



# Federal Register

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**Monday,  
December 11, 2006**

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**Part XI**

**Department of the  
Interior**

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**Semiannual Regulatory Agenda**

**DEPARTMENT OF THE INTERIOR (DOI)**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**25 CFR Ch. I**

**30 CFR Chs. II and VII**

**36 CFR Ch. I**

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

**48 CFR Ch. 14**

**50 CFR Chs. I and IV**

**Semiannual Regulatory Agenda**

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

**ACTION:** Semiannual regulatory agenda.

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

2006 and spring 2007. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

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

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

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

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

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

**Dated:** September 8, 2006.  
**Richard A. Stephan,**  
*Federal Register Liaison Officer.*

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1626	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species .....	1018-AG64
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1669	Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for San Diego Thornmint .....	1018-AU86
1670	Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Georgia Pigtoe and Interrupted Rocksnail .....	1018-AU88
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## Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1834	Certificates of Degree of Indian Blood .....	1076-AD97
1835	Alaska Resupply Operation .....	1076-AE04
1836	Tribal Revenue Allocation Plans .....	1076-AE24
1837	Leases and Permits on Indian Trust and Restricted Lands .....	1076-AE36
1838	Use or Distribution of Indian Judgment Funds .....	1076-AE43
1839	Appeals From Administrative Actions .....	1076-AE48
1840	Conveyances of Trust or Restricted Indian Land; Removal of Trust or Restricted Status .....	1076-AE63
1841	Life Estates and Future Interests .....	1076-AE64
1842	Probate of Indian Estates—Appeals to the Office of Hearings and Appeals .....	1076-AE71
1843	Indian Country Detention Facilities and Programs .....	1076-AE75

## Minerals Management Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1844	Requirements for Material, Personnel, and Pipe Handling Operations .....	1010-AD14

## Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1845	Late and Overpayment Interest .....	1010-AC27
1846	End-of-Life Royalty Relief .....	1010-AC58
1847	Reduction to Royalty Relief in Special Circumstances .....	1010-AD02
1848	Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf .....	1010-AD06
1849	Pipeline Safety Rule Phase I .....	1010-AD11
1850	Oil and Gas Production Rates .....	1010-AD12
1851	Rights of Use and Easement .....	1010-AD13
1852	Safety Management Systems .....	1010-AD15
1853	Open and Nondiscriminatory Movement of Oil and Gas as Required by the Outer Continental Shelf Lands Act .....	1010-AD17
1854	Reduction in Oil and Gas Royalty Rates in the Outer Continental Shelf Under the Deep Water Royalty Relief Act .....	1010-AD29
1855	Alternate Energy-Related Uses on the Outer Continental Shelf .....	1010-AD30
1856	Deep Gas and Offshore Alaska Provisions .....	1010-AD33
1857	Revenue Sharing for Alternative Uses on the Outer Continental Shelf .....	1010-AD34
1858	Valuation of Coal for Advance Royalty Purposes .....	1010-AD37
1859	Royalty Credits .....	1010-AD38
1860	Increase in Maximum Daily Civil Penalty Amount .....	1010-AD40
1861	Changing Proprietary Term of Certain Geophysical Information .....	1010-AD41
1862	Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS) — Corrections .....	1010-AD42

## DOI

## Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1863	Takes vs. Entitlements Reporting .....	1010-AC29
1864	Valuation of Oil From Indian Leases ( <b>Reg Plan Seq No. 61</b> ) .....	1010-AD00
1865	Protection of Marine Mammals and Endangered Species .....	1010-AD10
1866	Revisions to Rules Governing Platforms and Structures and Pipelines .....	1010-AD18
1867	Oil and Gas Well Cementing Requirements .....	1010-AD19
1868	Reporting Amendments .....	1010-AD20
1869	Documents Incorporated by Reference for Oil and Gas and Sulphur Operations .....	1010-AD24
1870	Geothermal Valuation .....	1010-AD32
1871	Debt Collection .....	1010-AD36
1872	Increase in Maximum Daily Civil Penalty Amount .....	1010-AD39

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

## Minerals Management Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1873	Prepayment of Royalties .....	1010-AC31
1874	Federal Sodium and Potassium Valuation .....	1010-AD21

## Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1875	Incident Reporting .....	1010-AC57
1876	Proprietary Terms and Data Disclosure .....	1010-AC81
1877	Data Release and Definitions .....	1010-AC99
1878	Providing Contact Information to MMS .....	1010-AD22
1879	Cost Recovery for Plans, Permits, and Inspections for Oil and Gas Operations in the Outer Continental Shelf .....	1010-AD23
1880	Debt Collection .....	1010-AD35

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

Sequence Number	Title	Regulation Identifier Number
1881	Abandoned Coal Refuse Sites .....	1029-AB70
1882	Placement of Excess Spoil ( <b>Reg Plan Seq No. 62</b> ) .....	1029-AC04
1883	Permit Application Packages .....	1029-AC51
1884	Ownership, Control, and Transfer, Assignment, or Sale of Permit Rights .....	1029-AC52

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

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

Sequence Number	Title	Regulation Identifier Number
1885	Revegetation .....	1029-AC02
1886	Fee Allocation Rule .....	1029-AC47
1887	Tennessee Federal Program .....	1029-AC50

## DOI

## Office of Surface Mining Reclamation and Enforcement—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1888	Indian Lands .....	1029-AC53

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

Sequence Number	Title	Regulation Identifier Number
1889	Financial Assurances .....	1029-AC05
1890	Ownership and Control .....	1029-AC08

## Bureau of Reclamation—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1891	Regulating Non-Contract Use of Colorado River Water in the Lower Basin .....	1006-AA50

## Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1892	Implementation of the Truckee River Operating Agreement .....	1006-AA48
1893	Use of Reclamation Land, Facilities, and Water Bodies .....	1006-AA51
1894	Inclusion of Hoover Dam Under 43 CFR Part 423 .....	1006-AA52

## Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1895	Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies .....	1006-AA45

## Bureau of Land Management—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1896	Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications .....	1004-AD91

## Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1897	Mining Claims Under the General Mining Law; Surface Management .....	1004-AD69
1898	Oil and Gas Leasing in the National Petroleum Reserve—Alaska .....	1004-AD78
1899	Mineral Lands Available for Locating Lode and Placer Mining Claims and Mill and Tunnel Sites; Special Laws in Addition to FLPMA That Require Recording or Notice .....	1004-AD79
1900	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act; Linear Right-of-Way Rental Payment Schedule .....	1004-AD87

DOI

Bureau of Land Management—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1901	Oil Shale Leasing and Operations ( <b>Reg Plan Seq No. 63</b> ) .....	1004-AD90

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

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1902	Oil and Gas Onshore Order No. 1 .....	1004-AD59
1903	Permits for Recreation on Public Lands .....	1004-AD68
1904	Segregation of Lands Proposed for Sale .....	1004-AD74
1905	Geothermal Resource Leasing; Geothermal Resources Unit Agreements: Unproven Areas .....	1004-AD86

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1906	Grazing Administration—Exclusive of Alaska .....	1004-AD42
1907	Alaska Native Veteran Allotments .....	1004-AD60
1908	Marginal Oil/Gas Royalty Rate Reduction Program .....	1004-AD65
1909	Public Lands and Resources; Law Enforcement—Criminal; Recreation Programs .....	1004-AD66
1910	Heavy Oil Royalty Reduction Program .....	1004-AD67
1911	Sales of Forest Products; Preparation for Sale .....	1004-AD70
1912	Oil and Gas; Combined Hydrocarbons Leasing; Tar Sands .....	1004-AD76
1913	Gas Hydrate Production Incentives .....	1004-AD81
1914	Enhanced Oil and Natural Gas Production Through Carbon Dioxide Injection .....	1004-AD82
1915	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act .....	1004-AD84
1916	Sales: Federal Land Policy and Management Act .....	1004-AD88
1917	Color-of-Title and Omitted Lands .....	1004-AD89

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1918	Making Motion Pictures, Television Productions, or Soundtracks on DOI Lands .....	1093-AA10

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

**1614. • IMPLEMENTATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969**

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

**Legal Authority:** 42 USC 4321 et seq

**CFR Citation:** 43 CFR 46

**Legal Deadline:** None

**Abstract:** The Department of the Interior proposes to amend its

regulations by adding a new part to codify its NEPA procedures currently in the Departmental Manual. The proposed regulations contain Departmental policies and procedures for compliance with NEPA, Executive Order 11514, and the Council on Environmental Quality's regulations. By converting the Departmental NEPA procedures from the DM to new regulations the Department intends to

promote greater transparency and accountability to the public.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

## DOI—ASPMB

## Proposed Rule Stage

**Agency Contact:** Willie R. Taylor,  
Director, Office of Environmental  
Policy and Compliance, Department of  
the Interior, Assistant Secretary for

Policy, Management and Budget, MIB,  
1849 C Street NW, Washington, DC  
20240

Phone: 202 208–3891

**RIN:** 1090–AA95

## Department of the Interior (DOI)

## Final Rule Stage

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

**1615. • REVISION OF PRIVACY ACT REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 552a

**CFR Citation:** 43 CFR 2

**Legal Deadline:** None

**Abstract:** This action adds new Department of the Interior Privacy Act exempt system of records to the listing of exempt Privacy Act Systems in 43 CFR 2.79. Under 5 U.S.C. 552a (j) & (k), exempt systems must be identified in rulemaking before their Privacy Act

system of records notices can be published in the Federal Register. The four Privacy Act systems that will be added are: (1) Incident Management Analysis and Reporting System; (2) Indian Arts and Crafts Board Inquiries and Complaints File; (3) Investigative Files System; and (4) Reclamation Law Enforcement Information Management System.

**Timetable:**

Action	Date	FR Cite
Final Action	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marilyn Legnini,  
Department of the Interior, Assistant  
Secretary for Policy, Management and  
Budget, 1849 C Street NW, MS 5310  
MIB, Washington, DC 20240  
Phone: 202 208–0868

**RIN:** 1090–AA94

## Department of the Interior (DOI)

## Long-Term Actions

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

**1616. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES**

**Priority:** Other Significant

**Legal Authority:** 42 USC 9651(c)

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that Natural Resource Damage Assessment Regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every 2 years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment Period End	09/16/96	
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

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

**RIN:** 1090–AA29

**1617. 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	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Additional Information:** Replaced by 1094-AA51.

**Agency Contact:** David Diamond,  
Director, Office of Policy Analysis,  
Department of the Interior, Room 4426

## DOI—ASPMB

## Long-Term Actions

MIB, 1849 C Street NW, Washington,  
DC 20240  
Phone: 202 219-1136

Fax: 202 208-4867  
**RIN:** 1090-AA91  
**BILLING CODE 4310—RK—S**

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

## Proposed Rule Stage

**1618. PROCEDURES APPLICABLE IN  
ADJUDICATIONS BEFORE THE  
HEARINGS DIVISION**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** Not Yet Determined  
**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Robert More, Director,  
Office of Hearings and Appeals,

Department of the Interior, 801 North  
Quincy Street, Suite 300, Arlington, VA  
22203

Phone: 703 235-3810

**RIN:** 1094-AA52

**1619. SPECIAL PROCEDURES FOR  
PUBLIC LANDS AND SURFACE  
MINING CASES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Robert More, Director,  
Office of Hearings and Appeals,  
Department of the Interior, 801 North  
Quincy Street, Suite 300, Arlington, VA  
22203  
Phone: 703 235-3810

**RIN:** 1094-AA53

**BILLING CODE 4310—79—S**

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

## Proposed Rule Stage

**1620. SEIZURE AND FORFEITURE  
PROCEDURES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 12

**Legal Deadline:** None

**Abstract:** The Service proposes to amend our regulations that establish procedures relating to property seized and administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisal, administrative proceeding, petition for remission, and disposal of items subject to forfeiture. Also, these revisions are intended to provide for greater consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service. In August 2000, the Civil Asset Forfeiture Reform Act

became law. CAFRA mandated many changes to 50 CFR 12 that we will incorporate in a second proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58468
NPRM Comment	01/26/96	
Period End		
Second NPRM	12/00/06	

**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  
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Email: kevin\_adams@fws.gov

**RIN:** 1018-AC89

**1621. 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.

## DOI—FWS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**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**1622. HUMANE AND HEALTHFUL TRANSPORT OF 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:** We propose to add numerous transport standards to part 14 for reptiles and amphibians. Standards have already been promulgated for mammals and birds.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

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

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

**RIN:** 1018-AF27**1623. 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 import of captive-bred birds from facilities in other countries for species that are otherwise prohibited from import under the WBCA.

**Timetable:**

Action	Date	FR Cite
NPRM (under 1018-AC15)	03/17/94	59 FR 12784
Second NPRM	06/00/07	

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

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

Phone: 703 358-1708  
Fax: 703 358-2276  
Email: roddy\_gabel@fws.gov

**RIN:** 1018-AF44**1624. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE****Priority:** Substantive, Nonsignificant

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

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

**Abstract:** We propose to 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

Action	Date	FR Cite
ANPRM Comment Period End	09/14/98	
NPRM	02/00/07	

**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**1625. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RECLASSIFICATION OF THE STRAIGHT-HORNED MARKHOR POPULATION OF THE TORGHAR REGION OF BALUCHISTAN, PAKISTAN, FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Notice of positive 90-day petition finding, init. of status review	09/23/99	64 FR 51499
Notice Comment Period End	01/21/00	
NPRM	06/00/07	

## DOI—FWS

## Proposed Rule Stage

**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**1626. WILD BIRD CONSERVATION ACT: REVIEW OF APPROVED LIST OF CAPTIVE-BRED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15**Legal Deadline:** None

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

**Timetable:**

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

**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**1627. CORRECTIONS TO RIGHTS-OF-WAY REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-475**CFR Citation:** 50 CFR 29**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

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

**Agency Contact:** Janet Bruner, Deputy Division Chief, Division of Realty, Department of the Interior, United States Fish and Wildlife Service, ARL SQ 622 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2287

Email: janet\_bruner@fws.gov

**RIN:** 1018-AI12**1628. IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDINGS FOR THE WESTERN HUDSON POPULATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18.30**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

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

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401

North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2095

Email: peter\_thomas@fws.gov

**RIN:** 1018-AI65**1629. 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 are taking action to downlist the Wood bison from endangered to threatened. This action is being considered because of progress in the recovery of this species.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

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

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

Phone: 703 358-1708

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Email: roddy\_gabel@fws.gov

**RIN:** 1018-AI83**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:** We will 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.



## DOI—FWS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
ANPRM	10/13/05	70 FR 59710
ANPRM Comment Period End	12/12/05	
NPRM	09/00/07	

**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, 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**Unfunded Mandates:** Undetermined**Legal Authority:** 18 USC 42 ; 16 USC 3371 to 3378**CFR Citation:** 50 CFR 14**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	09/16/05	70 FR 54700
ANPRM Comment Period End	12/15/05	70 FR 54700
NPRM	06/00/07	

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

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

Phone: 703 358-2095  
Email: peter\_thomas@fws.gov

**RIN:** 1018-AJ24**1632. MARINE MAMMALS; ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED TERMINATION OF THE SOUTHERN SEA OTTER TRANSLOCATION PROGRAM****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1531 et seq; PL 99-625**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service proposes to terminate the southern sea otter translocation program and to allow sea otters residing in designated translocation and management zones to remain after the zones are abolished. The southern sea otter translocation program has failed to meet its established goals and objectives. This decision is consistent with recommendations from the southern sea otter recovery team and resolves conflicts that have arisen between Fish and Wildlife Service mandates under the Endangered Species Act and PL 99-625.

**Timetable:**

Action	Date	FR Cite
Notice—Draft Suppl Envir Impact Statement, S Sea Otter Translocation	10/07/05	70 FR 58737
NPRM	02/00/07	

**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**1633. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE WEST VIRGINIA NORTHERN FLYING SQUIRREL 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:** Due to recovery, the Service is planning to delist the endangered West Virginia northern flying squirrel.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

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

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

**RIN:** 1018-AT37**1634. REVISED DEFINITION OF "DESTRUCTION OR ADVERSE MODIFICATION" FOR ENDANGERED SPECIES ACT SECTION 7 CONSULTATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 402.02**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

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

**Agency Contact:** Richard E. Sayers Jr., Chief, Branch of Consultation and

## DOI—FWS

## Proposed Rule Stage

Habitat Conservation Planning,  
Department of the Interior, United  
States Fish and Wildlife Service, 4401  
N. Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2106  
Fax: 703 358-1735  
Email: rick\_sayers@fws.gov

**RIN:** 1018-AT50

**1635. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; SPECIAL RULE  
RECLASSIFYING ARGENTINIAN  
BROAD-SNOUDED CAIMAN  
POPULATION FROM ENDANGERED  
TO THREATENED**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will 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	03/00/07	

**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

**1636. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; LISTING OF SIX FOREIGN  
BIRDS UNDER THE ENDANGERED  
SPECIES ACT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AT62

**1637. MIGRATORY BIRD HUNTING:  
REVISION OF LANGUAGE USED IN  
REGULATIONS FOR APPROVING  
NONTOXIC SHOT FOR USE IN  
WATERFOWL HUNTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 742a to 742j

**CFR Citation:** 50 CFR 20.134

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**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

**1638. 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
Notice of Avail of Proposed Policy	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

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

## DOI—FWS

## Proposed Rule Stage

**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

### 1639. 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 propose to designate critical habitat for the Salt Creek tiger beetle, an endangered 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	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

**Related RIN:** Related to 1018-AJ13

**RIN:** 1018-AT79

### 1640. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE CUI-UI FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes to remove the Cui-ui, a fish in Nevada,

from the List of Endangered and Threatened Wildlife based on recovery of this species. Threats to the species have been reduced, and the population has rebounded and surpassed recovery levels.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AT85

### 1641. NEGOTIATION OF ANNUAL FUNDING AGREEMENTS WITH TRIBES (MANUAL CHAPTER)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668dd to 668ee; 16 USC 742a to 742j; 16 USC 661 to 666c; PL 93-638; PL 103-413; PL 105-270; The Native American Policy of the U.S. Fish and Wildlife Service of June 28, 1994 (Native American Policy); 25 CFR 1000

**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	03/00/07	

**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

### 1642. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR YADON'S PIPERIA

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

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

Final, Judicial, September 1, 2007.

**Abstract:** We propose to designate critical habitat for Yadon's piperia, an endangered plant, in the Monterey region of central California.

**Timetable:**

Action	Date	FR Cite
NPRM	10/18/06	71 FR 61546
NPRM Comment Period End	12/18/06	
Final Action	10/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU34

### 1643. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF CRITICAL HABITAT FOR THE NORTHERN SPOTTED OWL

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

## DOI—FWS

## Proposed Rule Stage

**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, 2006.  
Final, Judicial, December 15, 2007.

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

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

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU37

**1644. CIVIL PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42 to 44; 16 USC 3371 et seq; 16 USC 668(a); 16 USC 1540(f); 16 USC 1382

**CFR Citation:** 50 CFR 11

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**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

**1645. CITES APPENDIX III LISTING OF GALAX**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

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

Phone: 703 358-1708

Email: pat\_ford@fws.gov

**RIN:** 1018-AU40

**1646. MARINE MAMMALS; INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES; CHUKCHI SEA**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

Phone: 703 358-5496

Fax: 703 358-1869

Email: martin\_kodis@fws.gov

**RIN:** 1018-AU41

**1647. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RE-EVALUATION OF FINAL LISTING DETERMINATION FOR QUEEN CHARLOTTE GOSHAWK**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Comment Period Opened on Status Review	12/15/05	70 FR 74284
SR Comment Period End	02/13/06	
NPRM	04/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

## DOI—FWS

## Proposed Rule Stage

Service, Room 435, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2527  
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RIN: 1018-AU43

**1648. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISION OF CRITICAL HABITAT DESIGNATION FOR THE WINTERING PIPING PLOVER**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Original Final Rule designating critical habitat	07/10/01	66 FR 36038
2nd NPRM to revise critical habitat	06/12/06	71 FR 33703
Public Hearing request duedate	07/27/06	71 FR 33703
Second NPRM Comment Period End	08/11/06	
NPRM Comment Period Reopened	12/00/06	
Final Action	05/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

RIN: 1018-AU48

**1649. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ADDING GRAHAM'S BEARDTONGUE (PENSTEMON GRAHAMII) TO THE LIST OF ENDANGERED AND THREATENED PLANTS, WITH DESIGNATION OF CRITICAL HABITAT**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/19/06	71 FR 3158
Public Hearing request duedate	03/06/06	71 FR 3158
NPRM Comment Period End	03/20/06	
NPRM; Reopening of Comment Period; Notice of Public Hearing	04/13/06	71 FR 19158
Public Hearing	04/26/06	71 FR 19158
NPRM Comment Period End	05/19/06	
NPRM Comment Period Reopened	12/00/06	
Final Action	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

RIN: 1018-AU49

**1650. MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; SPRING/SUMMER REGULATIONS FOR THE 2007 SEASON**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 92

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	
Final Action	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:** [alaska.fws.gov/ambcc/index.htm](http://alaska.fws.gov/ambcc/index.htm)

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

Phone: 907 786-3887

**Related RIN:** Previously reported as 1018-AU39

RIN: 1018-AU59

**1651. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDING THE FORMATS OF THE LISTS OF ENDANGERED AND THREATENED WILDLIFE AND PLANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Martha E. Balis-Larsen, Chief, Office of Program

## DOI—FWS

## Proposed Rule Stage

Support, Endangered Species,  
Department of the Interior, United  
States Fish and Wildlife Service, 4401  
N. Fairfax Drive, 1330, Arlington, VA  
22203  
Phone: 703 358–2079  
Fax: 703 358–1827  
Email: martha\_balislarsen@fws.gov  
**RIN:** 1018–AU62

**1652. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; REMOVAL OF EXTINCT  
SPECIES FROM THE FEDERAL LIST  
OF ENDANGERED AND THREATENED  
WILDLIFE**

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

**Abstract:** The Service will delist  
multiple species because they are  
presumed to be extinct.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018–AU64

**1653. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; ESTABLISHMENT OF A  
NONESENTIAL EXPERIMENTAL  
POPULATION OF BLACK-FOOTED  
FERRETS IN EASTERN WYOMING**

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

**Abstract:** Under section 10(j) of the  
Endangered Species Act, we propose to  
establish a nonessential experimental  
population of black-footed ferrets in  
eastern Wyoming. The population at

Thunder Basin National Grassland may  
be reintroduced in the fall of 2006.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:**  
Undetermined

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

**RIN:** 1018–AU65

**1654. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; REMOVAL OF THE  
MAGUIRE DAISY FROM THE LIST OF  
ENDANGERED AND THREATENED  
PLANTS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis  
Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan,  
Endangered Species, Branch of  
Recovery and Delisting, Department of  
the Interior, United States Fish and  
Wildlife Service, 4401 North Fairfax  
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**RIN:** 1018–AU67

**1655. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; DESIGNATION OF A  
NONESENTIAL EXPERIMENTAL  
POPULATION OF THE RIO GRANDE  
SILVERY MINNOW IN TEXAS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1531 et seq  
**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes a  
nonessential experimental population  
of the Rio Grande silvery minnow in  
Texas. This action is being taken to  
achieve one of the species' recovery  
goals, to reestablish the minnow in at  
least three other areas of its historic  
range, as outlined in the 1999 recovery  
plan.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Michelle Morgan,  
Endangered Species, Branch of  
Recovery and Delisting, Department of  
the Interior, United States Fish and  
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**RIN:** 1018–AU68

**1656. ENDANGERED AND  
THREATENED WILDLIFE AND  
PLANTS; PROPOSED  
RECLASSIFICATION OF THE  
RUNNING BUFFALO CLOVER FROM  
ENDANGERED TO THREATENED**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 1531 et seq  
**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service proposes to  
reclassify the running buffalo clover  
from endangered to threatened. This  
plant is found in Arkansas, Illinois,  
Indiana, Kansas, Kentucky, Missouri,  
Ohio, and West Virginia.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

## DOI—FWS

## Proposed Rule Stage

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018-AU69**1657. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA: 2008-2009 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3111**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

**Abstract:** This rule would establish regulations for fishing seasons, harvest limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2008-09 regulatory year. The rulemaking is necessary because subpart D is subject to an annual public review cycle. When final, this rulemaking would replace the fish and shellfish taking regulations included in the "Subsistence Management Regulations for Public Lands in Alaska, subpart D, 2007-08 Subsistence Taking of Fish and Wildlife Regulations," which expire on March 31, 2008. This rule would also amend the Customary and Traditional Use Determinations of the Federal Subsistence Board and the General Regulations related to the taking of fish and shellfish.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

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

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

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**RIN:** 1018-AU71**1658. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR ASTRAGALUS DESERETICUS (DESERET MILK VETCH)****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

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

**Agency Contact:** Douglas Krofta, 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-AU72**1659. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; FLUVIAL ARCTIC GRAYLING****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We are evaluating whether or not to propose to list the fluvial Arctic grayling, a fish in Montana, under the Endangered Species Act.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

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

**Agency Contact:** Douglas Krofta, 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-AU73**1660. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR THE HINE'S EMERALD DRAGONFLY****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/26/06	71 FR 42441
NPRM Comment Period End	09/25/06	71 FR 42441
NPRM Comment Period Reopened	12/00/06	

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

**Agency Contact:** Douglas Krofta, 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-AU74

## DOI—FWS

## Proposed Rule Stage

**1661. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR HIDDEN LAKE BLUECURLS, VAIL LAKE CEANOETHUS, AND MEXICAN FLANNELBUSH**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/03/06	71 FR 58340
NPRM Comment Period End	12/04/06	
Final Action	09/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU77

**1662. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR GUAJON**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

**Abstract:** We propose critical habitat for the Guajon, a threatened frog in Puerto Rico.

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/06	71 FR 58954
NPRM Comment Period End	12/04/06	
Final Action	09/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

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**RIN:** 1018-AU78

**1663. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR CAPE SABLE SEASIDE SPARROW**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/31/06	71 FR 63980
Hearing Request Due Date	12/15/06	
NPRM Comment Period End	01/02/07	
Final Action	10/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU79

**1664. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR BEAR VALLEY SANDWORT, SOUTHERN MOUNTAIN WILD-BUCKWHEAT, AND ASH-GREY INDIAN PAINTBRUSH**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU80

**1665. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR TIDEWATER GOBY**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined



## DOI—FWS

## Proposed Rule Stage

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU81

**1666. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR MONTEREY SPINEFLOWER**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

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

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**RIN:** 1018-AU83

**1667. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR NEVIN'S BARBERRY**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU84

**1668. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR FLATWOODS SALAMANDER**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

**Abstract:** We plan to re-evaluate our prudency determination for the designation of critical habitat for the

flatwoods salamander, a threatened amphibian that historically occurred in Alabama, Georgia, Florida, and South Carolina. If prudent, we will propose to designate critical habitat.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU85

**1669. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR SAN DIEGO THORN MINT**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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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## DOI—FWS

## Proposed Rule Stage

Email: douglas\_krofta@fws.gov

RIN: 1018-AU86

**1670. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING DETERMINATION AND CRITICAL HABITAT DESIGNATION FOR GEORGIA PIGTOE AND INTERRUPTED ROCKSNAIL**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU88

**1671. ● SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2008-2009 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS**

**Priority:** Routine and Frequent

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the

2008-09 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

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RIN: 1018-AU95

**1672. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; WITHDRAWAL OF THE RECLASSIFICATION RULE AND REMOVAL OF THE HAWAIIAN HAWK 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 withdraw the previous proposed rule to reclassify the Hawaiian hawk, and instead we propose to delist the Hawaiian hawk. This action is based on recovery.

**Timetable:**

Action	Date	FR Cite
NPRM— Reclassification	08/05/93	58 FR 41684
NPRM	07/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Previously reported as 1018-AB88

RIN: 1018-AU96

**1673. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF CONCHO WATERSNAKE**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We propose to remove the Concho watersnake from the List of Endangered and Threatened Wildlife due to recovery.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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RIN: 1018-AU97

**1674. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY LISTING OF THREE HAWAIIAN PLANTS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will plan to list three Hawaiian plants— *Astelia waialealae* (painiu), *Phyllostegia hispida* (no common name), and *Cyrtandra kaulanatha* (haiwale)— as endangered under the Endangered Species Act.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** No

## DOI—FWS

## Proposed Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Douglas Krofta, 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-AV00

**1675. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR PECOS SUNFLOWER**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, March 16, 2007, Settlement agreement. Final, Judicial, March 16, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for the Pecos Sunflower, a threatened plant in New Mexico and Texas.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AV02

**1676. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR LA GRACIOSA THISTLE**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, July 27, 2007, Settlement agreement. Final, Judicial, July 27, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for La Graciosa Thistle, an endangered plant in San Luis Obispo and Santa Barbara Counties, California.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AV03

**1677. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR CALIFORNIA TARAXACUM AND SAN BERNARDINO BLUEGRASS**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, July 26, 2007, Settlement agreement. Final, Judicial, July 26, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for California Taraxacum and San Bernardino Bluegrass, two endangered plants in the mountains of southern California.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Chief, Branch of Listing, Endangered Species

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**RIN:** 1018-AV04

**1678. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR SIERRA NEVADA DISTINCT POPULATION SEGMENT OF CALIFORNIA BIGHORN SHEEP**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, July 17, 2007, Settlement agreement. Final, Judicial, July 17, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for the Sierra Nevada Distinct Population Segment of California Bighorn Sheep in Mono and Inyo Counties, California.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AV05

**1679. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR FIVE CARBONATE PLANTS FROM THE SAN BERNARDINO MOUNTAINS OF SOUTHERN CALIFORNIA**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

## DOI—FWS

## Proposed Rule Stage

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, February 13, 2007, Settlement agreement. Final, Judicial, February 13, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for five carbonate plants in San Bernardino County, California: Cushenberry milk vetch, Cushenberry buckwheat, San Bernardino Mountains bladderpod, Cushenberry oxytheca, and Parish's daisy.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
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Email: douglas\_krofta@fws.gov

**RIN:** 1018-AV06

**1680. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE SAN BERNARDINO KANGAROO RAT**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 1, 2007, Settlement agreement. Final, Judicial, June 1, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for the endangered San Bernardino kangaroo rat in San Bernardino and Riverside Counties, California.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AV07

**1681. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SIERRA NEVADA DISTINCT POPULATION SEGMENT OF THE MOUNTAIN YELLOW-LEGGED FROG WITH CRITICAL HABITAT**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 14, 2007, Settlement agreement. Final, Judicial, September 15, 2008, Settlement agreement.

**Abstract:** We propose listing the Sierra Nevada Distinct Population Segment (DPS) of the mountain yellow-legged frog under the Endangered Species Act. At the same time we propose critical habitat for this DPS.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AV08

**1682. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE PENINSULAR BIGHORN SHEEP**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2007, Settlement agreement. Final, Judicial, September 30, 2008, Settlement agreement.

**Abstract:** We propose critical habitat for the Peninsular Bighorn Sheep in Riverside, San Diego, and Imperial Counties, California.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/07	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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: douglas\_krofta@fws.gov

**RIN:** 1018-AV09

**1683. ● MIGRATORY BIRD PERMITS; REMOVAL OF MIGRATORY BIRDS FROM BUILDINGS**

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

**Legal Authority:** Migratory Bird Treaty Act, 40 Stat 755, 16 USC 703 to 712; Fish and Wildlife Act of 1956, 16 USC 742(a-j); Arctic Tundra Habitat Emergency Conservation Act, PL 106-108, 113 Stat 1491, Note following 16 U.S.C. 703; Endangered Species Act, 16 USC 1531 et seq

**CFR Citation:** 50 CFR 13.51

**Legal Deadline:** None

**Abstract:** We proposed to allow property owners to remove migratory birds from buildings without requiring a Federal permit.

## DOI—FWS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**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

**RIN:** 1018–AV10

## Department of the Interior (DOI)

## Final Rule Stage

## United States Fish and Wildlife Service (FWS)

**1684. LIST OF MIGRATORY BIRDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 704; 16 USC 712**CFR Citation:** 50 CFR 10.13**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
NPRM Comment Period End	07/10/95	60 FR 24686
Second NPRM	10/12/01	66 FR 52281
Second NPRM Comment Period End	11/13/01	66 FR 52281
Third NPRM	08/24/06	71 FR 50194
Third NPRM Comment Period End	10/23/06	71 FR 50194
Final Action	01/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

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

**RIN:** 1018–AB72**1685. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 10; 50 CFR 13; 50 CFR 17; 50 CFR 23**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/08/00	65 FR 26663
NPRM Comment Period End	08/07/00	65 FR 26663
Correction	06/29/00	65 FR 40167
Second NPRM	04/19/06	71 FR 20168
Correction	05/02/06	71 FR 25894
Second NPRM Comment Period End	06/19/06	71 FR 20168
NPRM Comment Period Reopened	06/28/06	71 FR 36742
Second NPRM Comment Period End	07/28/06	71 FR 36742
Final Action	05/00/07	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal, State

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

Phone: 703 358–2095

Email: peter\_thomas@fws.gov

**RIN:** 1018–AD87**1686. 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 remove the bald eagle from the List of Endangered and Threatened Wildlife. This action is based on continued recovery gains and increasing population trends.

**Timetable:**

Action	Date	FR Cite
NPRM	07/06/99	64 FR 36454
NPRM Comment Period End	10/05/99	
NPRM Comment Period Reopened	02/16/06	71 FR 8238
NPRM Comment Period End	05/17/06	71 FR 8238
NPRM Comment Period Extended	05/16/06	71 FR 28293
Second NPRM Comment Period End	06/19/06	71 FR 28293
Final Action	02/00/07	

**Regulatory Flexibility Analysis**

Required: No

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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Fax: 703 358–1735

## DOI—FWS

## Final Rule Stage

Email: michelle\_morgan@fws.gov

**Related RIN:** Related to 1018–AT94

**RIN:** 1018–AF21

### 1687. 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
NPRM Comment Period Reopened	06/21/06	71 FR 35599
Second NPRM Comment Period End	09/19/06	71 FR 35599
Final Action	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

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

### 1688. ADDITION OF BLACK CARP TO THE LIST OF INJURIOUS WILDLIFE

**Priority:** Other Significant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** FWS plans to publish a final determination for the black carp injurious wildlife evaluation 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
ANPRM Comment Period End	08/01/00	65 FR 35314
NPRM	07/30/02	67 FR 49280
NPRM Comment Period End	09/20/02	67 FR 49280
NPRM Comment Period Reopened	06/04/03	68 FR 33431
NPRM 2nd Comment Period End	08/04/03	68 FR 33431
NPRM Comment Period 3rd Reopening	08/30/05	70 FR 51326
NPRM Comment Period Extended	10/27/05	70 FR 61933
NPRM Comment Period End	12/16/05	
Final Determination	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**URL For More Information:**

[www.fws.gov/contaminants/issues/invasivespecies.cfm](http://www.fws.gov/contaminants/issues/invasivespecies.cfm)

**Agency Contact:** Erin Williams, Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358–2034  
Email: erin\_williams@fws.gov

**RIN:** 1018–AG70

### 1689. 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 remove the Johnston's frankenia, a plant listed as endangered, and endemic to south Texas and northeastern Mexico, 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	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

### 1690. IMPORTATION OF EXOTIC WILD BIRDS INTO THE UNITED STATES; ADDING BLUE-FRONTED AMAZON PARROTS FROM ARGENTINA'S APPROVED SUSTAINABLE USE MANAGEMENT PLAN TO THE APPROVED LIST OF NON-CAPTIVE BRED SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 15

**Legal Deadline:** None

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

**Timetable:**

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

## DOI—FWS

## Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	04/28/05	70 FR 15798
NPRM Comment Period Reopened	05/24/05	70 FR 29711
NPRM Comment Period End	07/08/05	
Final Action	02/00/07	

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

**Agency Contact:** Peter Thomas, Chief, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
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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  
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**RIN:** 1018-AH89**1691. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF TWO AUSTRALIAN PARAKEETS FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/02/03	68 FR 52169
Public Hearing Request Due Date	10/17/03	68 FR 52169
NPRM Comment Period End	12/01/03	
Final Rule	09/00/07	

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

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AI04**1692. 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	12/00/06	

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

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

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

**RIN:** 1018-AI07**1693. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE FLORIDA DISTINCT POPULATION SEGMENT OF THE AMERICAN CROCODILE FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/24/05	70 FR 15052
Public Hearing Request Due Date	05/09/05	70 FR 15052
NPRM Comment Period End	05/23/05	
Final Action	01/00/07	

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
Phone: 703 358-2061  
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**RIN:** 1018-AI41

## DOI—FWS

## Final Rule Stage

**1694. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; POLICY FOR ENHANCEMENT-OF-SURVIVAL PERMITS FOR FOREIGN SPECIES LISTED UNDER THE ENDANGERED SPECIES ACT**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Notice of Proposed Policy	08/18/03	68 FR 49512
Comment Period End	10/17/03	68 FR 49512
Final Action	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2350  
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**RIN:** 1018-AI67

**1695. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	04/22/03	68 FR 19888
Public Hearing Request Due Date	06/06/03	68 FR 19888

Action	Date	FR Cite
NPRM Comment Period End	06/23/03	
NPRM Comment Period Reopened	04/08/04	69 FR 18516
Public Hearing	04/29/04	69 FR 18516
NPRM Comment Period End	05/10/04	
Final Action	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
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**RIN:** 1018-AI71

**1696. MIGRATORY BIRD PERMITS; MILITARY READINESS EXEMPTION**

**Priority:** Other Significant

**Legal Authority:** PL 107-314

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

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**RIN:** 1018-AI92

**1697. ADDING SILVER CARP TO THE LIST OF INJURIOUS WILDLIFE**

**Priority:** Other Significant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	07/23/03	68 FR 43482
ANPRM Comment Period End	09/22/03	68 FR 43482
NPRM	09/05/06	71 FR 52305
Final Action	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:**

[www.fws.gov/contaminants/issues/invasivespecies.cfm](http://www.fws.gov/contaminants/issues/invasivespecies.cfm)

**Agency Contact:** Kari Jonell Duncan, Chief, Division of Environmental Quality, Branch of Invasive Species, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive Room 810-B, Arlington, VA 22203  
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Erin Williams, Invasive 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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**RIN:** 1018-AT29



## DOI—FWS

## Final Rule Stage

**1698. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVING THE MEXICAN BOBCAT 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 received a petition to delist the Mexican bobcat (*Lynx rufus escuinapae*), listed as endangered. 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 Endangered Species Act (i.e., that delisting is warranted), so we proposed to delist it.

**Timetable:**

Action	Date	FR Cite
NPRM; positive 12-month finding	05/19/05	70 FR 28895
NPRM Public Hearing Request Due Date	07/05/05	70 FR 28895
NPRM Comment Period End	08/17/05	
NPRM Comment Period Reopened	11/23/05	70 FR 70779
Second Comment Period End	12/23/05	70 FR 70779
Final Action	12/00/06	

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

**Agency Contact:** Dr. Michael D. Kreger, Wildlife Biologist, Division of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, Room 750, 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018-AT31**1699. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE YELLOWSTONE GRIZZLY BEAR POPULATION FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service removes the Yellowstone population of grizzly bears from the List of Endangered and Threatened Wildlife. This population has reached its recovery goals.

**Timetable:**

Action	Date	FR Cite
NPRM and notice of public hearing	11/17/05	70 FR 69854
Public Hearing	01/09/06	
Public Hearing	01/10/06	
Public Hearing	01/11/06	
Public Hearing	01/12/06	
NPRM; additional public hearing	01/25/06	71 FR 4097
Public Hearing	02/09/06	71 FR 4097
NPRM Comment Period End	02/15/06	
NPRM Comment Period Extended	02/16/06	71 FR 8251
NPRM Comment Period End	03/20/06	71 FR 8251
NPRM; notice seeking to recover public comments	06/30/06	71 FR 37525
NPRM Recovered Comment Submittal End	07/14/06	71 FR 37525
Final Action	03/00/07	

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
Phone: 703 358-2061  
Fax: 703 358-1735  
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**RIN:** 1018-AT38**1700. MIGRATORY BIRD PERMITS; CHANGES IN REGULATIONS GOVERNING RAPTOR PROPAGATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712**CFR Citation:** 50 CFR 21.30**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/14/05	70 FR 60052
NPRM Comment Period End	01/12/06	
NPRM Comment Period Reopened	06/21/06	71 FR 35599
Second NPRM Comment Period End	09/19/06	
Final Action	06/00/07	

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

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

**Related RIN:** Related to 1018-AG11**RIN:** 1018-AT60**1701. REGULATIONS TO IMPLEMENT THE CAPTIVE WILDLIFE SAFETY ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 14**Legal Deadline:** Final, Statutory, June 19, 2004.

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/31/06	71 FR 5041
NPRM; Reminder	02/22/06	71 FR 9080
NPRM Comment Period End	03/02/06	71 FR 5041
NPRM Information Collection Comment Period End	03/02/06	
Final Action	12/00/06	

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

## DOI—FWS

## Final Rule Stage

**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

**1702. PROTECTION OF BALD EAGLES; DEFINITION**

**Priority:** Other Significant  
**Legal Authority:** 16 USC 668a  
**CFR Citation:** 50 CFR 22.3  
**Legal Deadline:** None

**Abstract:** This 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 wildlife under the Endangered Species Act. The BGEPA would then become the primary law protecting bald eagles.

**Timetable:**

Action	Date	FR Cite
NPRM	02/16/06	71 FR 8265
NPRM Comment Period End	05/17/06	
NPRM Comment Period Extended	05/16/06	71 FR 28294
Second NPRM Comment Period End	06/19/06	71 FR 28294
Final Action	02/00/07	

**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

**1703. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 3124  
**CFR Citation:** 50 CFR 100; 36 CFR 242  
**Legal Deadline:** None

**Abstract:** This rule would 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	08/14/06	71 FR 46416
NPRM Comment Period End	10/27/06	
Final Action	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal  
**Agency Contact:** Theo Matuskowitz, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503  
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**RIN:** 1018—AT99

**1704. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR 15 FRESHWATER MUSSELS, 1 FRESHWATER SNAIL, AND 5 FISHES IN TENNESSEE**

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

**Abstract:** The Service proposed to establish a nonessential experimental population for 15 freshwater mussels, 1 freshwater snail, and 5 fishes in the Lower French Broad River and in the Lower Holston River, Tennessee.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/06	71 FR 34195
NPRM Public Hearing Requests Due Date	07/28/06	71 FR 34195

Action	Date	FR Cite
NPRM Comment Period End	08/14/06	
Final Action	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None  
**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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 Fax: 703 358—1735  
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**RIN:** 1018—AU01

**1705. 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 a special rule for the Pacific Coast population of the threatened western snowy plover under section 4(d) of the Endangered Species Act. The special rule will eliminate the take prohibitions when entities involved in management activities have a habitat management plan that has been approved by the Service in the States of Washington, Oregon, and California.

**Timetable:**

Action	Date	FR Cite
NPRM	04/21/06	71 FR 20625
NPRM; Public Hearing Request Duedate	05/22/06	71 FR 20625
NPRM Comment Period End	06/20/06	
NPRM Comment Period Extended	06/20/06	71 FR 35406
NPRM Comment Period End	08/21/06	71 FR 35406
Final Action	04/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of

## DOI—FWS

## Final Rule Stage

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RIN: 1018-AU11

### 1706. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE PREBLE'S MEADOW JUMPING MOUSE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to make a final determination on our proposal to remove the Preble's meadow jumping mouse from the List of Endangered and Threatened Wildlife. The species is listed in Wyoming and Colorado.

#### Timetable:

Action	Date	FR Cite
NPRM	02/02/05	70 FR 5404
Public Hearing Request Due Date	03/21/05	70 FR 5404
NPRM Comment Period End	05/03/05	
NPRM Comment Period Reopened	02/17/06	71 FR 8556
NPRM Comment Period Extended	03/30/06	71 FR 16090
NPRM Comment Period End	04/18/06	71 FR 8556
NPRM Comment Period End	05/18/06	71 FR 16090
Final Action	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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RIN: 1018-AU12

### 1707. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D: 2007-2008 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS

**Priority:** Routine and Frequent

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2007-08 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review.

#### Timetable:

Action	Date	FR Cite
NPRM	08/14/06	71 FR 46423
NPRM Comment Period End	10/20/06	
Final Action	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

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RIN: 1018-AU15

### 1708. NATIONAL WILDLIFE REFUGE SYSTEM; WILDERNESS STEWARDSHIP

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

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

#### Timetable:

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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

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

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

RIN: 1018-AU27

### 1709. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE SPIKEDACE AND LOACHMINNOW

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We will make a final determination on critical habitat for the spikedace and loachminnow, threatened fish that are endemic to the upper Gila River basin of Arizona and New Mexico.

#### Timetable:

Action	Date	FR Cite
NPRM	12/20/05	70 FR 75545
Public Hearing Request Due Date	02/03/06	
NPRM Comment Period End	02/21/06	
2nd NPRM; Reopen Comment	06/06/06	71 FR 32496
Second NPRM Comment Period End	07/06/06	71 FR 32496
Public Hearing	06/13/06	71 FR 32496
Public Hearing	06/20/06	71 FR 32496
NPRM Reopened	10/04/06	71 FR 58574
NPRM Reopened Comment Period End	10/16/06	
Final Action	12/00/06	

## DOI—FWS

## Final Rule Stage

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta, 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-AU33

**1710. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR SUISUN THISTLE AND SOFT BIRD'S-BEAK**

**Priority:** Other Significant**Legal Authority:** 16 USC 1533 et seq**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, April 1, 2006.  
Other, Judicial, August 2006, NOA for econ analysis.  
Final, Judicial, April 1, 2007.

**Abstract:** We will designate critical habitat for Suisun thistle and soft bird's-beak, two endangered plants in southern California.

**Timetable:**

Action	Date	FR Cite
NPRM	04/11/06	71 FR 18455
Public Hearing Request Due Date	05/26/06	71 FR 18455
NPRM Comment Period End	06/12/06	
Final Action	04/00/07	

**Regulatory Flexibility Analysis**

Required: No

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

**Agency Contact:** Douglas Krofta, 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-AU44

**1711. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR HOLMGREN AND SHIVWITS MILK VETCHES**

**Priority:** Other Significant**Legal Authority:** 16 USC 1533 et seq**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/29/06	71 FR 15965
Public Hearing Request Due Date	05/15/06	71 FR 15965
NPRM Comment Period End	05/30/06	
NPRM Comment Period Reopened	09/26/06	71 FR 56085
NPRM Reopened Comment Period End	10/26/06	
Final Action	12/00/06	

**Regulatory Flexibility Analysis**

Required: No

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

**Agency Contact:** Douglas Krofta, 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-AU45

**1712. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR ALABAMA BEACH MOUSE**

**Priority:** Other Significant**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 will designate critical habitat for the endangered Alabama beach mouse along the coast of Alabama.

**Timetable:**

Action	Date	FR Cite
Original final rule— Endangered status and CH for 3 beach mice	06/06/85	50 FR 23872
12-mo finding for petition to revise CH for 3 beach mice	09/26/00	65 FR 57800
NPRM	02/01/06	71 FR 5515
Public Hearing request duedate	03/20/06	71 FR 5515
NPRM Comment Period End	04/03/06	
Second NPRM	08/08/06	71 FR 44976
Second NPRM Comment Period End	09/07/06	
Final Action	01/00/07	

**Regulatory Flexibility Analysis**

Required: No

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

**Agency Contact:** Douglas Krofta, 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-AU46

**1713. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISION OF CRITICAL HABITAT DESIGNATION FOR THE KOOTENAI RIVER WHITE STURGEON**

**Priority:** Other Significant**Legal Authority:** 16 USC 1533 et seq**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/08/06	71 FR 6383
Interim Final Rule Effective	03/10/06	71 FR 6383
Public Hearing	03/16/06	71 FR 6383
Interim Final Rule Comment Period End	04/10/06	
Final Action	12/00/06	

## DOI—FWS

## Final Rule Stage

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

**Agency Contact:** Douglas Krofta, 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-AU47

**1714. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR THE LAGUNA MOUNTAINS SKIPPER**

**Priority:** Other Significant**Legal Authority:** 16 USC 1533 et seq**CFR Citation:** 50 CFR 17

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

**Abstract:** We will designate critical habitat for the Laguna Mountains skipper, an endangered butterfly that lives in the mountains of southern California.

**Timetable:**

Action	Date	FR Cite
NPRM	12/13/05	70 FR 73699
Public Hearing Request Due Date	01/27/06	
NPRM Comment Period End	02/13/06	
NPRM; Reopening of Comment Period; Notice of Public Hearing	04/13/06	71 FR 19157
Public Hearing	04/27/06	71 FR 19157
NPRM Comment Period End	05/15/06	
NPRM Comment Period Reopened	07/07/06	71 FR 38593
NPRM Comment Period End	08/07/06	71 FR 38593
Final Action	12/00/06	

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

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

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**RIN:** 1018-AU50

**1715. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE WESTERN GREAT LAKES DISTINCT POPULATION SEGMENT OF THE GRAY WOLF FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE**

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

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

**Timetable:**

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

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Related to 1018-AU53**RIN:** 1018-AU54

**1716. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA: 2007-2008 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3111**CFR Citation:** 36 CFR 242; 50 CFR 100**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/22/05	70 FR 76010
Public Meeting re. NPRM	02/16/06	
Public Meeting re. NPRM	02/20/06	
Public Meeting re. NPRM	02/23/06	
Public Meeting re. NPRM	02/27/06	
Public Meeting re. NPRM	02/28/06	
Public Meeting re. NPRM	03/07/06	
Public Meeting re. NPRM	03/14/06	
Public Meeting re. NPRM	03/21/06	
NPRM Comment Period End	03/24/06	
Final Action	03/00/07	

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

**Agency Contact:** Theo Matuskowitz, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, AK 99503  
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**RIN:** 1018-AU57

## DOI—FWS

## Final Rule Stage

**1717. 2006–07 REFUGE–SPECIFIC HUNTING AND SPORT FISHING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i)**CFR Citation:** 50 CFR 32**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/24/06	71 FR 41864
NPRM Comment Period End	08/16/06	
Final Action	12/00/06	

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

**Agency Contact:** Leslie A Marler, Management Analyst, Department of the Interior, United States Fish and Wildlife Service, National Wildlife Refuge System 4401 North Fairfax Drive, Arlington, VA 22203  
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**RIN:** 1018–AU61**1718. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE IDAHO SPRINGSNAIL FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** The Service proposes to delist the Idaho springsnail. This action is based on a 12-month status review

that indicates the currently listed entity is no longer a valid species under the Endangered Species Act. A taxonomic review of the Idaho springsnail and three other unlisted springsnail species indicates that the four species together are all part of the same larger species, which, based on a five-factor threats analysis, may not warrant listing at this time.

**Timetable:**

Action	Date	FR Cite
NPRM	09/28/06	71 FR 56938
Hearing Request Due Date	11/13/06	
NPRM Comment Period End	11/27/06	
Final Action	09/00/07	

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**RIN:** 1018–AU66**1719. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR COMAL SPRINGS DRYOPID BEETLE, COMAL SPRINGS RIFFLE BEETLE, AND PECK'S CAVE AMPHIPOD****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/06	71 FR 40588
NPRM Public Hearing Request Due Date	08/31/06	71 FR 40588
NPRM Comment Period End	09/15/06	71 FR 40588
Final Action	07/00/07	

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

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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–AU75**1720. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR CATESBAEA MELANOCARPA****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/22/06	71 FR 48883
NPRM Comment Period End	10/23/06	
Final Action	11/00/07	

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

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, Chief, Branch of Listing, Endangered Species

## DOI—FWS

## Final Rule Stage

Program, Department of the Interior,  
United States Fish and Wildlife  
Service, Room 435, 4401 North Fairfax  
Drive, Arlington, VA 22203  
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RIN: 1018-AU76

**1721. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR FIVE ENDANGERED FRESHWATER MUSSELS AND TWO THREATENED FRESHWATER MUSSELS IN GEORGIA, FLORIDA, AND ALABAMA**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/06/06	71 FR 32745
Public Hearing Request Due Date	07/21/06	71 FR 32745
NPRM Comment Period End	08/07/06	
Final Action	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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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Fax: 703 358-2434

Email: douglas\_krofta@fws.gov

RIN: 1018-AU87

**1722. • CHANGE OF ADDRESSES FOR REGIONAL OFFICES AND ADDITION OF ONE NEW ADDRESS**

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

**Legal Authority:** sec 2, 33 Stat 614, as amended; sec 5, 43 Stat 651; secs 5, 10, 45 Stat 449, 1224; secs 4, 2, 48 Stat 402, as amended; 1270, sec 4, 76 Stat 645; 5 USC 301; 16 USC 668(dd), 685, 725, 690(d), 715(i), 664; 43 USC 315(a); 16 USC 460(k); 80 Stat 926

**CFR Citation:** 50 CFR 29

**Legal Deadline:** None

**Abstract:** We are revising our rights-of-way (ROW) general regulations for the National Wildlife Refuge System to correct or add addresses of some Service Regional offices.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

RIN: 1018-AU89

**1723. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR MARBLED MURRELET**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, August 30, 2006, Court-approved settlement agreement.

**Abstract:** Under a court-approved settlement agreement, we propose critical habitat for the marbled

murrelet, a threatened bird inhabiting old growth forests in the northwestern United States and Canada. We may propose critical habitat for portions of California, Oregon, and Washington State.

**Timetable:**

Action	Date	FR Cite
NPRM	09/12/06	71 FR 53837
NPRM Comment Period End	11/13/06	
Final Action	09/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Undetermined

**Agency Contact:** Douglas Krofta, 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-AU91

**1724. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; KENAI PENINSULA SUBSISTENCE RESOURCE REGION**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 16 USC 3, 472, 551, 668(dd), 3101 to 3126; 18 USC 3551 to 3586; 43 USC 1733

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

**Legal Deadline:** None

**Abstract:** We propose to change regulations governing subsistence use of wildlife in Alaska by creating an additional subsistence resource region for the Kenai Peninsula. This addition of a separate subsistence resource region will allow for the creation of a separate Federal subsistence regional advisory council for that region, which will better ensure that residents with personal knowledge of the Kenai Peninsula area will have a meaningful role in the complex issues and management challenges of the area's subsistence management.

**Timetable:**

Action	Date	FR Cite
NPRM	08/14/06	71 FR 46427

## DOI—FWS

## Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	09/18/06	71 FR 46427
Direct Final Rule Comment Period End	08/14/06	71 FR 46400
Direct Final Rule— Withdrawal	09/29/06	
Direct Final Rule— Withdrawal	09/27/06	71 FR 56356
NPRM Comment Period Extended	09/27/06	71 FR 56421
NPRM Comment Period End	11/09/06	
Final Action	12/00/06	

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

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

Phone: 907 786-3867

Fax: 907 786-3898

Email: theo\_matuskowitz@fws.gov

**RIN:** 1018-AU92

### 1725. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR 12 SPECIES OF HAWAIIAN PICTURE-WING FLIES

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

**Abstract:** We propose critical habitat for 12 species of Hawaiian picture-wing flies: *Drosophila aglaia*, *D. differens*, *D. hemipeza*, *D. heteroneura*, *D. montgomeryi*, *D. mulli*, *D. musaphilia*, *D. neoclavisetae*, *D. obatai*, *D. ochrobasis*, *D. substenoptera*, and *D. tarphytrichia*. These species are found on one or more of the following Hawaiian Islands: Kauai, Oahu, Molokai, Maui, and Hawaii.

**Timetable:**

Action	Date	FR Cite
NPRM	08/15/06	71 FR 46994
NPRM Comment Period End	10/16/06	71 FR 46994
Final Action	04/00/07	

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

**Agency Contact:** Douglas Krofta, 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: 703 358-2527  
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**RIN:** 1018-AU93

### 1726. ● FEDERAL DUCK STAMP CONTEST REGULATIONS; REVISION

**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 31; 16 USC 718; 31 USC 9701**CFR Citation:** 50 CFR 91**Legal Deadline:** None**Abstract:** We will revise the Federal Duck Stamp Contest regulations.**Timetable:**

Action	Date	FR Cite
NPRM	09/27/06	71 FR 56443
NPRM Comment Period End	10/27/06	
Final Action	12/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For Public Comments:**

www.fws.gov/duckstamps

**Agency Contact:** Patricia Fisher, Chief, Federal Duck Stamp Program, Department of the Interior, United States Fish and Wildlife Service, MBSP-4070, 4401 N. Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2007  
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**RIN:** 1018-AU94

### 1727. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR PIERSON'S MILK VETCH

**Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, June 1, 2007, New final rule.

**Abstract:** Pursuant to a court order, we must re-evaluate the potential economic costs of designating critical habitat for Pierson's milk-vetch, a threatened plant

in southern California (and our final rule published in 2004), and complete a new final rule.

**Timetable:**

Action	Date	FR Cite
Previous Final Action	08/04/04	69 FR 47329
Final Action	06/00/07	

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

Undetermined

**Federalism:** Undetermined

**Agency Contact:** Douglas Krofta, 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:** Previously reported as 1018-AI77**RIN:** 1018-AU98

### 1728. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING DETERMINATION FOR SLICKSPOT PEPPERGRASS

**Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, November 1, 2006, Final determination.

**Abstract:** Pursuant to court order, we must re-evaluate our prior final listing determination for the slickspot peppergrass, a plant in southern Idaho.

**Timetable:**

Action	Date	FR Cite
NPRM Comment Period Reopened	10/23/06	71 FR 62078
NPRM Comment Period End	11/13/06	
Final Action	05/00/07	

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

**Agency Contact:** Douglas Krofta, 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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## DOI—FWS

## Final Rule Stage

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**Related RIN:** Previously reported as 1018–AI50**RIN:** 1018–AU99**Department of the Interior (DOI)  
United States Fish and Wildlife Service (FWS)****Long-Term Actions****1729. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE EASTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	04/01/03	68 FR 15876
NPRM	07/21/04	69 FR 43664
Public Hearing request 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—Withdrawal of NPRM	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, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
Phone: 703 358–2061  
Fax: 703 358–1735

Email: michelle\_morgan@fws.gov

**Related RIN:** Related to 1018–AF20, Related to 1018–AJ04, Related to 1018–AU63**RIN:** 1018–AJ03**1730. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE WESTERN DISTINCT POPULATION SEGMENT OF THE GRAY WOLF****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	04/01/03	68 FR 15879
Final Action—Withdrawal of ANPRM	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, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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Email: michelle\_morgan@fws.gov

**Related RIN:** Related to 1018–AF20, Related to 1018–AJ03, Related to 1018–AU63**RIN:** 1018–AJ04**1731. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO MANATEE PROTECTION AREAS IN FLORIDA (BARGE CANAL EXCEPTION)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	09/01/00	65 FR 53222
ANPRM Comment Period End	10/16/00	
NPRM (under 1018–AH80)	08/10/01	66 FR 42318

## DOI—FWS

## Long-Term Actions

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

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Previously reported as 1018-AH80**RIN:** 1018-AT39**1732. ADDING BIGHEAD CARP TO THE LIST OF INJURIOUS WILDLIFE****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 18 USC 42**CFR Citation:** 50 CFR 16**Legal Deadline:** None

**Abstract:** We will review biological and economic information on Bighead carp (*Hypophthalmichthys nobilis*) for possible addition to the list of injurious wildlife under the Lacey Act. An

injurious wildlife listing would prohibit importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**URL For More Information:**

fws.gov/contaminants/issues/invasivespecies.cfm

**Agency Contact:** Erin Williams, Invasive Species, Department of the Interior, United States Fish and Wildlife Service, Mail Stop 322, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2034  
Email: erin\_williams@fws.gov

**RIN:** 1018-AT49**1733. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE NORTHERN ROCKY MOUNTAINS DISTINCT POPULATION SEGMENT OF THE GRAY WOLF FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

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

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Related to 1018-AU54**RIN:** 1018-AU53**1734. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF VACATED GRAY WOLF REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

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

**Agency Contact:** Michelle Morgan, Endangered Species, Branch of Recovery and Delisting, Department of the Interior, United States Fish and Wildlife Service, 4401 North Fairfax Drive, Room 420, Arlington, VA 22203  
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**Related RIN:** Related to 1018-AJ03, Related to 1018-AJ04**RIN:** 1018-AU63

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

**Completed Actions**

**1735. IMPLEMENTATION OF THE 1994 AMENDMENTS TO THE MARINE MAMMAL PROTECTION ACT**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 18

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peter Thomas  
 Phone: 703 358-2095  
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**RIN:** 1018-AE72

**1736. 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

**CFR Citation:** 50 CFR 18

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peter Thomas  
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**RIN:** 1018-AF26

**1737. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING STATUSES OF 12 SPECIES OF PICTURE-WING FLIES FROM THE HAWAIIAN ISLANDS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	05/09/06	71 FR 26835
Final Action Effective	06/08/06	71 FR 26835

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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 Email: douglas\_krofta@fws.gov  
**RIN:** 1018-AG23

**1738. 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

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**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  
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**RIN:** 1018-AG40

**1739. NATIONAL WILDLIFE REFUGE SYSTEM; APPROPRIATE REFUGE USES**

**Priority:** Other Significant

**CFR Citation:** None

**Completed:**

Reason	Date	FR Cite
Final Action	06/26/06	71 FR 36408
Final Action Effective	07/26/06	71 FR 36408

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Carol Carson  
 Phone: 703 358-2490

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

**RIN:** 1018-AG46

**1740. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED WITH A SPECIAL RULE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/18/06	71 FR 40657
Final Action Effective	08/17/06	71 FR 40657

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan  
 Phone: 703 358-2061  
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**RIN:** 1018-AH57

**1741. 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

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/04/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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 Fax: 703 358-2434  
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**RIN:** 1018-AH68

**1742. RELEASE OF CAPTIVE-REARED MALLARDS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 21

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Brian Millsap  
 Phone: 703 358-1714  
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**RIN:** 1018-AI05

## DOI—FWS

## Completed Actions

**1743. NORTH AMERICAN WETLANDS CONSERVATION ACT AND NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT GRANT ADMINISTRATION POLICIES**

Priority: Substantive, Nonsignificant

CFR Citation: None

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/14/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal, Local, State, Tribal

Agency Contact: Keith A. Morehouse

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RIN: 1018-AI13

**1744. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20; 50 CFR 21

**Completed:**

Reason	Date	FR Cite
Final Action	08/10/06	71 FR 45964
Final Action Effective	09/11/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: State, Tribal

Agency Contact: Brian Millsap

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Email: brian\_millsap@fws.gov

RIN: 1018-AI32

**1745. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING AND WITHDRAWAL OF PROPOSED CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	04/14/06	71 FR 19452
Final Action Effective	05/15/06	71 FR 19452

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Michelle Morgan

Phone: 703 358-2061

Fax: 703 358-1735

Email: michelle\_morgan@fws.gov

Related RIN: Related to 1018-AU22

RIN: 1018-AI48

**1746. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17.21(g)

**Completed:**

Reason	Date	FR Cite
Withdrawn	06/12/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Timothy J. Van

Norman

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Email: tim\_vannorman@fws.gov

RIN: 1018-AI66

**1747. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA GNATCATCHER**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Douglas Krofta

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Email: douglas\_krofta@fws.gov

RIN: 1018-AI72

**1748. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE ARIZONA AGAVE**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	06/19/06	71 FR 35195
Final Action Effective	07/19/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan

Phone: 703 358-2061

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Email: michelle\_morgan@fws.gov

RIN: 1018-AI79

**1749. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; NONESSENTIAL EXPERIMENTAL POPULATION OF THE NORTHERN APLOMADO FALCON**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Rule	07/26/06	71 FR 42298
Final Action Effective	07/26/06	71 FR 42298

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Michelle Morgan

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Email: michelle\_morgan@fws.gov

RIN: 1018-AI80

**1750. MIGRATORY BIRD PERMITS; REVISIONS TO GENERAL EXCEPTIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 21

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

## DOI—FWS

## Completed Actions

**Government Levels Affected:** Federal, State

**Agency Contact:** Brian Millsap  
Phone: 703 358-1714  
Email: brian\_millsap@fws.gov

**RIN:** 1018-AI96

#### 1751. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 20

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/14/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

**Agency Contact:** Kevin Adams  
Phone: 703 358-1949  
Fax: 703 358-1947  
Email: kevin\_adams@fws.gov

**RIN:** 1018-AI98

#### 1752. REVISION OF THE REGULATIONS GOVERNING THE TRANSPORT OF EAGLE FEATHERS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 22

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/14/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, Tribal

**Agency Contact:** Kevin Adams  
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Email: kevin\_adams@fws.gov

**RIN:** 1018-AJ00

#### 1753. INJURIOUS WILDLIFE SPECIES; BOIGA SNAKES

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 16

**Completed:**

Reason	Date	FR Cite
Withdrawn	07/14/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Erin Williams  
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Email: erin\_williams@fws.gov

**RIN:** 1018-AT28

#### 1754. WILD BIRD CONSERVATION ACT; REVIEW OF REGULATIONS TO ALLOW IMPORTS OF EXOTIC WILD BIRDS

**Priority:** Substantive, Nonsignificant

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

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Michael D. Kreger  
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Fax: 703 358-2276  
Email: michael\_kreger@fws.gov

**RIN:** 1018-AT30

#### 1755. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; AMENDMENT TO THE NONESSENTIAL EXPERIMENTAL POPULATION RULE FOR THE MEXICAN GRAY WOLF

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan  
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Email: michelle\_morgan@fws.gov

**RIN:** 1018-AT36

#### 1756. STRATEGIC GROWTH OF THE NATIONAL WILDLIFE REFUGE SYSTEM

**Priority:** Substantive, Nonsignificant

**CFR Citation:** None

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dirck Byler  
Phone: 703 358-2337

**RIN:** 1018-AT73

#### 1757. MARINE MAMMALS: PROPOSED INCIDENTAL TAKE AUTHORIZATION DURING SPECIFIED ACTIVITIES; BEAUFORT SEA

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 18

**Completed:**

Reason	Date	FR Cite
Final Action	08/03/06	71 FR 43926
Final Action Effective	08/02/06	71 FR 43926

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Martin Kodis  
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Email: martin\_kodis@fws.gov

**RIN:** 1018-AT82

#### 1758. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR ST. ANDREW BEACH MOUSE, PERDIDO KEY BEACH MOUSE, AND CHOCTAWHATCHEE BEACH MOUSE

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Second NPRM—Rev. prop. rule; reopen comment	06/16/06	71 FR 35047
Public Hearing	06/26/06	71 FR 35047
Public Hearing	06/27/06	71 FR 35047
Second NPRM Comment Period End	07/17/06	
Final Action	10/12/06	71 FR 60237

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

## DOI—FWS

## Completed Actions

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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**RIN:** 1018-AT90

**1759. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THREE WILLAMETTE SPECIES: WILLAMETTE DAISY, FENDER'S BLUE BUTTERFLY, AND KINCAID'S LUPINE**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
NPRM; Reopening of Comment Period	06/15/06	71 FR 34566
Final Action	10/31/06	71 FR 63862
Final Action Effective	11/30/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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**Related RIN:** Related to 1018-AE53

**RIN:** 1018-AT91

**1760. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE WILLOWY MONARDELLA**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Second NPRM Comment Period End	07/03/06	71 FR 31137
Final Action	11/08/06	71 FR 65662
Final Action Effective	12/08/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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**RIN:** 1018-AT92

**1761. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATING CRITICAL HABITAT FOR THE ALAMEDA WHIPSNAKE**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
NPRM; reopening comment	05/04/06	71 FR 26311
Final Action	10/02/06	71 FR 58176
Final Action Effective	11/01/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta  
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Fax: 703 358-2434  
Email: douglas\_krofta@fws.gov

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

**RIN:** 1018-AT93

**1762. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D; 2006-2007 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS**

**Priority:** Routine and Frequent

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

**Completed:**

Reason	Date	FR Cite
Final Action	06/30/06	71 FR 37641
Final Action Effective	07/01/06	71 FR 37641

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Theo Matuskowitz  
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Email: theo\_matuskowitz@fws.gov

**RIN:** 1018-AT98

**1763. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION FOR THE TOPEKA SHINER**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan  
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**RIN:** 1018-AU00

**1764. KODIAK NATIONAL WILDLIFE REFUGE PERMIT REQUIREMENT FOR CONSERVATION EASEMENT LANDS**

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

**CFR Citation:** 50 CFR 36.39(j)

**Completed:**

Reason	Date	FR Cite
Final Action	06/08/06	71 FR 33255
Final Action Effective	06/08/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Abbey Kucera  
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**RIN:** 1018-AU08

**1765. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED CORRECTION TO THE GRIZZLY BEAR ENTRY IN THE LIST OF ENDANGERED AND THREATENED WILDLIFE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michelle Morgan  
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Email: michelle\_morgan@fws.gov

**RIN:** 1018-AU17

## DOI—FWS

## Completed Actions

**1766. GENERAL PERMIT PROCEDURES; REVISION TO APPEAL PROCESS FOR MIGRATORY BIRD PERMITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 13.29**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, Local, State, Tribal**Agency Contact:** Brian Millsap

Phone: 703 358-1714

Email: brian\_millsap@fws.gov

**RIN:** 1018-AU19**1767. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GRAY BAT FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/10/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan

Phone: 703 358-2061

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**RIN:** 1018-AU20**1768. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE FOR THE SOUTHWEST ALASKA DISTINCT POPULATION SEGMENT OF THE NORTHERN SEA OTTER (ENHYDRA LUTRIS KENYONI)****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	08/15/06	71 FR 46864
Final Action Effective	09/14/06	71 FR 46864

**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

**Related RIN:** Related to 1018-AI44**RIN:** 1018-AU21**1769. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE ARIZONA DISTINCT POPULATION SEGMENT OF THE CACTUS FERRUGINOUS PYGMY-OWL FROM THE FEDERAL LIST OF ENDANGERED AND THREATENED WILDLIFE****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final rule to delist ADPS, remove prop rule to designate CH, remove CH designation	04/14/06	71 FR 19452
Final Rule Effective	05/15/06	71 FR 19452
Correction to Final rule to remove ADPS	04/27/06	71 FR 24916

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan

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**Related RIN:** Related to 1018-AI48**RIN:** 1018-AU22**1770. NATIONAL WILDLIFE REFUGE SYSTEM; MISSION, GOALS, AND PURPOSES****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action	06/26/06	71 FR 36403
Final Action Effective	07/26/06	71 FR 36403

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Carol Carson

Phone: 703 358-2490

**Related RIN:** Split from 1018-AG46**RIN:** 1018-AU24**1771. NATIONAL WILDLIFE REFUGE SYSTEM; WILDLIFE-DEPENDENT RECREATION (HUNTING AND FISHING, WILDLIFE OBSERVATION AND PHOTOGRAPHY, ENVIRONMENTAL EDUCATION, AND INTERPRETATION)****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Final Action	06/26/06	71 FR 36418
Final Action Effective	07/21/06	71 FR 36418

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Tom Reed

Phone: 703 358-2243

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James W. Kurth

Phone: 703 358-1744

**Related RIN:** Split from 1018-AG46**RIN:** 1018-AU25**1772. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISIONS TO THE REGULATIONS APPLICABLE TO PERMITS ISSUED UNDER THE ENDANGERED SPECIES ACT****Priority:** Other Significant**CFR Citation:** 50 CFR 13; 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	07/12/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal, Local, State, Tribal**Agency Contact:** Nancy Green

Phone: 703 358-2105

Fax: 703 358-1735

## DOI—FWS

## Completed Actions

Email: nancy\_green@fws.gov

**Related RIN:** Previously reported as 1018-AH93

**RIN:** 1018-AU29

**1773. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SOUTHERN CALIFORNIA DISTINCT VERTEBRATE POPULATION SEGMENT OF THE MOUNTAIN YELLOW-LEGGED FROG**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
NPRM; Reopen Comment	07/03/06	71 FR 37881
Final Action	09/14/06	71 FR 54343
Final Action Effective	10/16/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta

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Fax: 703 358-2434

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**RIN:** 1018-AU30

**1774. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR ROTA BRIDLED WHITE-EYE**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
NPRM; reopening of comment period	05/04/06	71 FR 26315
Final Action	09/12/06	71 FR 53589
Final Action Effective	10/12/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta

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**RIN:** 1018-AU32

**1775. MIGRATORY BIRD HUNTING; 2006-2007 MIGRATORY GAME BIRD HUNTING REGULATIONS; STATE FRAMEWORKS, TRIBAL, ALASKA SUBSISTENCE**

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

**CFR Citation:** 50 CFR 20

**Completed:**

Reason	Date	FR Cite
NPRM—State fmwks; requests: Tribal and AK Spr/Sum. 2007 AK Migratory Bird Subsis Harvest Proposals	04/11/06	71 FR 18562
NPRM; Migratory Bird Hunting, Meetings	05/30/06	71 FR 30785
NPRM—Supplemental Prop Fwks—Early Seasons, Meetings	07/28/06	71 FR 43008
Public Meeting re. NPRM—Prop Fmws—Early Seasons	07/26/06	71 FR 43008
Public Meeting re. NPRM—Prop Fmws—Early Seasons	07/28/06	71 FR 43008
NPRM—Prop Fmws—Late Seasons	08/30/06	71 FR 43008
NPRM—Tribal Seasons	08/17/06	71 FR 47461
NPRM—Tribal Seasons Comment Period End	08/28/06	
NPRM—Late Seasons	08/24/06	71 FR 50223
Final Action and Effective Date—Early Seasons	08/29/06	71 FR 51406
Final Action—Early Season Bags, U.S., AK, HI, P.R., V.I.	08/31/06	71 FR 51930
Final Action—Early Season Bags, U.S., AK, HI, P.R., V.I.	09/01/06	
NPRM—Late Seasons Comment Period End	09/05/06	71 FR 50223
Final Action—Tribal Early	09/20/06	71 FR 55075
Final Action—Late Season Bags	09/22/06	71 FR 55676
Final Action—Late Seasons	09/22/06	71 FR 55654
Final Action—Tribal Late	10/02/06	71 FR 58234

**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

Phone: 703 358-1714

Email: ronald\_kokel@fws.gov

**RIN:** 1018-AU42

**1776. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR BRAUNTON'S MILK VETCH AND LYON'S PENCHAETA**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Second NPRM Comment Period End	08/21/06	71 FR 41410
Final Action	11/14/06	71 FR 66374
Final Action Effective	12/14/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta

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Email: douglas\_krofta@fws.gov

**RIN:** 1018-AU51

**1777. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR THE CANADA LYNX**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	11/09/06	71 FR 66008
Final Action Effective	12/11/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Douglas Krofta

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**RIN:** 1018-AU52



## DOI—FWS

## Completed Actions

**1778. FEDERAL DUCK STAMP CONTEST REGULATIONS; CHANGING FEES, DATES, LOCATIONS, ETC.****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 91**Completed:**

Reason	Date	FR Cite
NPRM	04/12/06	71 FR 18697
Final Action	06/11/06	71 FR 39011
Final Action Effective	09/18/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Patricia Fisher

Phone: 703 358-2007

Fax: 703 358-2009

Email: pat\_fisher@fws.gov

**RIN:** 1018-AU56**1779. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE FLAT-TAILED HORNED LIZARD AS THREATENED****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action— Proposed Rule Withdrawal	06/28/06	71 FR 36745

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Douglas Krofta

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Email: douglas\_krofta@fws.gov

**Related RIN:** Previously reported as 1018-AI51**RIN:** 1018-AU58**1780. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE MARBLED MURRELET FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	08/09/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michelle Morgan

Phone: 703 358-2061

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**RIN:** 1018-AU60**1781. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; MAKHNATI ISLAND AREA****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 100; 36 CFR 242**Completed:**

Reason	Date	FR Cite
NPRM	05/01/06	71 FR 25528
Final Action	08/24/06	71 FR 49997
Final Action Effective	09/25/06	71 FR 49997

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Theo Matuskowitz

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**RIN:** 1018-AU70**1782. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT DESIGNATION FOR ALABAMA STURGEON****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Withdrawn	07/27/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Douglas Krofta

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Fax: 703 358-2434

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**RIN:** 1018-AU82**1783. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE COWHEAD LAKE TUI CHUB****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We will finalize listing the Cowhead Lake tui chub (*Gila bicolor vaccaceps*) as endangered under the Endangered Species Act. The species is a fish found only in Cowhead Slough and connected ditches within the bed of Cowhead Lake in northeastern Modoc County, California.

**Timetable:**

Action	Date	FR Cite
NPRM	03/30/98	63 FR 15152
NPRM Comment Period End	05/29/98	
NPRM Comment Period Reopened	02/02/00	65 FR 4940
Final Action; Proposed Rule Withdrawn	10/11/06	71 FR 59700

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

**Agency Contact:** Douglas Krofta, 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: 703 358-2527

Fax: 703 358-2434

Email: douglas\_krofta@fws.gov

**Related RIN:** Previously reported as 1018-AE85**RIN:** 1018-AV01

BILLING CODE 4310-55-S

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

**Proposed Rule Stage**

**1784. MAKING PICTURES, TELEVISION PRODUCTIONS OR SOUND TRACKS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2; 5 USC 301

**CFR Citation:** 36 CFR 5

**Legal Deadline:** None

**Abstract:** This rule would revise the filming regulations in 43 CFR part 5 and 36 CFR part 5 to implement Public Law 106-206 (May 26, 2000) by: (1) Establishing a reasonable fee for commercial filming activities and similar projects; (2) establishing uniform guidelines for commercial filming permit programs in agencies of the Department of the Interior and the Department of Agriculture; and (3) implementing requirements that agencies respond to applicants for commercial filming or still photography permits in a timely manner.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AD30

**1785. DISPOSITION OF CULTURALLY IDENTIFIABLE HUMAN REMAINS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 3001 et seq

**CFR Citation:** 43 CFR 10.11

**Legal Deadline:** None

**Abstract:** This rule would establish procedures for the disposition of culturally identifiable human remains in the possession or control of museums or Federal agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**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

**1786. NATIONAL PARK SYSTEM UNITS IN ALASKA**

**Priority:** Other Significant

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

**CFR Citation:** 36 CFR 13

**Legal Deadline:** None

**Abstract:** The special regulations for Alaska, 36 CFR part 13, were first adopted in 1981 as "interim guidance." While individual sections of part 13 have been amended and new sections added since 1981, there had been no comprehensive effort to revise the general and park specific part 13 regulations until a final rule was published on January 3, 2005. That was Phase I of a comprehensive revision, and this proposed rule is Phase II of the process. Phase II covers a variety of diverse actions such as subsistence use of timber, seaweed collection in Glacier Bay NP, Alek River management issues, ORV use in Dry Bay, fishing closure at Brooks Camp, managing camping and trail use at Kenai Fjords NP, updating definitions, prohibiting motorized vehicles to herd wildlife, and establishing wildlife viewing distances in several park areas. NPS has committed to seek special regulations in areas where they would be appropriate for the effective management of park areas.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AD38

**1787. NATIONAL CAPITOL REGION—PARKING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would amend the National Capital Region's special regulations regarding violations for illegally parked vehicles. The amendment will add a provision addressing parking violations when the vehicle's driver is absent. Absence of a provision of this type in the current regulations has resulted in the dismissal of citations and increasing numbers of parking violations. The amendment would create a rebuttable prima facie presumption that the registered owner of an illegally parked vehicle was the person who committed the violation. This is similar to the parking laws of many jurisdictions.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AD40

**1788. DRY TORTUGAS NATIONAL PARK—SPECIAL REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 410 et seq

**CFR Citation:** 36 CFR 7.27

**Legal Deadline:** None

**Abstract:** The proposed rule implements Public Law 102-525 (16 U.S.C. 410, et seq.), which established Dry Tortugas National Park and abolished Fort Jefferson National Monument. It also implements provisions for visitor use and resource protection.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

## DOI—NPS

## Proposed Rule Stage

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

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

**RIN:** 1024-AD45**1789. FIRE ISLAND NATIONAL SEASHORE—OFF-ROAD DRIVING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 36 CFR 7.20**Legal Deadline:** None

**Abstract:** The proposed rule would establish standards for eligibility and issuance of driving permits for off-road vehicle operation on Fire Island National Seashore lands. This rule would also establish limits for use such as dates, times of day, and other operational conditions for driving off-road on park lands. This rule is necessary so that the National Park Service may more effectively manage off-road vehicle use and protect park resources.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

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

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

**RIN:** 1024-AD46**1790. • LEASEHOLD SURRENDER INTEREST PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 36 CFR 51**Legal Deadline:** None

**Abstract:** This rule will streamline the Leasehold Surrender Interest (LSI) provisions of 36 CFR Part 51. LSI is the compensable interest NPS concessioners obtain in buildings built on park area lands with concessioner funds. The proposed amendments have been recommended by the NPS Concessions Management Advisory Board, a statutory advisory board of professional experts and representatives from the concession industry and environmental community.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

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

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

**RIN:** 1024-AD48**1791. • GRAND CANYON NATIONAL PARK****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 36 CFR 7.4**Legal Deadline:** None

**Abstract:** This rule will update the provisions governing use of the Colorado River and adjoining federally owned lands within Grand Canyon National Park. Changes are necessary to make the rule consistent with, and to help implement portions of, the park's recently revised Colorado River Management Plan. The current rule governs the use of the Colorado River within the park upstream from Diamond Creek. In accordance with the new Colorado River Management Plan, the updated rule will regulate the use of the entire Colorado River and adjoining federally owned lands within the park, including the reach of the river from Diamond Creek to the boundary between the park and Lake Mead National Recreation Area (approximately River Mile 277). The

new rule also will update or clarify some provisions of the current regulation and will delete other provisions as unnecessary.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**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-AD50**1792. • BIG SOUTH FORK NATIONAL RIVER AND REC AREA—OFF ROAD VEHICLE USE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 30 CFR 7**Legal Deadline:** None

**Abstract:** This rule will designate trails where off-road vehicles (ORV) may be used within Big South Fork National River and Recreation Area. The rule will cover multiple use trails used by ORVs during big game hunting season and trails built and maintained solely for ORV use. 36 CFR 4.10(b) requires promulgation of a special regulation for all off-road use in National Recreation Areas.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**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-AD51

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

Final Rule Stage

**1793. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 9a

**CFR Citation:** 36 CFR 7.51

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/06	71 FR 13792
NPRM Comment Period End	05/16/06	
Final Action	12/00/06	

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AC99

**1794. BOATING AND WATER USE ACTIVITIES**
**Priority:** Other Significant

**Legal Authority:** 16 USC 3

**CFR Citation:** 36 CFR 3

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/26/03	68 FR 51207
NPRM Comment Period End	12/24/03	
Final Action	12/00/06	

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

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

**RIN:** 1024-AD07

**1795. VESSEL MANAGEMENT IN GLACIER BAY NATIONAL PARK**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 410hh-4

**CFR Citation:** 36 CFR 13.65

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/06	71 FR 10940
Final Action	12/00/06	

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AD25

**1796. GATEWAY NATIONAL RECREATION AREA, JAMAICA BAY UNIT, PERSONAL WATERCRAFT USE**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would designate areas where personal watercraft may operate in the Jamaica Bay Unit of Gateway National Recreation Area.

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/06	71 FR 9495
NPRM Comment Period End	04/25/06	
Final Rule	12/00/06	

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AD41

**1797. GATEWAY NATIONAL RECREATION AREA, SANDY HOOK UNIT, PERSONAL WATERCRAFT USE**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3; 16 USC 460(q); 16 USC 9a; 16 USC 1

**CFR Citation:** 36 CFR 7

**Legal Deadline:** None

**Abstract:** This rule would designate areas where personal watercraft may operate in Gateway National Recreation Area.

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/06	71 FR 9488
NPRM Comment Period End	04/25/06	
Final Rule	12/00/06	

**Regulatory Flexibility Analysis**
**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1024-AD42

**1798. ● SHENANDOAH NATIONAL PARK-BACKCOUNTRY CAMPING**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1

**CFR Citation:** 36 CFR 7.15

## DOI—NPS

## Final Rule Stage

**Legal Deadline:** None

**Abstract:** The regulations concerning backcountry camping and sanitation in the Special Regulations for Shenandoah National Park are unnecessary as they duplicate the rules and authorities granted to the Superintendent for local rulemaking under sections 2.10 and 2.14. Removing sections 7.15(a) and (c)

will reduce the need for future rulemaking requiring Federal Register publication.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/06	

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Jennifer Lee, Department of the Interior, National Park Service, 1849 C Street NW., MS 3316 MIB, Washington, DC 20240  
Phone: 202 219-1689

**RIN:** 1024-AD49
**Department of the Interior (DOI)  
National Park Service (NPS)**

## Long-Term Actions

**1799. • DISPOSITION OF  
ABANDONED OR UNCLAIMED  
PROPERTY**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1**CFR Citation:** 36 CFR 2.22**Legal Deadline:** None

**Abstract:** This rule would correct current regulations to reflect requirements for disposition of abandoned and unclaimed property found in the Federal Management Regulations at 41 CFR part 102-36 and part 101-48. Current NPS regulations

require unclaimed property to be held for 60 days and allow the finder to claim ownership of unclaimed (found) property. This is contrary to current Federal Management Regulations and GSA and NPS policy. Current regulations require an agency to hold abandoned or unclaimed property for 30 days and if not claimed by the rightful owner then the property vests with the United States and not the finder.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/07	

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Craig W. Ackerman, Park Manager, Department of the Interior, National Park Service, Oregon Caves National Monument, 19000 Caves Highway, Cave Junction, OR 97523  
Phone: 503 592-2100

**RIN:** 1024-AD52
**Department of the Interior (DOI)  
National Park Service (NPS)**

## Completed Actions

**1800. GATEWAY NATIONAL  
RECREATION AREA; PERSONAL  
WATERCRAFT**
**Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.29**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**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-AC95**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** John Robbins  
Phone: 202 343-3388  
Fax: 202 343-5260  
Email: john\_robbins@nps.gov

**RIN:** 1024-AD05**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Jerry L. Case  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov

**RIN:** 1024-AD16
**1803. COST RECOVERY FOR SPECIAL  
PARK USES**
**Priority:** Other Significant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**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-AD18
**1801. NATIVE AMERICAN GRAVES  
PROTECTION AND REPATRIATION  
ACT; FUTURE APPLICABILITY**
**Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 10.13**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**Regulatory Flexibility Analysis Required:** No

## DOI—NPS

## Completed Actions

**1804. NATIVE AMERICAN HANDICRAFTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 51**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jo A. Pendry  
Phone: 202 513-7156  
Fax: 202 219-1173**RIN:** 1024-AD20**1805. GULF ISLANDS NATIONAL SEASHORE: PERSONAL WATERCRAFT USE****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.12**Completed:**

Reason	Date	FR Cite
Final Rule	05/04/06	71 FR 26232

**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-AD21**1806. HISTORIC PRESERVATION CERTIFICATIONS****Priority:** Other Significant**CFR Citation:** 36 CFR 67**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Bryan Mitchell  
Phone: 202 354-2078  
Fax: 202 371-5197  
Email: bryan\_mitchell@nps.gov**RIN:** 1024-AD24**1807. BACKCOUNTRY USE RESTRICTIONS AT WUPATKI NATIONAL MONUMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.94**Completed:**

Reason	Date	FR Cite
No Further Action Will Be Taken At This Time.	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Jerry L. Case  
Phone: 202 208-4206  
Email: jerry\_case@nps.gov**RIN:** 1024-AD33**1808. OLYMPIC NATIONAL PARK SPECIAL REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.28**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**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-AD35**1809. ST. CROIX NATIONAL SCENIC RIVER VESSEL SPEED LIMITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**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-AD36**1810. VOYAGEURS NATIONAL PARK—SPECIAL REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**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-AD37**1811. MAKING MOTION PICTURES, TELEVISION PRODUCTIONS, OR SOUNDTRACKS ON DEPARTMENT OF THE INTERIOR LANDS****Priority:** Info./Admin./Other**CFR Citation:** 43 CFR 5.1**Completed:**

Reason	Date	FR Cite
Final Action	04/13/06	71 FR 19127

**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-AD43**1812. OLYMPIC NATIONAL PARK SPECIAL REGULATIONS—PERSONAL WATERCRAFT USE****Priority:** Substantive, Nonsignificant**CFR Citation:** 36 CFR 7.49**Completed:**

Reason	Date	FR Cite
Final Action	09/08/06	71 FR 53020

**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-AD44

BILLING CODE 4310-70-S

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

**Proposed Rule Stage**

**1813. INDIAN COUNTRY LAW ENFORCEMENT**

**Priority:** Other Significant

**Legal Authority:** 25 USC 2802

**CFR Citation:** 25 CFR 12

**Legal Deadline:** None

**Abstract:** BIA plans to amend its regulation governing law enforcement in Indian country by revising section 12.4 of subpart A and by adding new section 12.24 to subpart C to allow tribal law enforcement officials to travel outside Indian country to respond to incidents in another area and to transport evidence to and from locations in Indian country.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**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

**1814. STANDARDS FOR APPROVING TRIBAL PER CAPITA DISTRIBUTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 117c

**CFR Citation:** 25 CFR 111

**Legal Deadline:** None

**Abstract:** This rule will provide standards for the review and approval of tribal requests for the authority to make per capita distributions from tribal funds held in trust by the Secretary of the Interior under Public Law 98-164, 25 U.S.C. 117a and 117b.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240

Phone: 202 513-7626

Fax: 202 219-2327

**RIN:** 1076-AE45

**1815. UNCLAIMED MONEYS/WHEREABOUTS UNKNOWN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 116

**Legal Deadline:** None

**Abstract:** This rule will create one account in the Department to hold Individual Indian Moneys funds of any account holders who cannot be located. It will explain the actions the Department will take to determine the current address of an account holder whose whereabouts are unknown. It will set forth an account holder's duty to inform the Department of a current address. It will authorize the holder of an IIM account whose funds have been transferred to the Unknown Moneys account to make a claim for the transferred funds at any time.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240  
 Phone: 202 273-4680

**RIN:** 1076-AE55

**1816. GRAZING PERMITS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301

**CFR Citation:** 25 CFR 166

**Legal Deadline:** None

**Abstract:** This rule will amend the procedures the BIA uses to approve, grant, and administer permits for grazing on tribal land, individually owned Indian land, and Government land.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE57

**1817. LAND ACQUISITION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; RS 161

**CFR Citation:** 25 CFR 151; 25 CFR 226

**Legal Deadline:** None

**Abstract:** This rule would address the procedures for and criteria against which the Secretary will accept acquisitions of land into trust or restricted status on behalf of an individual Indian or tribe.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240  
 Phone: 202 273-4680

**RIN:** 1076-AE62

**1818. TRUST FUND ACCOUNTING AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 116 Stat 79; 25 USC 9; 5 USC 553; PL 103-412; PL 107-153

**CFR Citation:** 25 CFR 116

**Legal Deadline:** None

**Abstract:** This rule would define the administrative review and appeal process for any issues arising from quarterly statements of performance or historical statements of account.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

## DOI—BIA

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE65**1819. LAW AND ORDER ON INDIAN RESERVATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 13; 25 USC 2; 25 USC 200; 25 USC 9; 28 Stat 586; 42 Stat 208; 5 USC 301; RS 463; RS 465**CFR Citation:** 25 CFR 11**Legal Deadline:** None**Abstract:** This rule would update the listing of Courts of Indian Offenses (CFR Courts) and add provisions for drug abuse, child abuse, and family violence.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Ralph Gonzales, Tribal Relations Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 513-7629  
Fax: 202 208-5113**RIN:** 1076-AE67**1820. LEASES AND PERMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301**CFR Citation:** 25 CFR 162**Legal Deadline:** None**Abstract:** This rule will establish procedures for entering into business leases on Indian and Government lands.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/07	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE73**1821. PREFERENCE IN EMPLOYMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 43; 25 USC 44; 5 USC 8336**CFR Citation:** 25 CFR 5**Legal Deadline:** None**Abstract:** The Bureau of Indian Affairs is proposing to revise the preference in employment regulations by clarifying the application of Indian preference within the Bureau of Indian Affairs and other organizations within the Department of the Interior. This revision will be consistent with the regulation for the application of Indian preference for the Indian Health Service found at 43 CFR 136.41.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Elizabeth Colliflower, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 513-7612  
Fax: 202 208-5113**RIN:** 1076-AE76**1822. 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	09/00/07	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 513-7626  
Fax: 202 219-2327**RIN:** 1076-AE77**1823. • GAMING ON TRUST LANDS ACQUIRED AFTER OCTOBER 17, 1988****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 2719**CFR Citation:** 25 CFR 292**Legal Deadline:** None**Abstract:** This rule would establish procedures that the Secretary will use to review tribal applications for trust acquisition of land for gaming purposes.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State, Tribal**Agency Contact:** George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 219-4066**RIN:** 1076-AE81



## DOI—BIA

## Proposed Rule Stage

**1824. • GENERAL FORESTRY REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 406; 25 USC 407; 25 USC 413; 25 USC 415; 25 USC 466**CFR Citation:** 25 CFR 163**Legal Deadline:** None**Abstract:** BIA is revising this rule to make provisions concerning the collection of forest management deductions consistent with statutory authority.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal, Tribal**Agency Contact:** William Downes, Chief, Division of Forestry, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Room 4600 MIB, Washington, DC 20240  
Phone: 202 208-4837**RIN:** 1076-AE82**1825. • LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 109-221; 120 Stat 336**CFR Citation:** 25 CFR 103**Legal Deadline:** None**Abstract:** This rule would implement amendments to the Indian Financing Act, PL 109-221, by adding new

provisions to 25 CFR 103. The provisions concern allowing loans to nonprofit businesses, guaranteeing loans, and compensating a fiscal transfer agent for controlling the sale of guaranteed and insured loans in the secondary market.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Tribal**Agency Contact:** Woodrow B. Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 513-7683**RIN:** 1076-AE83**Department of the Interior (DOI)  
Bureau of Indian Affairs (BIA)****Final Rule Stage****1826. IRRIGATION PROJECTS AND SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 385**CFR Citation:** 25 CFR 171**Legal Deadline:** None**Abstract:** BIA is revising this rule to incorporate new procedures on billing and collection of Government debt. Once these changes are made, BIA will publish a new proposed rule for public comment.**Timetable:**

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35167
NPRM Comment Period End	09/03/96	
Second NPRM	07/17/06	71 FR 40450
NPRM Comment Period End	11/14/06	
Final Action	02/00/07	

**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**1827. 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	10/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 513-7626

Fax: 202 219-2327

**RIN:** 1076-AE44**1828. 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 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	02/00/07	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Catherine Freels, Designated Federal Official, Department

## DOI—BIA

## Final Rule Stage

of the Interior, Bureau of Indian Affairs, 500 Gold Avenue SW., Room 7202, Albuquerque, NM 87102  
Phone: 505 248-7240

**RIN:** 1076-AE51

### 1829. 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	08/08/06	71 FR 45174
NPRM Comment Period End	10/10/06	
Final Action	08/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the

Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE59

### 1830. TRIBAL PROBATE CODES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2201 – 2211

**CFR Citation:** 25 CFR 18

**Legal Deadline:** None

**Abstract:** This rule will establish procedures for a tribe to obtain the Secretary's approval for a tribal probate code.

**Timetable:**

Action	Date	FR Cite
NPRM	08/08/06	71 FR 45174
NPRM Comment Period End	10/10/06	
Final Action	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE61

### 1831. TRIBAL ENERGY RESOURCE AGREEMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 109-58

**CFR Citation:** 25 CFR 224

**Legal Deadline:** None

**Abstract:** This rule would implement title V, section 503 (Indian Energy), of the Energy Policy Act of 2005, which requires the Secretary to establish and implement an Indian Energy Resource Development Program.

**Timetable:**

Action	Date	FR Cite
NPRM	08/21/06	71 FR 48626
NPRM Comment Period End	09/20/06	
Final Action	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Darryl Francois, Office of Indian Energy and Economic Development, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240

Phone: 202 208-7253

**RIN:** 1076-AE80

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

## Long-Term Actions

### 1832. FEE FOR SERVICE

**Priority:** Substantive, Nonsignificant

**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	12/00/07	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Tribal

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE66

### 1833. OIL AND GAS, GEOTHERMAL, AND SOLID MINERALS AGREEMENTS

**Priority:** Substantive, Nonsignificant

**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	12/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Michele Singer, Counselor to the Assistant Secretary — Indian Affairs, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, MS 4141, Washington, DC 20240

Phone: 202 273-4680

**RIN:** 1076-AE79

**Department of the Interior (DOI)**  
**Bureau of Indian Affairs (BIA)**
**Completed Actions****1834. CERTIFICATES OF DEGREE OF INDIAN BLOOD**

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 70

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daisy West  
Phone: 202 513-7626  
Fax: 202 219-2327

RIN: 1076-AD97

**1835. ALASKA RESUPPLY OPERATION**

Priority: Info./Admin./Other

CFR Citation: 25 CFR 142

**Completed:**

Reason	Date	FR Cite
No Further Action Scheduled	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Duncan Brown  
Phone: 202 208-4582  
Fax: 202 219-2100  
Email: duncan\_l\_brown@ios.doi.gov

RIN: 1076-AE04

**1836. TRIBAL REVENUE ALLOCATION PLANS**

Priority: Other Significant

CFR Citation: 25 CFR 290

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: George Skibine  
Phone: 202 219-4066

RIN: 1076-AE24

**1837. LEASES AND PERMITS ON INDIAN TRUST AND RESTRICTED LANDS**

Priority: Other Significant

CFR Citation: 25 CFR 162

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Kayla Danks  
Phone: 202 208-3615  
Fax: 202 219-1065

RIN: 1076-AE36

**1838. USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS**

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 87

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daisy West  
Phone: 202 513-7626  
Fax: 202 219-2327

RIN: 1076-AE43

**1839. APPEALS FROM ADMINISTRATIVE ACTIONS**

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 2

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cathy Wilson  
Phone: 602 379-6789  
Fax: 602 379-6835

RIN: 1076-AE48

**1840. CONVEYANCES OF TRUST OR RESTRICTED INDIAN LAND; REMOVAL OF TRUST OR RESTRICTED STATUS**

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 152

**Completed:**

Reason	Date	FR Cite
Combined With 1076-AE59	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer  
Phone: 202 273-4680

RIN: 1076-AE63

**1841. LIFE ESTATES AND FUTURE INTERESTS**

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 179

**Completed:**

Reason	Date	FR Cite
Combined with 1076-AE59	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer  
Phone: 202 273-4680

RIN: 1076-AE64

**1842. PROBATE OF INDIAN ESTATES—APPEALS TO THE OFFICE OF HEARINGS AND APPEALS**

Priority: Substantive, Nonsignificant

CFR Citation: 25 CFR 4

**Completed:**

Reason	Date	FR Cite
Incorporated into 1076-AE59	08/01/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

Agency Contact: Michele Singer  
Phone: 202 273-4680

RIN: 1076-AE71

## DOI—BIA

## Completed Actions

**1843. INDIAN COUNTRY DETENTION FACILITIES AND PROGRAMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 10**Completed:**

Reason	Date	FR Cite
No Further Action Will Be Taken	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Peter Maybee

Phone: 202 208-5787

Fax: 202 208-6170

**RIN:** 1076-AE75

BILLING CODE 4310-02-S

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

## Prerule Stage

**1844. REQUIREMENTS FOR MATERIAL, PERSONNEL, AND PIPE HANDLING OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**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	01/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

Phone: 703 787-1604

Fax: 703 787-1093

Email: kumkum.ray@mms.gov

**RIN:** 1010-AD14**Department of the Interior (DOI)  
Minerals Management Service (MMS)**

## Proposed Rule Stage

**1845. LATE AND OVERPAYMENT INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301 et seq**CFR Citation:** 30 CFR 206; 30 CFR 218; 30 CFR 230**Legal Deadline:** None**Abstract:** This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent, and estimates resulting from sales of Federal onshore and offshore oil and gas production.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management

Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-0165

Phone: 303 231-3211

Fax: 303 231-3781

Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC27**1846. 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	12/00/06	
NPRM Comment Period End	02/00/07	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

Phone: 703 787-1604

Fax: 703 787-1093

Email: kumkum.ray@mms.gov

**RIN:** 1010-AC58**1847. 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

## DOI—MMS

## Proposed Rule Stage

of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	
NPRM Comment Period End	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD02

**1848. 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 1980s. There are few substantive changes to the rule.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	
NPRM Comment Period End	03/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:**

Undetermined

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

**RIN:** 1010-AD06

**1849. 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	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD11

**1850. 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	12/00/06	
NPRM Comment Period End	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD12

**1851. RIGHTS OF USE AND EASEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	
NPRM Comment Period End	05/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1604  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AD13

**1852. SAFETY MANAGEMENT SYSTEMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

## DOI—MMS

## Proposed Rule Stage

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** MMS is seeking comments on regulatory options for the development of safety and environmental management systems (SEMS) for operations conducted on the Outer Continental Shelf (OCS) under MMS jurisdiction. The options range from voluntary implementation to establishment of a 12-element program. MMS believes that effective use of SEMS would improve safety and environmental performance on the OCS. Comments on the options will help MMS determine the best approach for integrating SEMS into its regulatory program.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/22/06	71 FR 29277
ANPRM Comment Period End	10/23/06	
NPRM	11/00/07	

**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

**1853. 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	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Scott Ellis, Department of the Interior, Minerals Management Service, P.O. Box 25165, Denver, CO 80225  
Phone: 303 275-7125

**RIN:** 1010-AD17

**1854. REDUCTION IN OIL AND GAS ROYALTY RATES IN THE OUTER CONTINENTAL SHELF UNDER THE DEEP WATER ROYALTY RELIEF ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**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
NPRM	12/00/06	
NPRM Comment Period End	02/00/07	

**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

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**RIN:** 1010-AD29

**1855. ALTERNATE ENERGY-RELATED USES ON THE OUTER CONTINENTAL SHELF**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 285

**Legal Deadline:** None

**Abstract:** This rulemaking is required by section 388 of the Energy Policy Act of 2005. This rule will establish a cohesive Federal permitting process for alternate energy-related uses on the Outer Continental Shelf (OCS), including renewable energy development, and for alternate uses of existing OCS platforms. It will establish procedures for revenue sharing with affected States and granting access to the OCS for alternate energy-related uses.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/30/05	70 FR 77345
ANPRM Comment Period End	02/28/06	
NPRM	02/00/07	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Amy White, Department of the Interior, Minerals Management Service, 381 Eldon Street, Herndon, VA 20170  
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**RIN:** 1010-AD30

**1856. DEEP GAS AND OFFSHORE ALASKA PROVISIONS**

**Priority:** Other Significant

**Legal Authority:** PL 109-190

**CFR Citation:** 30 CFR 203

**Legal Deadline:** Final, Statutory, February 3, 2006.

**Abstract:** This rule implements three new royalty relief incentives specified by the Energy Policy Act of 2005 (PL 109-190). The new incentives are: (1) A royalty suspension volume of 35 BCF for gas produced from ultra deep (20,000 feet or more subsea) reservoirs

## DOI—MMS

## Proposed Rule Stage

on shallow water leases in the Gulf of Mexico; (2) Extension of at least the existing deep gas incentives plus the new ultra deep gas incentive to leases in the Gulf located in water depths between 200 and 400 meters of water; and (3) Provision of pre-production royalty relief to leases offshore Alaska when it is necessary to promote development, increased production, or production of marginal resources.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	
NPRM Comment Period End	02/00/07	
Final Rule	08/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AD33

**1857. REVENUE SHARING FOR ALTERNATIVE USES ON THE OUTER CONTINENTAL SHELF**

**Priority:** Other Significant

**Legal Authority:** PL 109-190

**CFR Citation:** 30 CFR 285

**Legal Deadline:** None

**Abstract:** This rule implements section 388(a)(2)(B) of the Energy Policy Act of 2005. The law requires DOI (MMS) to establish a formula for equitable distribution of 8(g) revenue (27 percent of Federal royalties) among States within 15 miles of the geographic center of a project for alternative energy projects.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	
NPRM Comment Period End	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Undetermined

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**RIN:** 1010-AD34

**1858. • VALUATION OF COAL FOR ADVANCE ROYALTY PURPOSES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 109-58

**CFR Citation:** 30 CFR 206; 43 CFR 3483

**Legal Deadline:** None

**Abstract:** This rulemaking would comply with a requirement of the Energy Policy Act of 2005, which changes the way coal is valued on Federal leases for purposes of determining advance royalty in lieu of continued operations. This rulemaking would update the regulations to implement this change in the governing law.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

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

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**RIN:** 1010-AD37

**1859. • ROYALTY CREDITS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 109-58

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** Current regulations do not inform lessees how to obtain and account for royalty credits. Therefore, regulations are needed to prescribe procedures for lessees to use and account for credits for various leasing and royalty obligations.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AD38

**1860. • INCREASE IN MAXIMUM DAILY CIVIL PENALTY AMOUNT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250; 30 CFR 253

**Legal Deadline:** None

**Abstract:** This rule complies with the Oil Pollution Act of 1990 (Pub.L. 101-380, section 8201) that requires adjustment of civil penalty amounts based upon the Consumer Price Index.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Joanne McCammon, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20070  
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**RIN:** 1010-AD40

**1861. • CHANGING PROPRIETARY TERM OF CERTAIN GEOPHYSICAL INFORMATION**

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

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 251

**Legal Deadline:** None

**Abstract:** Certain vintage geophysical information can have an enhanced value by processing or reprocessing. Under current regulations, when MMS retains this information, the permittee or third party has 5 years or less to benefit from this processing or

## DOI—MMS

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reprocessing before the proprietary term expires. Early release of such valuable information could cost the industry considerable sums of money. The proprietary term can be extended only via rulemaking. This rule would propose changes to the requirements governing release of this information.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dave Zinzer, Department of the Interior, Minerals

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**RIN:** 1010-AD41

**1862. • OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF (OCS) — CORRECTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 UCS 1331 et seq

**CFR Citation:** 30 CFR 250; 30 CFR 251; 30 CFR 260; 30 CFR 270

**Legal Deadline:** None

**Abstract:** These correcting amendments would make minor technical changes to regulations that will correct various citations; typographical errors; as well

as correct MMS form titles/numbers in 30 CFR 250.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Cheryl Blundon, Department of the Interior, Minerals Management Service, 341 Elden Street, Herndon, VA 20070-4817  
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**RIN:** 1010-AD42

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

## Final Rule Stage

**1863. TAKES VS. ENTITLEMENTS REPORTING**

**Priority:** Other Significant

**Legal Authority:** 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 5 USC 301 et seq

**CFR Citation:** 30 CFR 205

**Legal Deadline:** None

**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/29/05	70 FR 71421
2nd ANPRM	04/07/06	71 FR 17774
ANPRM Comment Period End	06/06/06	
Final Action	07/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local, State

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**RIN:** 1010-AC29

**1864. VALUATION OF OIL FROM INDIAN LEASES**

**Regulatory Plan:** This entry is Seq. No. 61 in part II of this issue of the **Federal Register**.

**RIN:** 1010-AD00

**1865. PROTECTION OF MARINE MAMMALS AND ENDANGERED SPECIES**

**Priority:** Other Significant

**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	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 1010-AD10

**1866. REVISIONS TO RULES GOVERNING PLATFORMS AND STRUCTURES AND PIPELINES**

**Priority:** Other Significant

**Legal Authority:** 43 USC 1331 et seq

**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



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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	07/03/06	71 FR 37874
NPRM Comment Period End	09/01/06	
Final Action	04/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Larry Ake, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20070  
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**RIN:** 1010-AD18

**1867. OIL AND GAS WELL CEMENTING REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**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	05/22/06	71 FR 29280
NPRM Comment Period End	07/21/06	
Final Action	02/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1010-AD19

**1868. REPORTING AMENDMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189; 30 USC 190; 30 USC 359; 31 USC 3716; 43 USC 1334; 44 USC 3505(a); 5 USC 301 et seq

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

**Legal Deadline:** None

**Abstract:** This rule would amend current reporting requirements to delete references to old reports, designations, systems, and codes; and add new ones as needed. MMS faces substantial risk if it does not provide regulatory authority for the current reporting scheme.

**Timetable:**

Action	Date	FR Cite
NPRM	07/07/06	71 FR 38545
Final Action	03/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

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**RIN:** 1010-AD20

**1869. DOCUMENTS INCORPORATED BY REFERENCE FOR OIL AND GAS AND SULPHUR OPERATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This rule incorporates the new editions of 11 American Petroleum Institute documents and 9 measurement standards. All of these documents are currently incorporated by reference in

regulations governing oil and gas and sulfur operations in the OCS. Additionally, the final rule incorporates the reaffirmed edition of 27 measurement documents currently incorporated by reference. MMS looked at the non-rulemaking alternative of taking no action. This rule is important because it will provide the oil and gas industry with uniform guidelines and up-to-date requirements for design, construction, operation, and maintenance of equipment OCS facilities.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Wilbon A. Rhone, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AD24

**1870. GEOTHERMAL VALUATION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 202; 30 CFR 206; 30 CFR 210; 30 CFR 212

**Legal Deadline:** None

**Abstract:** The current MMS regulations for geothermal valuation and reporting must be changed to implement the recently passed Energy Policy Act of 2005. The Energy Policy Act of 2005 changes the methodology for geothermal valuation and simplifies the calculations for geothermal resources, for both direct use and electrical-generation purposes

**Timetable:**

Action	Date	FR Cite
NPRM	07/21/06	71 FR 41515
Final Rule	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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## DOI—MMS

## Final Rule Stage

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RIN: 1010-AD32

**1871. • DEBT COLLECTION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 89-508

**CFR Citation:** 30 CFR 218

**Legal Deadline:** None

**Abstract:** Current MMS regulations do not contain a debt collection rule as required by the Federal Claims Collection Act of 1966 (Pub. L. 89-508, 80 Stat. 308), as amended by the Debt Collection Act of 1982 and the Debt Collection Improvement Act of 1996. This rulemaking will satisfy those statutory requirements.

**Timetable:**

Action	Date	FR Cite
Final Action	06/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AD36

**1872. • INCREASE IN MAXIMUM DAILY CIVIL PENALTY AMOUNT**

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

**Legal Authority:** PL 101-380

**CFR Citation:** 30 CFR 250; 30 CFR 253

**Legal Deadline:** None

**Abstract:** This rule complies with the Oil Pollution Act of 1990 by establishing procedures for adjusting civil penalty amounts based upon the Consumer Price Index.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Joanne McCammon, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20070  
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**RIN:** 1010-AD39

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

## Long-Term Actions

**1873. 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	12/00/07	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Lead Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 302B2, P.O. Box 25165, Denver, CO 80225-0165  
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**RIN:** 1010-AC31

**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	12/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

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**RIN:** 1010-AD21

**Department of the Interior (DOI)**  
**Minerals Management Service (MMS)**
**Completed Actions****1875. INCIDENT REPORTING****Priority:** Other Significant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	04/17/06	71 FR 19640
Final Action Effective	07/17/06	

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

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**RIN:** 1010-AC57**1876. PROPRIETARY TERMS AND DATA DISCLOSURE****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250; 30 CFR 251**Completed:**

Reason	Date	FR Cite
Final Action	03/30/06	71 FR 16033
Final Action Effective	05/01/06	

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

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**RIN:** 1010-AC81**1877. DATA RELEASE AND DEFINITIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250 subpart A**Completed:**

Reason	Date	FR Cite
Final Action	04/25/06	71 FR 23858
Final Action Effective	05/25/06	

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

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**RIN:** 1010-AC99**1878. PROVIDING CONTACT INFORMATION TO MMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 290**Completed:**

Reason	Date	FR Cite
Final Action	08/31/06	71 FR 51749

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

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**RIN:** 1010-AD22**1879. COST RECOVERY FOR PLANS, PERMITS, AND INSPECTIONS FOR OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	07/19/06	71 FR 40904
Final Action Effective	09/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Angela Mazzullo

Phone: 703 787-1691

**RIN:** 1010-AD23**1880. DEBT COLLECTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 218**Completed:**

Reason	Date	FR Cite
Final Action	08/14/06	71 FR 46398

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

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**RIN:** 1010-AD35**BILLING CODE** 4310-MR-S
**Department of the Interior (DOI)**  
**Office of Surface Mining Reclamation and Enforcement (OSMRE)**
**Proposed Rule Stage****1881. 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	12/00/06	

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

Undetermined

**Agency Contact:** Art Abbs, Birmingham Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 135 Gemini Circle, Suite 215, Homewood, AL 35209  
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**RIN:** 1029-AB70

## DOI—OSMRE

## Proposed Rule Stage

**1882. PLACEMENT OF EXCESS SPOIL**

**Regulatory Plan:** This entry is Seq. No. 62 in part II of this issue of the *Federal Register*.

**RIN:** 1029–AC04

**1883. ● PERMIT APPLICATION PACKAGES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 740; 30 CFR, 942; 30 CFR 947

**Legal Deadline:** None

**Abstract:** OSM is proposing revisions to its regulations governing the number of copies of a permit application that must be submitted to OSM. The number is being reduced to one original and two copies in order to conform to OMB regulations at 5 CFR 1320.5(d)(2)(iii). Since our submission requirements are found in our regulations, rulemaking is required to make the change.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Trelease, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
Phone: 202 208–2783  
Email: jtreleas@osmre.gov

**RIN:** 1029–AC51

eligibility determinations; improvidently issued permits; ownership or control challenges; post-permit issuance actions and requirements; transfer, assignment or sale of permit rights; application and permit information; and alternative enforcement.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**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–AC52

## Department of the Interior (DOI)

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

## Final Rule Stage

**1885. 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	12/00/06	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jim Fulton, Chief, Denver Field Division, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1999 Broadway, Suite 3320, Denver, CO 80202

Phone: 303 844–1400  
Email: jfulton@osmre.gov

**RIN:** 1029–AC02

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	08/00/07	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240  
Phone: 202 208–2829

**1886. 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

## DOI—OSMRE

## Final Rule Stage

Email: drice@osmre.gov

RIN: 1029-AC47

**1887. TENNESSE FEDERAL PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 942**Legal Deadline:** None**Abstract:** OSM intends to propose revisions to its regulations governing surface coal mining operations in the state of Tennessee. The revisions

would: (1) Provide an alternative bonding mechanism for the treatment of acid mine drainage and (2) revise other requirements for the amount of ground cover required during revegetation when the postmining land use is wildlife habitat, undeveloped land, recreation use, or forest land. The proposed revisions should promote reforestation of mined land in Tennessee.

**Timetable:**

Action	Date	FR Cite
NPRM	04/06/06	71 FR 17682
Final Action	02/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Agency Contact:** Tim Dieringer, Field Office Director, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 710 Locust Street, 2nd Floor, Knoxville, TN 37902

Phone: 865-545-4103

Email: tdieringer@osmre.gov

RIN: 1029-AC50

## Department of the Interior (DOI)

## Long-Term Actions

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1888. • INDIAN LANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 700; 30 CFR 740; 30 CFR 750**Legal Deadline:** None**Abstract:** OSM regulates mining on Indian lands and the state regulates mining on non-Indian lands. OSM proposes to amend its regulations to clarify that the definition of "Indian lands" at 30 CFR 700.5 includes individual Indian trust allotments located within an approved tribal land consolidation area. The proposed clarification was required under the terms of a settlement agreement

between the Department of the Interior and the Navajo Nation and Hopi Tribe to settle the tribes' challenges to a May 1989 Indian lands rulemaking. OSM has developed a preliminary draft rule that specifies that allotted lands would qualify as Indian lands for purposes of the Surface Mining Control and Reclamation Act when OSM determines, on a case-by-case basis, that the allotments are supervised by an Indian tribe.

**Timetable:**

Action	Date	FR Cite
NPRM	02/19/99	64 FR 8464
NPRM Comment Period End	06/21/99	64 FR 18585
Final Action	12/00/07	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Vermell Davis, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW., Washington, DC 20240

Phone: 202 208-2802

Email: gvdavis@osmre.gov

RIN: 1029-AC53

## Department of the Interior (DOI)

## Completed Actions

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1889. FINANCIAL ASSURANCES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State**Agency Contact:** Dennis RicePhone: 202 208-2829  
Email: drice@osmre.gov

RIN: 1029-AC05

**1890. OWNERSHIP AND CONTROL****Priority:** Other Significant**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** Federal, State**Agency Contact:** Earl Bandy

Phone: 859 260-8427

Email: ebandy@osmre.gov

RIN: 1029-AC08

BILLING CODE 4310-05-S

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

Prerule Stage

**1891. REGULATING NON-CONTRACT USE OF COLORADO RIVER WATER IN THE LOWER BASIN**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 373; 43 USC 485; 43 USC 617; 5 USC 552

**CFR Citation:** 43 CFR 415

**Legal Deadline:** None

**Abstract:** The rule is needed to prevent non-contract use of Colorado River water and motivate non-contract well

users to sign subcontracts authorizing them to use water. Arizona, California, and Nevada all recognize that action is necessary to stop non-contract use of Colorado River water in the Lower Basin. There is no viable alternative to a rule for addressing non-contract use.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/06	
ANPRM Comment	02/00/07	
Period End		

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Margot Selig, Regional Economist, Department of the Interior, Bureau of Reclamation, Box 61470, Boulder City, NV 89006-1470  
 Phone: 702 293-8192

**RIN:** 1006-AA50

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

Proposed Rule Stage

**1892. IMPLEMENTATION OF THE TRUCKEE RIVER OPERATING AGREEMENT**
**Priority:** Other Significant

**Legal Authority:** 104 Stat 3294

**CFR Citation:** 43 CFR 419

**Legal Deadline:** None

**Abstract:** This rule would implement the Truckee River Operating Agreement in accordance with the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990. The Agreement's primary purposes are to modify reservoir operations in the Truckee River basin, enhance conditions for threatened and endangered fish species, increase drought protection, improve water quality, and enhance stream flows. The Agreement was signed by the Department of the Interior, the States of California and Nevada, the Truckee Meadows Water Authority, and the Pyramid Lake Paiute Tribe.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/07	

**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

**1893. USE OF RECLAMATION LAND, FACILITIES, AND WATER BODIES**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 373; 43 USC 387; 43 USC 395; 43 USC 9701

**CFR Citation:** 43 CFR 429

**Legal Deadline:** None

**Abstract:** This rule will revise the current regulations to clarify and streamline the procedures for processing rights-of-use applications. The revision will: (1) Incorporate changes to Office of Management and Budget Circular A-25; (2) Clarify what are authorized uses of lands, facilities, and water bodies; (3) Expand methods for establishing the value of the rights of use; (4) Outline a process for applying for a right of use; and (5) Add a requirement to use Reclamation's form 7-2540, for short-term uses, and SF 299 for long-term uses, in accordance with the President's Memorandum on Improving Broadband Deployment on Federal Lands.

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian Mather, Policy Analyst, Department of the Interior, Bureau of Reclamation, Denver Federal Center - 84-5300, Denver, CO 80225  
 Phone: 303 445-2895  
 Fax: 303 445-6690  
 Email: mmather@do.usbr.gov

**RIN:** 1006-AA51

**1894. • INCLUSION OF HOOVER DAM UNDER 43 CFR PART 423**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 373b; 16 USC 460

**CFR Citation:** 43 CFR 421; 43 CFR 423

**Legal Deadline:** None

**Abstract:** This rule would include Hoover Dam within the applicability of the recently-issued "Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies" (43 CFR part 423), which currently applies to all Reclamation facilities except Hoover Dam. Reclamation initially decided not to include the Hoover Dam area under the new rule because that area was already subject to an existing public conduct rule. However, Reclamation has since determined that, primarily for reasons of consistency in agency-wide law enforcement, it will be preferable to make all Reclamation projects subject to the same set of public conduct regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gary Anderson, Policy Analyst, Department of the Interior, Bureau of Reclamation, P.O. Box 25007, Denver, CO 80225-0007  
 Phone: 303 445-2891  
 Email: ganderson@do.usbr.gov

**RIN:** 1006-AA52

**Department of the Interior (DOI)**  
**Bureau of Reclamation (RB)**
**Completed Actions**
**1895. PUBLIC CONDUCT ON BUREAU OF RECLAMATION FACILITIES, LANDS, AND WATERBODIES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 43 CFR 423; 43 CFR 429

**Completed:**

Reason	Date	FR Cite
Final Rule	04/17/06	71 FR 19790

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Gary Anderson  
Phone: 303 445-2891

**RIN:** 1006-AA45  
**BILLING CODE** 4310-09-S

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**
**Prerule Stage**
**1896. • NONCOMPETITIVE LEASING: FRINGE ACREAGE LEASES AND LEASE MODIFICATIONS**

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

**Legal Authority:** 30 USC 181 et seq

**CFR Citation:** 43 CFR 3510

**Legal Deadline:** None

**Abstract:** This rule will amend the procedures for phosphate lease

modifications to allow adjustments of lease boundaries to facilitate the ultimate maximum recovery of mineral deposits within a lease, consistent with the protection and use of other natural resources and the protection and preservation of the environment.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**URL For Public Comments:**  
www.regulations.gov

**Agency Contact:** George F. Brown, Assistant Director, Fluid Leasable Minerals, Department of the Interior, Bureau of Land Management, 1800 C Street NW., Washington, DC 20240  
Phone: 202 653-2127

**RIN:** 1004-AD91

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**
**Proposed Rule Stage**
**1897. MINING CLAIMS UNDER THE GENERAL MINING LAW; SURFACE MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 21 et seq; 43 USC 1701 et seq

**CFR Citation:** 43 CFR 3800

**Legal Deadline:** None

**Abstract:** This rulemaking will determine whether or to what degree the Department of the Interior will charge fair market value for the surface use of unclaimed lands and lands where claims have been determined to be invalid for mining activities involving locatable minerals under the Mining Law.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**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

**1898. OIL AND GAS LEASING IN THE NATIONAL PETROLEUM RESERVE—ALASKA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1733; 43 USC 1740; 43 USC 6508

**CFR Citation:** 43 CFR 3130

**Legal Deadline:** None

**Abstract:** This rule will establish new administrative procedures for the efficient transfer, consolidation, segregation, suspension, and unitization of Federal leases in the National Petroleum Reserve in Alaska. It will implement section 347 of the Energy Policy Act of 2005.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Greg Noble, Chief, Energy Branch, Department of the Interior, Bureau of Land Management, AK-941, 6881 Abbott Loop, Anchorage, AK 99507-2599  
Phone: 907 267-1429

**RIN:** 1004-AD78

**1899. MINERAL LANDS AVAILABLE FOR LOCATING LODE AND PLACER MINING CLAIMS AND MILL AND TUNNEL SITES; SPECIAL LAWS IN ADDITION TO FLPMA THAT REQUIRE RECORDING OR NOTICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 122; 30 USC 22 et seq; 30 USC 521 to 525; 30 USC 611 to 615; 30 USC 621 to 625; 43 USC 1201; 43 USC 299

**CFR Citation:** 43 CFR 3710; 43 CFR 3720; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3839

**Legal Deadline:** None

**Abstract:** This rule will amend the regulations on locating, filing, and maintaining mining claims or sites by consolidating the remaining provisions scattered in various portions of Groups 3700 and 3800 that address lands available for location of mining claims

## DOI—BLM

## Proposed Rule Stage

or sites, and certain statutes requiring a mining claimant to meet them in order to maintain claim.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/07	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Roger A. Haskins, Mining Engineer, Department of the Interior, Bureau of Land Management, 1849 C Street NW., 501 LS, Washington, DC 20240  
Phone: 202 452-0355  
Fax: 202 653-7397  
Email: roger\_haskins@blm.gov

**RIN:** 1004-AD79

**1900. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT; LINEAR RIGHT-OF-WAY RENTAL PAYMENT SCHEDULE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 367

**CFR Citation:** 43 CFR 2800; 43 CFR 2880

**Legal Deadline:** Final, Statutory, August 8, 2006.

Final rule required by Energy Policy Act of 2005, Sec. 267, by August 8, 2006.

**Abstract:** This advance notice of proposed rulemaking will seek public comments and suggestions on how to update the linear right-of-way payment schedule covering most linear rights-of-way granted under section 28 of the Mineral Leasing Act and title V of the Federal Land Policy and Management Act for facilities such as power lines, fiber optic lines, pipelines, roads, and ditches.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/27/06	71 FR 24836
NPRM	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Ron Montagna, Supervisory Realty Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., 1000 LS, Washington, DC 20240  
Phone: 202 452-7782  
Fax: 202 452-7708  
Email: ron\_montana@blm.gov

**RIN:** 1004-AD87

**1901. • OIL SHALE LEASING AND OPERATIONS**

**Regulatory Plan:** This entry is Seq. No. 63 in part II of this issue of the **Federal Register**.

**RIN:** 1004-AD90

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

## Final Rule Stage

**1902. OIL AND GAS ONSHORE ORDER NO. 1**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1740

**CFR Citation:** 43 CFR 3164

**Legal Deadline:** None

**Abstract:** This proposed rule would clarify the schedule for submitting and processing applications, define terms used, and introduce concepts that will make filing and processing more efficient. BLM does not intend to add significant new requirements. The rule is a joint rule with the U.S. Forest Service.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/05	70 FR 43349
Comment Period Extended	08/26/05	70 FR 50262
Second NPRM	03/13/06	71 FR 12656
Comment Period End	04/12/06	
Final Rule	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**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

**1903. PERMITS FOR RECREATION ON PUBLIC LANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4601-6a; 43 USC 1740; P 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	11/22/05	70 FR 70570
Comment Period Extended	01/18/06	71 FR 2899
NPRM Comment Period End	01/24/06	
Comment Period End	03/20/06	
Final Rule	12/00/06	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Anthony Bobo, Recreation Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 452-0333  
Fax: 202 452-7709  
Email: anthony\_bobo@blm.gov

**RIN:** 1004-AD68



## DOI—BLM

## Final Rule Stage

**1904. 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 2 years to facilitate the processing of land sales applications.**Timetable:**

Action	Date	FR Cite
Final Rule	12/00/06	

**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 20240Phone: 202 452-7779  
Fax: 202 452-7708  
Email: jeff\_holdren@blm.gov**RIN:** 1004-AD74**1905. GEOTHERMAL RESOURCE LEASING; GEOTHERMAL RESOURCES UNIT AGREEMENTS: UNPROVEN AREAS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1001 et seq; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 221 et seq**CFR Citation:** 43 CFR 3200; 43 CFR 3280**Legal Deadline:** None**Abstract:** The rule will implement changes in geothermal leasing and geothermal unitization regulations—an all competitive leasing system, new royalty and fee structures, and production incentives—required by the Energy Policy Act of 2005, and will also include some other technical changes. The Energy Policy Act of 2005

(Act), subtitle B, Geothermal Energy, requires new regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	07/21/06	71 FR 41542
NPRM Comment Period End	09/19/06	
Final Rule	12/00/06	

**Regulatory Flexibility Analysis Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**URL For Public Comments:**

www.regulations.gov

**Agency Contact:** Kermit Witherbee, National Geothermal Program Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., 501 LS, Washington, DC 20240  
Phone: 202 452-0385  
Fax: 202 452-0386  
Email: kermit\_witherbee@blm.gov**RIN:** 1004-AD86**Department of the Interior (DOI)  
Bureau of Land Management (BLM)**

## Completed Actions

**1906. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA****Priority:** Other Significant**CFR Citation:** 43 CFR 4100**Completed:**

Reason	Date	FR Cite
Final Action	07/12/06	71 FR 39401

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ted Hudson  
Phone: 202 452-5042  
Fax: 202 653-5287  
Email: ted\_hudson@blm.gov**RIN:** 1004-AD42**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Mike Haskins  
Phone: 907 271-3351**RIN:** 1004-AD60**1908. MARGINAL OIL/GAS ROYALTY RATE REDUCTION PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3103.4-2**Completed:**

Reason	Date	FR Cite
Withdrawn—No Further Action Scheduled at This Time	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rudy Baier  
Phone: 202 653-2153**RIN:** 1004-AD65**1909. PUBLIC LANDS AND RESOURCES; LAW ENFORCEMENT—CRIMINAL; RECREATION PROGRAMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 9268**Completed:**

Reason	Date	FR Cite
Withdrawn—no Action Expected Before Summer 2007	08/01/06	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Felicia Probert  
Phone: 208 387-5131  
Fax: 208 387-5136  
Email: felicia.probert@nifc.blm.govKeith Aller  
Phone: 202 501-4819  
Fax: 202 502-2582  
Email: keith\_aller@blm.gov**RIN:** 1004-AD66**1907. ALASKA NATIVE VETERAN ALLOTMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 2568**Completed:**

Reason	Date	FR Cite
Final Rule	09/14/06	71 FR 54199
Final Rule Effective	10/16/06	71 FR 56225

## DOI—BLM

## Completed Actions

**1910. HEAVY OIL ROYALTY REDUCTION PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3103**Completed:**

Reason	Date	FR Cite
Withdrawn—No Further Action Scheduled at This Time	08/01/06	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, Local, State**Agency Contact:** Rudy Baier  
Phone: 202 653-2153**RIN:** 1004-AD67**1911. SALES OF FOREST PRODUCTS; PREPARATION FOR SALE****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 5420**Completed:**

Reason	Date	FR Cite
Final Action	05/26/06	71 FR 30291

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Kenny W. McDaniel  
Phone: 202 452-5097  
Fax: 202 452-7702  
Email: kenny\_mcdaniel@blm.gov**RIN:** 1004-AD70**1912. OIL AND GAS; COMBINED HYDROCARBONS LEASING; TAR SANDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3141**Completed:**

Reason	Date	FR Cite
Final Rule	05/18/06	71 FR 28778

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Ron Teseneer  
Phone: 202 452-5094  
Fax: 202 653-7397  
Email: ron\_teseneer@blm.gov**RIN:** 1004-AD76**1913. GAS HYDRATE PRODUCTION INCENTIVES****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 3100**Completed:**

Reason	Date	FR Cite
ANPRM Comment Period End	04/07/06	
Withdrawn by a finding under Section 353 of the Energy Policy Act.	08/04/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Thomas J. Zelenka  
Phone: 202 452-0334  
Email: thomas\_zelenka@blm.gov**RIN:** 1004-AD81**1914. ENHANCED OIL AND NATURAL GAS PRODUCTION THROUGH CARBON DIOXIDE INJECTION****Priority:** Other Significant**CFR Citation:** 43 CFR 3100**Completed:**

Reason	Date	FR Cite
ANPRM Comment Period End	04/07/06	
Withdrawn by a Finding Under Section 354 of the Energy Policy Act	08/04/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Thomas J. Zelenka  
Phone: 202 452-0334  
Email: thomas\_zelenka@blm.gov**RIN:** 1004-AD82**1915. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT****Priority:** Routine and Frequent**CFR Citation:** 43 CFR 2800; 43 CFR 2880**Completed:**

Reason	Date	FR Cite
Withdrawn—no further action expected before mid-2007	08/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Kelly D. Odom  
Phone: 202 452-5028  
Fax: 202 653-5287  
Email: kelly\_odom@blm.gov**RIN:** 1004-AD84**1916. SALES: FEDERAL LAND POLICY AND MANAGEMENT ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 2710**Completed:**

Reason	Date	FR Cite
Withdrawn—no action expected before Summer 2007.	08/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jeff O. Holdren  
Phone: 202 452-7779  
Fax: 202 452-7708  
Email: jeff\_holdren@blm.gov**RIN:** 1004-AD88**1917. COLOR-OF-TITLE AND OMITTED LANDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 2540**Completed:**

Reason	Date	FR Cite
Withdrawn—No Action Expected Before Summer 2007	08/01/06	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jeff O. Holdren  
Phone: 202 452-7779  
Fax: 202 452-7708  
Email: jeff\_holdren@blm.gov**RIN:** 1004-AD89**BILLING CODE** 4310-84-S

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**Department of the Interior (DOI)**  
**Office of the Secretary (OS)**

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**Completed Actions****1918. MAKING MOTION PICTURES,  
TELEVISION PRODUCTIONS, OR  
SOUNDTRACKS ON DOI LANDS****Priority:** Other Significant**CFR Citation:** 43 CFR 5**Completed:**

<b>Reason</b>	<b>Date</b>	<b>FR Cite</b>
Final Action	04/13/06	71 FR 19127

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jerry Case

Phone: 202 208-4206

**RIN:** 1093-AA10

[FR Doc. 06-7682 Filed 12-08-06; 8:45 am]

**BILLING CODE** 4310-10-S