FR 33774
Final Action Effective	07/11/05	70 FR 33774

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson

Phone: 703 358-2105

Fax: 703 358-2434

Email: marjorie_nelson@fws.gov

RIN: 1018-AJ09

1769. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE MUNZ'S ONION

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	06/07/05	70 FR 33015
Final Action Effective	07/07/05	70 FR 33015

DOI—FWS

Completed Actions

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson

Phone: 703 358-2105

Fax: 703 358-2434

Email: marjorie_nelson@fws.gov

RIN: 1018-AJ10

1770. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COASTAL-PUGET SOUND, ST. MARY-BELLY RIVER, AND JARBIDGE RIVER POPULATION SEGMENTS OF BULL TROUT

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Reopening of Comment Period and Availability of Draft Economic Analysis	05/03/05	70 FR 22835
Comment Period End	06/02/05	70 FR 22835
Final Action with 1018-AU31, Final Critical Habitat	09/26/05	70 FR 56212
Effective Date—Final Action with 1018-AU31, final critical habitat	10/26/05	70 FR 56212

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson

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Fax: 703 358-2434

Email: marjorie_nelson@fws.gov

Related RIN: Related to 1018-AU31

RIN: 1018-AJ12

1771. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE BOREAL TOAD

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Notice of 12-month finding	09/29/05	70 FR 56880

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson

Phone: 703 358-2105

Fax: 703 358-2434

Email: marjorie_nelson@fws.gov

RIN: 1018-AT43

1772. MARINE MAMMALS: REVISED DEFINITION OF "AUTHENTIC NATIVE ARTICLES OF HANDICRAFTS AND CLOTHING"

Priority: Info./Admin./Other

CFR Citation: 50 CFR 18.3

Completed:

Reason	Date	FR Cite
Final Action	08/17/05	70 FR 48321
Final Action Effective	09/16/05	70 FR 48321

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Tribal

Agency Contact: Martin Kodis

Phone: 703 358-5496

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Email: martin_kodis@fws.gov

RIN: 1018-AT48

1773. LISTING THE MIAMI BLUE BUTTERFLY AS ENDANGERED; LISTING THE CASSIUS BLUE, CERAUNUS BLUE, AND NICKERBEAN (AMMON) BLUE BUTTERFLIES AS THREATENED DUE TO SIMILARITY OF APPEARANCE TO THE MIAMI BLUE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

Agency Contact: Marjorie Nelson

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Email: marjorie_nelson@fws.gov

RIN: 1018-AT51

1774. MIGRATORY BIRD PERMITS; FEDERAL FALCONRY STANDARDS; ADDING CONNECTICUT TO THE LIST OF STATES THAT MEET FEDERAL FALCONRY STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 21

Completed:

Reason	Date	FR Cite
Final Action	06/15/05	70 FR 34695
Final Action Effective	06/15/05	70 FR 34695

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal, State

Agency Contact: Brian Millsap

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Email: brian_millsap@fws.gov

RIN: 1018-AT63

1775. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR CALIFORNIA TIGER SALAMANDER, CENTRAL POPULATION; 50 CFR 17

Priority: Other Significant

CFR Citation: 50 CFR 21.29

Completed:

Reason	Date	FR Cite
Final Action	08/23/05	70 FR 49379
Final Action Effective	09/22/05	70 FR 49379

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State

Agency Contact: Marjorie Nelson

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Email: marjorie_nelson@fws.gov

RIN: 1018-AT68

1776. SEASONS, HARVEST LIMITS, METHODS, AND MEANS RELATED TO TAKING OF WILDLIFE FOR SUBSISTENCE USES DURING 2005-2006 REGULATORY YEAR (SUBPART D)

Priority: Routine and Frequent

CFR Citation: 50 CFR 100; 36 CFR 100

Completed:

Reason	Date	FR Cite
Final Action	06/22/05	70 FR 36267

DOI—FWS

Completed Actions

Reason	Date	FR Cite
Final Rule Effective 7/1/2005; Some Sections Effective Through 6/30/2006	07/01/05	70 FR 36267

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-AT70

1777. MIGRATORY BIRD HUNTING; 2005-2006 MIGRATORY GAME BIRD HUNTING REGULATIONS

Priority: Economically Significant.
 Major under 5 USC 801.

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
Prelim Prop. 2005-06 Mig Bird Hunt Regs: Request for Ind Tribe/AK Subs. Migr. Bird Harvest Proposals	04/06/05	70 FR 17573
NPRM—Supplemental—Public Meetings 6/22-23, 7/27-28	06/24/05	70 FR 36793
Early Season—Supplemental Proposals for 2005-06 Mig. Game Bird Hunting Regs	08/01/05	70 FR 44200
Prop. Regs on Certain Federal Indian Reservations and Ceded Lands for 2005-06	08/05/05	70 FR 45336
Final Frameworks for Early-Season Migratory Bird Hunting Regs	08/30/05	70 FR 51521
Final Action Effective—Final Frameworks for Early-Season Migratory Bird Hunting Regs	08/30/05	70 FR 51521
Final Rule—Early Seas./Bag/Poss. Limits, U.S., AK, HI, PR, VI	08/31/05	70 FR 51946

Reason	Date	FR Cite
Final Rule—Certain Federal Indian Reservations and Ceded Lands, 2005-06 Early Season	08/31/05	70 FR 51983
Final Rule Effective—Early Seas./Bag/Poss. Limits, U.S., AK, HI, PR, VI	09/01/05	70 FR 51946
Final Rule Effective—Certain Federal Indian Reservations and Ceded Lands, 2005-06 Early Season	09/01/05	70 FR 51983
Comment Period End for NPRM for 2005-06 Late-Season Migr. Bird Hunting Regulations	09/02/05	70 FR 49068
Final rule—Certain Federal Indian Reservations and Ceded Lands, 2005-06 Late Season	09/27/05	70 FR 56531
Fin. Rule: Correction, Early Seas./Bag/Poss. Limits, U.S., AK, HI, PR, VI	09/15/05	70 FR 54483
Effective Date: Fin. Rule Correction, Early Seas./Bag/Poss. Limits, U.S., AK, HI, PR, VI	09/01/05	
Final Rule for 2005-06—Certain Spp. Late-Season Migr. Bird Hunting Regulations	09/23/05	70 FR 56027
Final Action Effective—Certain Federal Indian Reservations and Ceded Lands, 2005-06 Late Season	09/24/05	70 FR 56531
Effective Date: Final Rule for 2005-06 Certain Spp. Late-Season Migr. Bird Hunting Regulations	09/24/05	70 FR 56027
Final Frameworks for Late-Season Migratory Bird Hunting Regulations	09/22/05	70 FR 55665
Effective Date: Final Frameworks for Late-Season Migratory Bird Hunting Regulations	09/22/05	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal, State, Tribal

Agency Contact: Brian Millsap
 Phone: 703 358-1714
 Email: brian_millsap@fws.gov

RIN: 1018-AT76

1778. LISTING OF 7 FOREIGN BUTTERFLY SPECIES UNDER THE ENDANGERED SPECIES ACT

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Patricia S. De Angelis
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 Fax: 703 358-2276
 Email: patricia_deangelis@fws.gov

RIN: 1018-AT83

1779. MIGRATORY BIRD HUNTING; APPROVAL OF 62 PERCENT IRON/25 PERCENT TUNGSTEN/13 PERCENT NICKEL SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

Priority: Info./Admin./Other

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
ANPRM	05/02/05	70 FR 22625
NPRM	05/06/05	70 FR 23954
Final Rule; Final Envir Assess and Finding of No Significant Impact	08/23/05	70 FR 49194
Final Action Effective	09/22/05	70 FR 49194

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: George T. Allen
 Phone: 703 358-1825
 Fax: 703 358-2217
 Email: george_t_allen@fws.gov

RIN: 1018-AT87

DOI—FWS

Completed Actions

1780. CAPTIVE-BRED WILDLIFE REGULATION: EXCLUDING THE CAPTIVE-BRED SCIMITAR-HORNED ORYX, ADDAX, AND DAMA GAZELLE FROM ENDANGERED STATUS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17.21

Completed:

Reason	Date	FR Cite
Final Rule	09/02/05	70 FR 52310
Final Action Effective	10/03/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michael D. Kreger

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Fax: 703 358-2276

Email: michael_kreger@fws.gov

RIN: 1018-AT95

1781. CRITICAL HABITAT DESIGNATION FOR FOUR VERNAL POOL CRUSTACEANS AND ELEVEN VERNAL POOL PLANTS IN CALIFORNIA AND SOUTHERN OREGON

Priority: Other Significant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	08/11/05	70 FR 46923
Final Action Effective	09/12/05	70 FR 46923

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Marjorie Nelson

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Email: marjorie_nelson@fws.gov

Related RIN: Previously reported as 1018-AI26

RIN: 1018-AU06

1782. MIGRATORY BIRD HUNTING; BLANKET APPROVAL OF IRON/TUNGSTEN/NICKEL SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

Priority: Info./Admin./Other

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
ANPRM	05/02/05	70 FR 22625
NPRM; NOA	08/24/05	70 FR 49541
Withdrawn; Combined With 1018-AU04	09/24/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: George T. Allen

Phone: 703 358-1825

Fax: 703 358-2217

Email: george_t_allen@fws.gov

Related RIN: Merged with 1018-AU04

RIN: 1018-AU09

1783. AMENDMENT OF LOWER ST. JOHNS RIVER MANATEE REFUGE IN FLORIDA

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	04/28/05	70 FR 21967
Final Action Effective	04/28/05	70 FR 21967

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State

Agency Contact: David Hankla

Phone: 904 232-2580

Fax: 940 232-2404

Email: manatee@fws.gov

Related RIN: Previously reported as 1018-AJ06

RIN: 1018-AU10

1784. MIGRATORY BIRD HUNTING; APPROVAL OF TUNGSTEN-BRONZE (TUNGSTEN-COPPER-TIN-IRON) SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
ANPRM	05/02/05	70 FR 22624
NPRM; NOA	08/24/05	70 FR 49541
Merged With 1018-AU04	09/24/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: George T. Allen

Phone: 703 358-1825

Fax: 703 358-2217

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Related RIN: Merged with 1018-AU04

RIN: 1018-AU13

1785. 2005-2006 REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 32

Completed:

Reason	Date	FR Cite
NPRM	07/12/05	70 FR 40108
Final Action	09/13/05	70 FR 54145
Final Action Effective	09/13/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Federal, State

Agency Contact: Leslie Marler

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Email: leslie_marler@fws.gov

RIN: 1018-AU14

1786. MIGRATORY BIRD HUNTING; APPROVAL OF 58 PERCENT TUNGSTEN/34 PERCENT TIN/4 PERCENT IRON SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS

Priority: Info./Admin./Other

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
ANPRM	06/02/05	70 FR 32282
NPRM	08/24/05	70 FR 49541
Merged With 1018-AU04	09/24/05	70 FR 49541

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Tribal

Agency Contact: George T. Allen

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Related RIN: Merged with 1018-AU04

RIN: 1018-AU28

DOI—FWS

Completed Actions

1787. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLUMBIA-KLAMATH DISTINCT POPULATION SEGMENT OF THE BULL TROUT**Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, September 15, 2005.**Abstract:** We designate critical habitat for the Columbia-Klamath distinct population segment of the Bull trout.**Timetable:**

Action	Date	FR Cite
NPRM Under 1018-AI52	11/29/02	67 FR 71235
NPRM Comment Period Reopened Under 1018-AI52	02/11/03	68 FR 6863

Action	Date	FR Cite
NPRM Comment Period Reopen/NOA for Draft Economic Analysis Under 1018-AI52	04/05/04	69 FR 17634
Final Action Under 1018-AI52	10/06/04	69 FR 59996
NPRM and Final Rule Comment Period Reopened	05/25/05	70 FR 29998
Comment Period Reopened for NPRM and Final Rule; Clarification	06/06/05	70 FR 32732
Final Action With 1018-AJ12, Final Critical Habitat	09/26/05	70 FR 56212
Effective Date—Final Action With 1018-AJ12, Final Critical Habitat	10/26/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Energy Effects:** Statement of Energy Effects planned as required by Executive Order 13211.**Agency Contact:** Marjorie Nelson, Chief, 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: marjorie_nelson@fws.gov**Related RIN:** Previously reported as 1018-AI52, Related to 1018-AJ12**RIN:** 1018-AU31

BILLING CODE 4310-55-S

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

Proposed Rule Stage

1788. 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	10/00/05	

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-AC95**1789. 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	10/00/05	
Final Rule	10/00/05	

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**1790. 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	03/00/06	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** 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-AD16

DOI—NPS

Proposed Rule Stage

1791. 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	12/00/05	

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**1792. 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	10/00/05	

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

Agency Contact: Bryan Mitchell, Department of the Interior, National Park Service, NC330, 1849 C Street NW., Washington, DC 20240
Phone: 202 354-2078
Fax: 202 371-5197
Email: bryan_mitchell@nps.gov

RIN: 1024-AD24**1793. 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	10/00/05	

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**1794. MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**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	10/00/05	

Regulatory Flexibility Analysis Required: Undetermined**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**1795. DISPOSITION OF CULTURALLY IDENTIFIABLE HUMAN REMAINS**

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

Legal Authority: Not Yet Determined**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	12/00/05	

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

Agency Contact: Tim McKeown, National NAGPRA Program officer, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 354-2206
Email: tim_mckeown@nps.gov

RIN: 1024-AD31

DOI—NPS

Proposed Rule Stage

1796. SPECIAL REGULATION FOR DRY TORTUGAS PARK

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

Legal Authority: 16 USC 462k

CFR Citation: 36 CFR 7.27

Legal Deadline: None

Abstract: This rule would implement changes made by PL 102-525. This includes name changes, protection of fisheries and the activities in the research natural area, and protection of shipwrecks. This rule will divide the park into four separate use zones; establish a zone as a research natural area (RNA); and regulate the use by permit, requiring the use of mooring buoys, and regulating the taking of fish species.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

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-AD32

1797. ● BACKCOUNTRY USE RESTRICTIONS AT WUPATKI NATIONAL MONUMENT

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

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 park. 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	11/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD33

1798. ● ST. CROIX NATIONAL SCENIC RIVER VESSEL SPEED LIMITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: 36 CFR 7.9

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	01/00/06	

Regulatory Flexibility Analysis Required: Undetermined

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-AD34

1799. ● OLYMPIC NATIONAL PARK SPECIAL REGULATIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

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	01/00/06	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Jerry L. Case, Regulatory Program Manager, Department of the Interior, National Park Service, 1849 C Street NW., Room 7241 MIB, Washington, DC 20240
Phone: 202 208-4206
Email: jerry_case@nps.gov

RIN: 1024-AD35

1800. ● ST. CROIX NATIONAL SCENIC RIVER VESSEL SPEED LIMITS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

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

DOI—NPS

Proposed Rule Stage

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	01/00/06	

Regulatory Flexibility Analysis

Required: Undetermined

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

1801. • VOYAGEURS NATIONAL PARK – SPECIAL REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: None

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 (approx 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	01/00/06	

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-AD37

1802. • NATIONAL PARK SYSTEM UNITS IN ALASKA

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

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, Alsek River management issues, OHV 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	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

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

1803. • NATIONAL CAPITOL REGION—PARKING

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This rule would amend the national Capitol 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	01/00/06	

Regulatory Flexibility Analysis

Required: Undetermined

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

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

Final Rule Stage

1804. PICTURED ROCKS NATIONAL LAKESHORE; PERSONAL WATERCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 9a

CFR Citation: 36 CFR 7.32

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	11/15/04	69 FR 65556
Final Rule	10/00/05	

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-AC93

1805. 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	10/00/05	

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, NC340, 1849 C Street NW., Washington, DC 20240
 Phone: 202 343-3388
 Fax: 202 343-5260
 Email: john_robbins@nps.gov

RIN: 1024-AD05

1806. BOATING AND WATER USE ACTIVITIES

Priority: Substantive, Nonsignificant

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	12/24/03	
Period End		
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: 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-AD07

1807. 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	11/00/05	

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

1808. 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	10/00/05	

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**1809. COMMERCIAL USE AUTHORIZATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 52**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/05	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Jo A. Pendry

Phone: 202 513-7156

Fax: 202 219-1173

RIN: 1024-AC85**1810. FIRE ISLAND NATIONAL SEASHORE; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.20**Completed:**

Reason	Date	FR Cite
Final Rule	07/06/05	70 FR 38759

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-AC94**1811. BIGHORN CANYON NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.92**Completed:**

Reason	Date	FR Cite
Final Rule	06/01/05	70 FR 31345

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-AC96**1812. APOSTLE ISLANDS; SNOWMOBILES****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.82**Completed:**

Reason	Date	FR Cite
Final Action	04/01/05	70 FR 16712

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-AD26**BILLING CODE** 4310-70-S
Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)
Proposed Rule Stage**1813. INDIAN ELECTRIC POWER UTILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 385**CFR Citation:** 25 CFR 175**Legal Deadline:** None

Abstract: This rule contains procedures governing the operation of BIA-owned power utilities. BIA is revising this rule to incorporate new procedures on billing and collection of government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.

Timetable:

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29040
NPRM Comment Period End	08/06/96	
NPRM	06/00/06	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**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-AD45**1814. 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 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	10/00/05	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, MS 2070 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 219-4066

RIN: 1076-AE24**1815. INDIAN COUNTRY LAW ENFORCEMENT****Priority:** Substantive, Nonsignificant**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

DOI—BIA

Proposed Rule Stage

transport evidence to and from locations in Indian country.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis Required: No

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

1816. PROCLAMATION OF RESERVATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 467

CFR Citation: None

Legal Deadline: None

Abstract: This rule will define the procedures and criteria to be used for issuance of reservation proclamations by the Secretary of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kathy Nunan, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-3615
Fax: 202 219-1065

RIN: 1076-AE40

1817. 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, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327

RIN: 1076-AE43

1818. 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	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327

RIN: 1076-AE45

1819. APPEALS FROM ADMINISTRATIVE ACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 9

CFR Citation: 25 CFR 2

Legal Deadline: None

Abstract: This rule will: (1) Clarify who has a right to file and appeal; (2)

provide firm deadlines for filing appeals and responses; (3) provide options to appellants if BIA delays making a decision on an appeal; and (4) provide an expedited process for certain classes of appeals.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 1076-AE48

1820. 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	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

DOI—BIA

Proposed Rule Stage

Phone: 202 273-4680

RIN: 1076-AE55

1821. 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	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE57

1822. 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	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Special Assistant to the Special Trustee

for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE59

1823. LEASING OF CERTAIN LANDS IN WIND RIVER INDIAN RESERVATION, WYOMING: OIL AND GAS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 39 Stat 519

CFR Citation: 25 CFR 227

Legal Deadline: None

Abstract: This rule will amend procedures for entering into oil and gas leases on Wind River Indian Reservation, Wyoming.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE61

1824. LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

Priority: Substantive, Nonsignificant

Legal Authority: 34 Stat 543

CFR Citation: 25 CFR 226

Legal Deadline: None

Abstract: This rule will amend procedures on Osage Reservation lands for entering into oil and gas mining leases, operations oversight, cessation of mining operations, lessee requirements, penalties and appeals regarding adverse decisions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE62

1825. SURFACE EXPLORATION, MINING, AND RECLAMATION OF LANDS

Priority: Substantive, Nonsignificant

Legal Authority: 34 Stat 539

CFR Citation: 25 CFR 216

Legal Deadline: None

Abstract: This rule will amend procedures to ensure adequate measures are taken to avoid, minimize, or correct damage to the environment - land, water, and air - and to avoid, minimize, or correct hazards to the public health and safety due to surface exploration, mining, and reclamation of lands.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE63

1826. LEAD AND ZINC MINING OPERATIONS AND LEASES, QUAPAW AGENCY

Priority: Substantive, Nonsignificant

Legal Authority: 41 Stat 1248; 50 Stat 68

CFR Citation: 25 CFR 215

Legal Deadline: None

Abstract: This rule will amend procedures for administering lead and zinc mining by the Quapaw Agency, Oklahoma.

DOI—BIA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE64

1827. LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA: MINING—EXCEPT OIL AND GAS

Priority: Substantive, Nonsignificant**Legal Authority:** 34 Stat 543**CFR Citation:** 25 CFR 214**Legal Deadline:** None

Abstract: This rule will amend procedures for administering mining laws, except for oil and gas, on the Osage Reservation, Oklahoma, to include operations, rental fees and obligations, use of surface lands and homesteads in environmentally responsible manner, and reports and forfeiture processes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE65

1828. LEASING OF RESTRICTED LANDS OF MEMBERS OF THE FIVE CIVILIZED TRIBES, OKLAHOMA: MINING

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	12/00/05	

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

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE66

1829. LEASING OF ALLOTTED LANDS FOR MINERAL DEVELOPMENT

Priority: Substantive, Nonsignificant**Legal Authority:** 25 USC 396**CFR Citation:** 25 CFR 212**Legal Deadline:** None

Abstract: This rule will amend administrative procedures for the development of individual Indian oil and gas, geothermal, and solid mineral resources.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE67

1830. LEASING OF TRIBAL LANDS FOR MINERAL DEVELOPMENT

Priority: Substantive, Nonsignificant**Legal Authority:** 25 USC 396; 52 Stat 347; 70 Stat 774**CFR Citation:** 25 CFR 211**Legal Deadline:** None

Abstract: This rule will amend procedures utilized by the Secretary to ensure that Indian mineral owners desiring to have their resources developed are afforded the maximum protection of such resources enabling them to realize the best economic interest that minimizes adverse environmental and cultural impacts based on such development.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE68

1831. TERMS AND CONDITIONS: COAL LEASES

Priority: Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 25 CFR 200**Legal Deadline:** None

Abstract: This rule will amend regulatory language to reference the applicability of the Surface Mining Control and Reclamation Act of 1977.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE69

DOI—BIA

Proposed Rule Stage

1832. PROBATE OF INDIAN ESTATES—APPEALS TO THE OFFICE OF HEARINGS AND APPEALS**Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 36 Stat 855 to 856, as amended**CFR Citation:** 25 CFR 4**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	12/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE71**1833. 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	10/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273-4680

RIN: 1076-AE73**1834. • 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	12/00/05	

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**1835. • PREFERENCE IN EMPLOYMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8336; 25 USC 43; 25 USC 44**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	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Charles E. Breece, Deputy Director, Department of the Interior, 801 N. Quincy Street, Suite 300, Arlington, VA 22203

Phone: 703 235-3810

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**1836. • 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	12/00/05	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 513-7626

Fax: 202 219-2327

Elizabeth Colliflower, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20240

Phone: 202 513-7612

DOI—BIA

Proposed Rule Stage

Fax: 202 208–5113

RIN: 1076–AE77

1837. • MANAGEMENT OF TRIBAL ASSETS OF THE UTE INDIAN TRIBE

Priority: Info./Admin./Other

Legal Authority: 25 USC 677; 5 USC 301

CFR Citation: 25 CFR 217

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	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273–4680

RIN: 1076–AE78

1838. • 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	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michele Singer, Special Assistant to the Special Trustee for American Indians, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240

Phone: 202 273–4680

RIN: 1076–AE79

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

Final Rule Stage

1839. 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	
Final Action	10/00/05	

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

1840. 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

1841. LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS

Priority: Substantive, Nonsignificant

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	02/00/06	

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

DOI—BIA

Final Rule Stage

1842. REINDEER IN ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 25 USC 500

CFR Citation: 25 CFR 243

Legal Deadline: None

Abstract: This rule will codify procedures for processing requests for reindeer by non-native Alaskans.

Timetable:

Action	Date	FR Cite
NPRM	03/11/04	69 FR 11784
NPRM Comment Period End	06/09/04	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kathy Nunan, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW., Washington, DC 20240 Phone: 202 208-3615 Fax: 202 219-1065

RIN: 1076-AE37

1843. 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	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240 Phone: 202 513-7626 Fax: 202 219-2327

RIN: 1076-AE44

1844. HOME-LIVING PROGRAMS AND SCHOOL CLOSURE AND CONSOLIDATION

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-110

CFR Citation: 25 CFR 36; 25 CFR 48

Legal Deadline: None

Abstract: As required by the No Child Left Behind Act of 2001, the Secretary of the Interior has developed proposed regulations using negotiated rulemaking that address home-living programs and school closure and consolidation. The provisions covering home-living situations address home-living staffing, programs, and privacy. The closure and consolidation portion of the rule contains procedures for closing, consolidating, or substantially curtailing a school.

Timetable:

Action	Date	FR Cite
NPRM	07/12/04	69 FR 41770
NPRM Comment Period End	11/09/04	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

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

RIN: 1076-AE51

1845. DEPOSIT OF PROCEEDS FROM LANDS WITHDRAWN FOR NATIVE SELECTION

Priority: Info./Admin./Other

Legal Authority: 43 USC 1601 et seq

CFR Citation: 25 CFR 124

Legal Deadline: None

Abstract: This rule makes address and name changes to the regulations governing proceeds from contracts, leases, permits, and rights of way or easements pertaining to public lands withdrawn for Native selection under the Alaska Native Claims Settlement Act.

Timetable:

Action	Date	FR Cite
Final Action	10/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lorie Curtis, Department of the Interior, Bureau of Indian Affairs, 4400 Masthead Street NE., Albuquerque, NM 87109 Phone: 505 816-1203

RIN: 1076-AE74

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

Long-Term Actions

1846. 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

Action	Date	FR Cite
NPRM Comment Period End	07/17/00	
NPRM Comment Period Extended	08/16/00	
NPRM Comment Period Extended	06/25/01	66 FR 33654

DOI—BIA

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	12/31/01	
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, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 513-7626
Fax: 202 219-2327
RIN: 1076-AD97

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

Completed Actions

1847. LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY**Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 103**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** David B. Johnson
Phone: 202 208-3026**RIN:** 1076-AE42**Government Levels Affected:** None**Agency Contact:** Ralph Gonzales
Phone: 202 513-7629**RIN:** 1076-AE52**1850. TRUST FUNDS FOR TRIBES AND INDIVIDUAL INDIANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 115**Completed:**

Reason	Date	FR Cite
Withdrawn	08/15/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer
Phone: 202 273-4680**RIN:** 1076-AE56**Completed:**

Reason	Date	FR Cite
Withdrawn	08/15/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer
Phone: 202 273-4680**RIN:** 1076-AE60**1848. NAVAJO PARTITIONED LANDS GRAZING PERMITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 161**Completed:**

Reason	Date	FR Cite
Final Action	10/07/05	70 FR 58881

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** James Orwin
Phone: 202 208-6464

Fax: 202 219-0006

RIN: 1076-AE46**1851. RIGHTS-OF-WAY OVER INDIAN LANDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 169**Completed:**

Reason	Date	FR Cite
Withdrawn	08/15/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer
Phone: 202 273-4680**RIN:** 1076-AE58**1853. LAND RECORDS AND TITLE DOCUMENTS****Priority:** Other Significant**CFR Citation:** 25 CFR 150**Completed:**

Reason	Date	FR Cite
Withdrawn	08/15/05	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer
Phone: 202 273-4680**RIN:** 1076-AE70**1849. WINNEMUCCA COURT OF INDIAN OFFENSES****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 11**Completed:**

Reason	Date	FR Cite
Final Action	03/29/05	70 FR 15759

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**1852. ENHANCEMENT OF ENVIRONMENTAL QUALITY****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 260**1854. GENERAL FORESTRY REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 163**Completed:**

Reason	Date	FR Cite
Withdrawn	08/15/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Local, Tribal**Agency Contact:** Michele Singer
Phone: 202 273-4680**RIN:** 1076-AE72

BILLING CODE 4310-02-S

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

Prerule Stage

1855. 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	10/00/05	

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, MS 4024, 381 Eldon Street, Herndon, VA 20170-4817
 Phone: 703 787-1032
 Email: rules.comments@mms.gov

RIN: 1010-AD14

1856. 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 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	10/00/05	

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

1857. • 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	12/00/05	

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

1858. • 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	05/00/06	

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

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

Proposed Rule Stage

1859. 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	03/00/06	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sharron Gebhardt, 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

1860. TAKES VS. ENTITLEMENTS REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701 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
NPRM	10/00/05	
NPRM Comment	12/00/05	
Period End		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Local, State

Agency Contact: Sharron Gebhardt, 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

1861. PREPAYMENT OF ROYALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 204

Legal Deadline: None

Abstract: This rule allows payors to prepay royalty in lieu of monthly royalty payments for their marginal properties with approval from the affected States. It will establish the criteria used by payors, States, and MMS to calculate, report, and monitor royalty prepayments.

Timetable:

Action	Date	FR Cite
NPRM	01/00/06	
NPRM Comment	08/00/06	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

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RIN: 1010-AC31

1862. 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.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	
NPRM Comment	02/00/06	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1010-AC58

1863. VALUATION OF OIL FROM INDIAN LEASES

Regulatory Plan: This entry is Seq. No. 68 in part II of this issue of the **Federal Register**.

RIN: 1010-AD00

1864. 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	11/00/05	
NPRM Comment	01/00/06	
Period End		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior,

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RIN: 1010-AD02

1865. 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	01/00/06	
NPRM Comment Period End	04/00/06	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Jane A. Roberts, Paralegal Specialist, Department of the Interior, Minerals Management Service, MS 623, 381 Elden Street, Herndon, VA 22070
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RIN: 1010-AD06

1866. 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

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RIN: 1010-AD10

1867. 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	03/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 1010-AD11

1868. 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	10/00/05	
NPRM Comment Period End	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1010-AD12

1869. 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

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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	03/00/06	
NPRM Comment Period End	05/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

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RIN: 1010-AD13

1870. 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	10/00/05	

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
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RIN: 1010-AD17

1871. REVISIONS TO RULES GOVERNING PLATFORMS AND STRUCTURES AND PIPELINES

Priority: Substantive, Nonsignificant

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

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RIN: 1010-AD18

1872. 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 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	12/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Joseph Levine, Chief, Operations Analysis Branch, Department of the Interior, Minerals Management Service, MS 4024, 381 Eldon Street, Herndon, VA 20170-4817
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RIN: 1010-AD19

1873. REPORTING AND COMPLIANCE WITH THE DEBT COLLECTION IMPROVEMENT AND PRIVACY ACTS

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 and compliance with the Debt Collection Improvement and Privacy Acts.

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

Regulatory Flexibility Analysis

Required: Undetermined

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Government Levels Affected:

Undetermined

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RIN: 1010-AD20

1874. 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	12/00/05	

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

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RIN: 1010-AD21

1875. 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	04/25/05	
Period End		
NPRM	10/00/05	

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

Agency Contact: Angela Mazzullo, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170
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RIN: 1010-AD23

1876. 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 nine 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
NPRM	12/00/05	

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 Elden Street, Herndon, VA 20170
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RIN: 1010-AD24

1877. REDUCTION IN OIL AND GAS ROYALTY RATES IN THE OUTER CONTINENTAL SHELF UNDER THE DEEP WATER ROYALTY RELIEF ACT

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

Legal Authority: Not Yet Determined**CFR Citation:** 30 CFR 203; 30 CFR 260**Legal Deadline:** None

Abstract: This rule changes provisions held invalid in *Santa Fe Snyder Corp. et al. v. Norton*, 385 F.3d 884 (5th Cir. 2004). Before this decision, our rules stipulated that a lease would not be entitled to any royalty suspension volume (RSV) if it was: (1) Eligible under the Deep Water Royalty Relief Act or DWRRA but (2) located in a field that included a lease that produced before DWRRA. The court held that MMS couldn't deny royalty relief in those circumstances. Also, when an eligible lease was placed on a field with other eligible leases, our rules required that all eligible leases share one RSV. The court held that MMS has no authority to impose this restriction.

Timetable:

Action	Date	FR Cite
NPRM	10/00/05	

DOI—MMS

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Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Marshall B. Rose,
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RIN: 1010-AD25**1878. • RELIEF OR REDUCTION IN ROYALTY RATES – NEW DEEP GAS AND OFFSHORE ALASKA PROVISIONS****Regulatory Plan:** This entry is Seq. No. 69 in part II of this issue of the **Federal Register**.**RIN:** 1010-AD31**Department of the Interior (DOI)****Final Rule Stage****Minerals Management Service (MMS)****1879. PLANS AND INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 25 CFR 250; 30 CFR 250**Legal Deadline:** None**Abstract:** MMS requires companies to submit for approval their exploration and development plans for activities on the Outer Continental Shelf. The companies must submit these plans before they can begin any activities, except preliminary activities. This rule rewrites the requirements into clearer language and organize them into discrete sections by topic, to make them easier to follow.**Timetable:**

Action	Date	FR Cite
NPRM	05/17/02	67 FR 35372
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**Government Levels Affected:** None**Agency Contact:** Kumkum Ray,
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Elden Street, Herndon, VA 20170
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Email: kumkum.ray@mms.gov**RIN:** 1010-AC47**1880. INCIDENT REPORTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** There continues to be rapid growth in offshore exploration and production activities in the Gulf of

Mexico. Since safety is our top priority, we must upgrade our accident investigation functions. To do this we need accurate and timely information. This rule is the only way to require operators, lessees, and permit holders in the Outer Continental Shelf (OCS) to give us a written report about each OCS accident. It will also establish clearer guidelines for accident reporting thresholds and timing.

Timetable:

Action	Date	FR Cite
NPRM	07/08/03	68 FR 40585
NPRM Comment Period End	12/05/03	
Final Action Effective	12/00/05	
Final Action	01/00/06	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray,
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Email: kumkum.ray@mms.gov**RIN:** 1010-AC57**1881. 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	10/00/05	
Final Action Effective	11/00/05	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray,
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Email: kumkum.ray@mms.gov**RIN:** 1010-AC81**1882. BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** The rule would upgrade blowout prevention requirements for well workover operations conducted using coiled tubing while the well-head production tree is in place.**Timetable:**

Action	Date	FR Cite
NPRM	06/22/04	69 FR 34625
NPRM Comment Period End	08/23/04	

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Action	Date	FR Cite
Final Action	10/00/05	
Final Action Effective	11/00/05	

Final Action 10/00/05
Final Action Effective 11/00/05

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

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RIN: 1010-AC96**1883. 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	12/00/05	

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

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RIN: 1010-AC99**1884. SUSPENSION OF OPERATIONS FOR ULTRA-DEEP DRILLING****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

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

Timetable:

Action	Date	FR Cite
NPRM	02/14/05	70 FR 7451
NPRM Comment Period End	03/16/05	
Final Rule	11/00/05	

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

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RIN: 1010-AD09**1885. ADMINISTRATIVE COST RECOVERY FOR OCS OIL AND GAS OPERATIONS****Priority:** Other Significant**Legal Authority:** 31 USC 9701**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: The FY 2005 budget request for MMS includes \$1 million to be raised in cost recovery fees to offset the bureau's operating costs. The fees will be requested under the authority provided in title V of the Independent Offices Appropriations Act of 1952 (31 U.S.C. 9701), a Governmentwide authority that permits cost recovery. This regulation would change some existing fees and add several new fees.

Timetable:

Action	Date	FR Cite
NPRM	03/15/05	70 FR 12626

Action	Date	FR Cite
NPRM comment period end	04/14/05	
Final Action	10/00/05	

NPRM comment 04/14/05
Final Action 10/00/05

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

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RIN: 1010-AD16**1886. 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	10/00/05	

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

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RIN: 1010-AD22

DOI—MMS

Final Rule Stage

1887. • TEMPORARY WAIVER OF OCS OIL AND GAS FEES**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** MMS regulations currently charge cost recovery fees to offset the bureau's operating costs for Pipeline Right-of-way (ROW) applications, conversion of lease term pipeline to ROW pipeline, pipeline ROW assignment, Record title/operating

rights transfer, and filing of non-required documents. In light of the interruption of operations of both the Minerals Management Service Gulf of Mexico Region and that of many lessees and operators due to Hurricane Katrina, this document waives the payment of these cost recovery fees until January 1, 2006.

Timetable:

Action	Date	FR Cite
Final Action	10/00/05	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211
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RIN: 1010-AD27**Department of the Interior (DOI)
Minerals Management Service (MMS)****Completed Actions****1888. DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	07/19/05	70 FR 41556
Final Action Effective	08/18/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray

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RIN: 1010-AC85**1890. • TECHNICAL AMENDMENT TO OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF (OCS); RELIEF OR REDUCTION IN ROYALTY RATES; DEEP GAS PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 U.S.C. 396 et seq**CFR Citation:** 30 CFR 203**Legal Deadline:** None**Abstract:** This rule amends 30 CFR part 203 to correct an unintended administrative oversight. The amendment provides eligibility for royalty relief for certain leases that are not otherwise subject to deep water royalty relief. To be eligible for this relief, a lease must: be located partly in water deeper than 200 meters, be for drilling deep gas wells, and be issued during a lease sale held in 2001 and later years.**Timetable:**

Action	Date	FR Cite
Final Action	04/29/05	70 FR 22250

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**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-AD26**1891. • HURRICANE-RELATED ROYALTY RELIEF****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 et seq**CFR Citation:** 30 CFR 210 ; 30 CFR 216; 30 CFR 218**Legal Deadline:** None**Abstract:** This rule will grant relief in the form of additional time to report data and pay royalties for companies impacted by Hurricane Katrina. There are approximately 65 companies with a New Orleans address that currently report and pay revenues to MMS. We have heard from several that their financial operations and systems were impacted by the hurricane. This rule will establish the criteria for qualifying for relief, the type of relief that would be offered, the timeframes for which the relief would be available, and how a company would notify us that they would use the relief.**Timetable:**

Action	Date	FR Cite
Final Action	09/29/05	70 FR 56849

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

Fax: 303 231-3385

1889. FEDERAL GAS VALUATION**Priority:** Other Significant**CFR Citation:** 30 CFR 206**Completed:**

Reason	Date	FR Cite
Final Action	03/10/05	70 FR 11069

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt

Phone: 303 231-3211

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RIN: 1010-AD05

DOI—MMS

Completed Actions

Email: sharron.gebhardt@mms.gov

RIN: 1010—AD28

BILLING CODE 4310—MR—S

Department of the Interior (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1892. 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	12/00/05	

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

1893. PLACEMENT OF EXCESS SPOIL

Regulatory Plan: This entry is Seq. No. 70 in part II of this issue of the **Federal Register**.

RIN: 1029—AC04

1894. 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	02/00/06	

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, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240
Phone: 202 208-2829
Email: drice@osmre.gov

RIN: 1029—AC05

1895. OWNERSHIP AND CONTROL SETTLEMENT RULE

Priority: Other Significant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847

Legal Deadline: None

Abstract: We are proposing revisions to certain provisions of our December 19, 2000, final Ownership and Control rule in order to effectuate a settlement agreement that we entered into with the National Mining Association. Among other things, the rule would revise provisions of the 2000 final rule pertaining to the definitions of ownership and control, permit eligibility determinations, and challenges to ownership or control listings or findings.

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

1896. TRANSFER, ASSIGNMENT, OR SALE OF PERMIT RIGHTS

Priority: Other Significant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 774

Legal Deadline: None

Abstract: On February 15, 2001, the National Mining Association (NMA) filed a lawsuit in Federal district court seeking to overturn certain provisions adopted in our 2000 Ownership and Control final rule. Under the terms of the settlement, OSM agreed, among other things, to publish a proposed rule for public comment concerning the transfer, assignment, or sale of permit rights. The rule will clarify for all interested groups what constitutes a transfer, assignment, or sale of permit rights.

Timetable:

Action	Date	FR Cite
NPRM	01/26/05	70 FR 3840
Second NPRM	05/00/06	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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—AC49

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

Final Rule Stage

1897. INDIAN LANDS**Priority:** Routine and Frequent**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750**Legal Deadline:** None

Abstract: OSM regulates mining on Indian lands and the States regulate mining on non-Indian lands. OSM proposed revisions to its regulations to clarify that the definition of "Indian lands" at 30 CFR 700.5 includes individual Indian trust allotments located within an approved tribal land consolidation area. The proposed clarification was required under the terms of a settlement agreement between the Department of the Interior and the Navajo Nation and Hopi Tribe to settle the tribes' challenges to a May 1989 Indian lands rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	02/19/99	64 FR 8464
NPRM Comment Period End	06/21/99	64 FR 18585
Final Action	11/00/05	

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

Agency Contact: Vermell Davis, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW, Washington, DC 20240

Phone: 202 208-2802

Email: gvdavis@osmre.gov

RIN: 1029-AB83**1898. 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	12/00/05	

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**1899. PROCESSING STATE PROGRAM AMENDMENTS****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 732**Legal Deadline:** None

Abstract: We are revising our regulations governing the processing of State program amendments. The existing regulations require us to begin proceedings to take over an approved State program when the State fails to amend its program in a timely manner. This can be disruptive and expensive, and, in many instances, unwarranted by the nature of the outstanding amendment. This rule will allow OSM to take action that is more appropriate in situations where the outstanding amendment does not impair the effectiveness of the approved State Program.

Timetable:

Action	Date	FR Cite
NPRM	12/03/03	68 FR 67776
Final Action	11/00/05	

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

Agency Contact: Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 210 SIB, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2701

Email: adevito@osmre.gov

RIN: 1029-AC06**1900. 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 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	12/00/05	

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, MS 10, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2829

Email: drice@osmre.gov

RIN: 1029-AC47**1901. CIVIL PENALTY ADJUSTMENTS****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 774**Legal Deadline:** None

Abstract: This rule would adjust the penalty amount of certain civil monetary penalties authorized by the Surface Mining Control and Reclamation Act of 1977. The rule implements the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996. The law

DOI—OSMRE

Final Rule Stage

requires that civil monetary penalties be adjusted for inflation at least once every four years.

Timetable:

Action	Date	FR Cite
Direct Final Rule	11/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Andy DeVito, Regulatory Analyst, Department of the Interior, Office of Surface Mining

Reclamation and Enforcement, MS 210 SIB, 1951 Constitution Avenue NW., Washington, DC 20240
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Email: adevito@osmre.gov

RIN: 1029-AC48**BILLING CODE** 4310-05-S
**Department of the Interior (DOI)
Bureau of Reclamation (RB)**

Proposed Rule Stage

1902. PUBLIC CONDUCT ON BUREAU OF RECLAMATION FACILITIES, LANDS AND WATERBODIES
Priority: Other Significant**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

Action	Date	FR Cite
NPRM Comment Period End	11/14/05	

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

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

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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
**Department of the Interior (DOI)
Bureau of Reclamation (RB)**

Completed Actions

1904. PUBLIC CONDUCT ON BUREAU OF RECLAMATION LANDS AND PROJECTS; EXTENSION OF EXPIRATION DATE
Priority: Substantive, Nonsignificant**CFR Citation:** 43 CFR 423**Completed:**

Reason	Date	FR Cite
Final Rule	03/29/05	70 FR 15778

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Gary Anderson
Phone: 303 445-2891**RIN:** 1006-AA49**BILLING CODE** 4310-09-S

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

Prerule Stage

1905. 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 3809

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.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/05	

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

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

Proposed Rule Stage

1906. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 3730; 43 CFR 3740; 43 CFR 3820; 43 CFR 3860; 43 CFR 3870

Legal Deadline: None

Abstract: This rule will revise the filing and administrative procedures for mineral patent applications. It will also revise the procedures for filing adverse claims or protests against mineral patent applications and for mineral-in-character challenges to nonmineral land entries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/06	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

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

RIN: 1004-AD32

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.

Timetable:

Action	Date	FR Cite
NPRM	07/27/05	70 FR 43349
Commend Period Extended	08/26/05	70 FR 50262
Commend Period End	10/25/05	

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

1908. 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

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mike Haskins, Native Allotment Coordinator, Department of the Interior, Bureau of Land Management, 222 W. 7th Avenue, No. 13, Anchorage, AK 99513
 Phone: 907 271-3351

RIN: 1004-AD60

1909. 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.

1907. OIL AND GAS ONSHORE ORDER NO. 1

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1740

CFR Citation: 43 CFR 3164

DOI—BLM

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/00/05	

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**1910. 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	12/00/05	

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

Agency Contact: 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
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Email: keith_aller@blm.gov

RIN: 1004-AD66**1911. 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	06/00/06	

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**1912. PERMITS FOR RECREATION ON PUBLIC LANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4601-6a; 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.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

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

Agency Contact: Lee Larson, Senior Outdoor Recreation Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., 301 LS, Washington, DC 20240
Phone: 202 452-5168
Fax: 202 452-7709
Email: lee_larson@blm.gov

RIN: 1004-AD68**1913. 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	11/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Kenny W. McDaniel, Forester Senior Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
Phone: 202 452-5097
Fax: 202 452-7702
Email: kenny_mcdaniel@blm.gov

RIN: 1004-AD70

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

Final Rule Stage

1914. COST RECOVERY; MINERAL FILINGS AND OPERATIONS

Priority: Other Significant

Legal Authority: 50 USC app 565

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

Legal Deadline: None

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

Timetable:

Action	Date	FR Cite
NPRM	12/15/00	65 FR 78440
NPRM Comment Period End	02/13/01	
NPRM Comment Period Reopened	04/16/01	66 FR 19413
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, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-5012

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RIN: 1004-AC64

1915. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA

Regulatory Plan: This entry is Seq. No. 71 in part II of this issue of the **Federal Register**.

RIN: 1004-AD42

1916. ● STRIPPER WELL ROYALTY REDUCTIONS; RECORDS RETENTION

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3100

Legal Deadline: None

Abstract: This is a direct final rule to revise the regulations to require that records supporting a stripper well royalty reduction be retained for 7 years from the last date that an operator claims the deduction.

Timetable:

Action	Date	FR Cite
Direct final Rule	11/00/05	

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-AD71

1917. ● 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	11/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240
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 Fax: 202 452-7708

Email: jeff_holdren@blm.gov

RIN: 1004-AD74

1918. ● MINING CLAIM AND SITE MAINTENANCE FEES – FEE ADJUSTMENT

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 3834

Legal Deadline: None

Abstract: The BLM is publishing this final rule to amend regulations found at 43 CFR 3834, subpart B, related to adjustments of the fees required to be paid for mining claims and mill sites to clarify that mining claimants may cure the filing of an insufficient payment of fees when the fees have changed through means other than a CPI adjustment.

Timetable:

Action	Date	FR Cite
Final Rule	11/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Frank Bruno, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401-LS, 1849 C Street NW., Washington, DC 20240

Phone: 202 452-0352

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RIN: 1004-AD75

1919. ● 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.

DOI—BLM

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/07/05	70 FR 58610
Interim Final Rule Comment Period End	12/06/05	

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

Agency Contact: Frank Bruno,
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RIN: 1004-AD76

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

Long-Term Actions

**1920. APPEALS PROCEDURES;
HEARINGS PROCEDURES****Priority:** Info./Admin./Other**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 1840; 43 CFR
1850**Legal Deadline:** None

Abstract: BLM proposes to amend its regulations that govern administrative review procedures for protests of proposed decisions contested appeals of BLM decisions, and hearings on the record. The proposed regulations would provide more consistent procedures for administrative review of BLM decisions, and would clarify when and how BLM decisions go into effect and whether an appeal will stay the effectiveness of a BLM decision.

Timetable:

Action	Date	FR Cite
NPRM	10/17/96	61 FR 54120
NPRM Comment Period End	01/17/97	61 FR 58160
Second NPRM	To Be	Determined

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

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RIN: 1004-AC99**1921. CONSERVATION; HELIUM
LEASING****Priority:** Substantive, Nonsignificant**Legal Authority:** 50 USC 167**CFR Citation:** 43 CFR 16; 43 CFR 3196**Legal Deadline:** None

Abstract: This rule will redesignate, amend, and extend the regulations on conservation of helium to facilitate administration and implementation of

provisions in the Helium Privatization Act. The rule will move these regulations to 43 CFR subpart 3196 to consolidate helium-related regulations in one area for ease in finding and complying with them.

Timetable:

Action	Date	FR Cite
ANPRM	12/19/00	65 FR 79325
ANPRM Comment Period End	03/26/01	
NPRM	12/00/06	

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

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RIN: 1004-AD35

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