



# Federal Register

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Book 3 of 4 Books  
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## The Regulatory Plan and the Unified Agenda of Federal Regulatory and Deregulatory Actions

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# Federal Register

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**Monday,  
December 9, 2002**

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**Part X**

**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 October 2002 and April 2003. The

Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

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

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

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

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

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

**Date:** October 3, 2002.

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

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

Sequence Number	Title	Regulation Identification Number
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1227	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals .....	1090-AA68
1228	Department Hearings and Appeals; Procedures Applicable in Adjudications Before the Hearings Division .....	1090-AA73
1229	Nonprocurement Suspension and Debarment; Drug-Free Workplace Grant Requirements .....	1090-AA79
1230	Department Hearings and Appeals Procedures; Procedures Applicable in Indian Probate Hearings .....	1090-AA81
1231	Amendment of Authority To Grant Stays of Grazing Decisions .....	1090-AA83

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

Sequence Number	Title	Regulation Identification Number
1232	Records and Testimony; Freedom of Information Act .....	1090-AA61
1233	Nondiscrimination in Federally Assisted Programs of the Department of the Interior on the Basis of Race, Color National Origin, Handicap, or Age .....	1090-AA77

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

Sequence Number	Title	Regulation Identification Number
1234	Special Rules Applicable to Surface Coal Mining Hearings and Appeals .....	1090-AA82

**United States Fish and Wildlife Service—Prerule Stage**

Sequence Number	Title	Regulation Identification Number
1235	Consideration of Listing the Green Iguana ( <i>Iguana Iguana</i> ) as Injurious, Pursuant to the Lacey Act .....	1018-AF08
1236	Partners for Fish and Wildlife Program .....	1018-AH98

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1237	Release of Captive-Reared Mallards .....	1018-AI05
1238	North American Wetlands Conservation Act Grant Administration Policies .....	1018-AI13

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

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1239	General Provisions and General Permit Procedures—50 CFR Part 13 .....	1018-AC57
1240	Seizure and Forfeiture Procedures — 50 CFR Part 12 .....	1018-AC89
1241	Revisions to the Federal Aid Administrative Requirements .....	1018-AE17
1242	U.S. Proposals for CITES Appendix III; American Eel .....	1018-AF09
1243	Humane and Healthful Transport of Wild Mammals, Birds, Reptiles and Amphibians to the United States .....	1018-AF27
1244	Importation, Exportation, and Transportation of Wildlife, 50 CFR Part 14 .....	1018-AF46
1245	Endangered and Threatened Wildlife and Plants; Tibetan Antelope .....	1018-AF49
1246	Injurious Wildlife; Addition of the Asian Swamp Eel .....	1018-AF53
1247	Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Straight-Horned Markhor Population of the Torghar Region of Baluchistan, Pakistan, From Endangered to Threatened .....	1018-AG00
1248	Federal Falconry Standards and Falconry Permitting .....	1018-AG11
1249	Endangered and Threatened Wildlife and Plants; Delisting the Gulf Coast Distinct Population Segment of the Brown Pelican Population in the Southeastern United States .....	1018-AG40
1250	Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species .....	1018-AG64
1251	Interagency Guidance for the Prescription of Fishways Pursuant to Section 18 of the Federal Power Act .....	1018-AH42
1252	Endangered and Threatened Wildlife; Establishment of a Nonessential Experimental Population of 2 Fishes in Shoal Creek, Alabama and Tennessee .....	1018-AH44
1253	Endangered and Threatened Plants; Reclassification of the Papery Whitlow-Wort, Wireweed and Sandlace From Endangered to Threatened. ....	1018-AH51
1254	Endangered and Threatened Wildlife; Removal of the San Marcos Gambusia, a Fish, From the List of Endangered and Threatened Wildlife .....	1018-AH52
1255	Endangered and Threatened Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Plants .....	1018-AH53
1256	Endangered and Threatened Wildlife; Reclassification of the Gila Trout From Endangered to Threatened .....	1018-AH57
1257	Endangered and Threatened Plants; Reclassification of the Missouri Bladder-Pod, a Plant, From Endangered to Threatened .....	1018-AH59
1258	Export of Live Alligators .....	1018-AH65
1259	Eagle Permits: New Definitions, Permits for Incidental Taking of Bald Eagles Necessary To Protect Other Interests in Any Particular Locality .....	1018-AH74
1260	Marine Mammals: Incidental Take During Specified Activities (Manatees) .....	1018-AH86
1261	Importation of Exotic Wild Birds Into the United States; Adding Blue-Fronted Amazon Parrots From Argentina's Approved Sustainable Use Management Plan to the Approved List of Non-Captive Bred Species .....	1018-AH89
1262	Marine Mammals: Incidental Take During Specified Activities (Beaufort Sea Polar Bear and Walrus) .....	1018-AH92
1263	Endangered and Threatened Wildlife and Plants; Revisions to the Regulations Applicable to Permits Issued Under the Endangered Species Act .....	1018-AH93
1264	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Blackburn's Sphinx Moth .....	1018-AH94
1265	Civil Procedures, 50 CFR Part 11 .....	1018-AH97
1266	Endangered and Threatened Wildlife and Plants; Reclassification of Two Australian Parakeets From Endangered to Threatened .....	1018-AI04
1267	Endangered and Threatened Wildlife and Plants; Beluga Sturgeon .....	1018-AI11
1268	Corrections to Rights-of-Way Regulations .....	1018-AI12
1269	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Ventura Marsh Milkvetch .....	1018-AI21
1270	Endangered and Threatened Wildlife and Plants; Critical Habitat for 6 Guam Species .....	1018-AI25
1271	Endangered and Threatened Wildlife and Plants; Critical Habitat for Four Fairy Shrimp and 11 Plants in California .....	1018-AI26
1272	Migratory Bird Permits; Regulations for Managing Resident Canada Geese Populations .....	1018-AI32
1273	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2004 Subsistence Taking of Fish and Shellfish Regulations .....	1018-AI37
1274	Subsistence Management Regulations for Public Lands in Alaska, Subpart C—Nonrural Determinations .....	1018-AI38
1275	Migratory Bird Permits; Regulations for Managing Double-Crested Cormorant Damages .....	1018-AI39

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1278	Endangered and Threatened Wildlife and Plants; Listing the Mountain Plover With a Special Rule .....	1018-AI45
1279	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cactus Ferruginous Pygmy Owl .....	1018-AI48
1280	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Columbia-Klamath Distinct Population Segment of the Bull Trout .....	1018-AI52
1281	Endangered and Threatened Wildlife and Plants; Establishment of Nonessential Experimental Population Status and Reintroduction of 16 Mussels, 1 Snail, and 5 Fishes in Tennessee .....	1018-AI54
1282	Implementation Guidelines for Fiscal Year (FY) 2002 Landowner Incentive Program (Non-Tribal Portion) for States, Territories and the District of Columbia .....	1018-AI55
1283	Tribal Wildlife Grants Program Implementation Guidelines for Fiscal Year (FY) 2002 .....	1018-AI58
1284	Tribal Landowner Incentive Program (T-LIP) Implementation Guidelines for Fiscal Year (FY) 2002 .....	1018-AI59
1285	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D — 2003-2004 Subsistence Taking of Wildlife Regulations .....	1018-AI62
1286	2003-2004 Refuge Specific Hunting and Sport Fishing Regulations .....	1018-AI63
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1288	Import of Polar Bear Trophies From Canada; Finding for the Gulf of Boothia Population .....	1018-AI65
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1292	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the San Diego Fairy Shrimp .....	1018-AI71
1293	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Gnatcatcher .....	1018-AI72
1294	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 9 Appalachian Bivalves (Freshwater Mussels) .....	1018-AI73
1295	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Braun's Rockcress .....	1018-AI74
1296	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Cumberland Elktoe .....	1018-AI75
1297	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Four Appalachian Mussels .....	1018-AI76
1298	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Peirson's Milkvetch .....	1018-AI77
1299	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for a Plant, the Lane Mountain Milkvetch .....	1018-AI78
1300	Endangered and Threatened Wildlife and Plants; Delisting of a Plant, the Arizona Agave .....	1018-AI79
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1302	Endangered and Threatened Wildlife and Plants; Endangered Status for the Dugong in the Republic of Palau .....	1018-AI81
1303	Endangered and Threatened Wildlife and Plants; Endangered Status for the Scimitar-Horned Oryx, Addax, and Dama Gazelle .....	1018-AI82
1304	Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened .....	1018-AI83
1305	Migratory Bird Subsistence Harvest in Alaska; Regulations for the Spring and Summer 2003 Season .....	1018-AI84
1306	Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Revisions to the Regulations .....	1018-AI85

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1308	Convention on International Trade in Endangered Species (CITES) .....	1018-AD87
1309	Endangered and Threatened Wildlife and Plants; Reclassification of the Gray Wolf in Certain Parts of Its Range .....	1018-AF20
1310	Endangered and Threatened Wildlife and Plants; Removal of the Douglas County, Oregon, Population of the Columbia White-Tailed Deer From the List of Endangered and Threatened Species .....	1018-AF43
1311	Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries .....	1018-AF44
1312	Policy for Evaluation of Conservation Efforts in Endangered Species Decisionmaking .....	1018-AF55
1313	Policy on General Conservation Permits .....	1018-AF63
1314	Endangered and Threatened Wildlife and Plants; Delisting the Northern Population of the Tidewater Goby .....	1018-AF67

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1317	Endangered and Threatened Wildlife and Plants; Delisting of the Hoover's Woolly-Star .....	1018-AG41
1318	National Wildlife Refuge System; Mission, Goals, and Purposes .....	1018-AG46
1319	Injurious Wildlife - Addition of Black Carp .....	1018-AG70
1320	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 81 Plants and Proposed Designations for 76 Plants From Kauai and Niihau, Hawaii .....	1018-AG71
1321	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Purple Amole .....	1018-AG75
1322	Endangered and Threatened Wildlife and Plants; Critical Habitat for Three Coastal California Plants .....	1018-AG88
1323	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Keck's Checkermallow .....	1018-AG93
1324	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Baker's Larkspur and the Yellow Larkspur .....	1018-AG96
1325	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Otay Tarplant .....	1018-AH00
1326	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Two Cave Invertebrates from Kauai .....	1018-AH01
1327	Endangered and Threatened Wildlife and Plants; Critical Habitat for 58 Plants in Hawaii .....	1018-AH02
1328	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 20 Plants and Re-Proposed Designations for 32 Plants From Molokai, Hawaii .....	1018-AH08
1329	Endangered and Threatened Wildlife and Plants; Critical Habitat for Plants of the Northwest Islands, Hawaii .....	1018-AH09
1330	Endangered and Threatened Wildlife and Plants; Determinations of Whether Designation of Critical Habitat Is Prudent for 8 Plants and Re-proposed Designations for 18 Plants From Lanai, Hawaii .....	1018-AH10
1331	Endangered and Threatened Plants; Removal of the Truckee Barberry From the List of Endangered and Threatened Plants .....	1018-AH47
1332	Endangered and Threatened Wildlife; Removal of the Guam Broadbill and Mariana Mallard From the List of Endangered and Threatened Wildlife .....	1018-AH50
1333	Addition of the Basking Shark and the Stag Beetle to Appendix III Under CITES .....	1018-AH66
1334	Audit Resolution Policy .....	1018-AH69
1335	Endangered and Threatened Wildlife and Plants: Re-proposed Determinations of Prudency and Proposed Designations of Critical Habitat for Plants From Maui and Kahoolawe, Hawaii .....	1018-AH70
1336	Endangered and Threatened Wildlife and Plants; Reopening of Comment Period on the Threatened Status of the Sacramento Splittail ( <i>Pogonichthys Macrolepidotis</i> ) .....	1018-AH73
1337	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for <i>Polygonum Hickmanii</i> (Scotts Valley Polygonum) .....	1018-AH76
1338	Endangered and Threatened Wildlife and Plants; Establishment of Protection Areas for the West Indian Manatee in Florida .....	1018-AH80
1339	Migratory Bird Permits; Regulations Governing Rehabilitation Activities .....	1018-AH87
1340	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Rio Grande Silvery Minnow .....	1018-AH91
1341	Public Notice for CITES Appendix III Listing of Spanish Cedar and Bigleaf Mahogany by the Government of Peru .....	1018-AH99
1342	Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations .....	1018-AI07
1343	Addition by Indonesia of Ramin to Appendix III Under the Convention on International Trade in Endangered Species of Wild Fauna and Flora .....	1018-AI08
1344	Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2003 Subsistence Taking of Fish and Shellfish Regulations .....	1018-AI09
1345	Endangered and Threatened Wildlife and Plants; Removal of the Tinian Monarch Flycatcher From the List of Endangered and Threatened Species .....	1018-AI14
1346	Endangered and Threatened Wildlife and Plants; Listing and Designation of Critical Habitat for Three Snails and One Amphipod .....	1018-AI15
1347	Endangered and Threatened Wildlife and Plants; Emergency Listing of the Pygmy Rabbit .....	1018-AI17
1348	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Topeka Shiner .....	1018-AI20
1349	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Gulf Sturgeon .....	1018-AI23
1350	Endangered and Threatened Wildlife and Plants; Critical Habitat for 103 Oahu, Hawaii, Plants .....	1018-AI24
1351	Endangered and Threatened Wildlife and Plants; Critical Habitat for Five Carbonate Plants in California .....	1018-AI27
1352	Endangered and Threatened Wildlife and Plants; Listing of the Island Fox .....	1018-AI28
1353	Subsistence Management Regulations for Public Lands in Alaska, Subpart D; Subsistence Taking of Fish, Customary Trade .....	1018-AI31
1354	Migratory Bird Hunting; Approval of Tungsten-Iron-Nickel-Tin Shot as Nontoxic for Hunting Waterfowl and Coots ...	1018-AI33
1355	Endangered and Threatened Wildlife and Plants; Listing of Cook's Lomatium and Large-Flowered Woolly Meadowfoam .....	1018-AI43

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

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1357	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for 9 Invertebrate Species in Bexar County, Texas .....	1018-AI47
1358	Endangered and Threatened Wildlife and Plants; Listing the Slickspot Peppergrass .....	1018-AI50
1359	Endangered and Threatened Wildlife and Plants; Listing the Flat-Tailed Horned Lizard .....	1018-AI51
1360	Fiscal Year 2002 Private Stewardship Grants Program; Program Implementation .....	1018-AI56
1361	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of the Black-Footed Ferret in South-Central South Dakota .....	1018-AI60
1362	Endangered and Threatened Wildlife and Plants; Listing the Sonoma County Distinct Population Segment of the California Tiger Salamander as Endangered .....	1018-AI61

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

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1364	Migratory Bird Permits; Introduction, General Requirements and Exceptions .....	1018-AE64
1365	Implementation of the 1994 Amendments to the Marine Mammal Protection Act .....	1018-AE72
1366	Endangered and Threatened Wildlife and Plants; Delisting of the Bald Eagle Throughout the Lower 48 States .....	1018-AF21
1367	Taking of Marine Mammals by Level B Harassment; Issuance of General Authorization for Scientific Research and Permits for Photography, Educational, and Commercial Purposes .....	1018-AF26
1368	Endangered and Threatened Wildlife and Plants; Establishment of a Special Rule for the Canada Lynx .....	1018-AF40
1369	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Three Plants From the Mariana Islands and Guam .....	1018-AG09
1370	Endangered and Threatened Wildlife and Plants; Endangered Status for 12 Species of Picture-Wing Flies From the Hawaiian Islands .....	1018-AG23
1371	Migratory Bird Permits; Take of Migratory Birds by Federal Agencies .....	1018-AG56
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1373	Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Scaleshell Mussel .....	1018-AH35
1374	Endangered and Threatened Wildlife and Plants; Listing of the Sacramento Mountains Checkerspot Butterfly and Proposed Designation of Critical Habitat .....	1018-AH40
1375	Endangered and Threatened Wildlife; Removal of Four Ash Meadow Species From the List of Endangered and Threatened Wildlife and Plants .....	1018-AH49
1376	Endangered and Threatened Wildlife; Reclassification of the Marianna Fruit Bat on Guam From Endangered to Threatened .....	1018-AH55
1377	Endangered and Threatened Wildlife and Plants; Listing the Dolly Varden as a Threatened Species in Washington Due to Similarity of Appearance to Bull Trout .....	1018-AH68
1378	Migratory Bird Permits; Regulations Governing Education; 50 CFR 21 .....	1018-AH71
1379	Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Grizzly Bears in the Bitterroot Area of Idaho and Montana; Removal of Regulations .....	1018-AI03
1380	Endangered and Threatened Wildlife and Plants; Listing of the Rota Bridled White-Eye .....	1018-AI16
1381	Endangered and Threatened Wildlife and Plants; Reclassification of the Gray Bat From Endangered to Threatened .....	1018-AI40
1382	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Southwestern Willow Flycatcher .....	1018-AI49
1383	Endangered and Threatened Wildlife and Plants; Conservation Education; 50 CFR 17.21 .....	1018-AI66
1384	Endangered and Threatened Wildlife and Plants; Permits for Foreign Listed Species .....	1018-AI67

## United States Fish and Wildlife Service—Completed Actions

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1385	Reclassification of the Vicuna From Endangered to Threatened With a Special Rule .....	1018-AE04
1386	Injurious Wildlife; Addition of Brush-Tailed Possum .....	1018-AE34

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

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1388	Endangered and Threatened Wildlife and Plants; Listing the Chiricahua Leopard Frog With a Special Rule .....	1018-AF41
1389	Administration of the National Coastal Wetlands Conservation Grant Program .....	1018-AF51
1390	Endangered and Threatened Wildlife and Plants; Endangered Status for Southern California Distinct Vertebrate Population Segment (DPS) of Mountain Yellow-Legged Frog .....	1018-AF83
1391	Endangered and Threatened Wildlife and Plants; Endangered Status for San Diego Ambrosia .....	1018-AF86
1392	Endangered and Threatened Wildlife and Plants; Establishment of Nonessential Experimental Populations for Four Fishes: Duskytail Darter, Smoky Madtom, Yellowfin Madtom, and Spottfin Chub .....	1018-AF96
1393	Endangered and Threatened Wildlife and Plants; Critical Habitat for the Santa Cruz Tarplant .....	1018-AG73
1394	Endangered and Threatened Wildlife and Plants; Critical Habitat for Kneeland Prairie Pennycress .....	1018-AG92
1395	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Chorizanthe Pungens var. Pungens (Monterey Spineflower) .....	1018-AH04
1396	Endangered and Threatened Wildlife and Plants; Prudency and Critical Habitat for a Mollusk, the Carolina Heelsplitter .....	1018-AH31
1397	Endangered and Threatened Wildlife and Plants; Prudency and Critical Habitat Designation for a Mollusk, the Appalachian Elktoe .....	1018-AH33
1398	Endangered and Threatened Plants; Removal of the Robin's Cinquefoil From the List of Endangered and Threatened Species .....	1018-AH56
1399	Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Polygonum Hickmanii (Scotts Valley Polygonum) and Chorizanthe Robusta var. Hartwegii (Scotts Valley Spineflower) .....	1018-AH82
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1408	Endangered and Threatened Wildlife and Plants; Emergency Listing of the Tumbling Creek Cavesnail .....	1018-AI19
1409	Migratory Bird Hunting; Proposed 2002-2003 Migratory Game Bird Hunting Regulations (Preliminary) With Requirements for Indian Tribal Proposals .....	1018-AI30
1410	2002-2003 Refuge-Specific Hunting and Sport Fishing Regulations .....	1018-AI34
1411	Injurious Wildlife Species; Snakeheads .....	1018-AI36

## United States Fish and Wildlife Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1018-AF45	Endangered and Threatened Wildlife and Plants; Listing and Special Rule for the Coastal Cutthroat Trout	07/05/2002	Withdrawn
1018-AF71	Endangered and Threatened Wildlife and Plants; Special Rule for Bull Trout in Washington State	08/21/2002	Withdrawn
1018-AH54	Endangered and Threatened Wildlife; Establishment of a Nonessential Experimental Population of the Black-Footed Ferret in Wyoming	08/23/2002	Withdrawn
1018-AH78	Export of Caviar: Labeling of Sturgeon and Paddlefish (Acipenseriformes) Caviar Containers Intended for International Trade; 50 CFR 23	08/13/2002	Withdrawn
1018-AH81	National Wildlife Refuge System; Reserved/Excepted Rights Management	08/08/2002	Withdrawn
1018-AI42	Endangered and Threatened Wildlife and Plants; Reclassification of the Schaus Swallowtail Butterfly From Endangered to Threatened	08/21/2002	Withdrawn
1018-AI53	Federal Aid in Sport Fish Restoration Program; Recreational Boating Access	08/09/2002	Withdrawn

## DOI

## National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1412	Vehicles and Traffic Safety; Operating Under the Influence of Alcohol or Drugs .....	1024-AC69
1413	Procedures for State, Tribal, and Local Government Historic Preservation Programs .....	1024-AC79
1414	Commercial Use Authorizations .....	1024-AC85
1415	Glen Canyon National Recreation Area; Personal Watercraft .....	1024-AC90
1416	Lake Mead National Recreation Area; Personal Watercraft .....	1024-AC91
1417	Big Thicket National Preserve; Personal Watercraft .....	1024-AC92
1418	Pictured Rocks National Lakeshore; Personal Watercraft .....	1024-AC93
1419	Fire Island National Seashore; Personal Watercraft .....	1024-AC94
1420	Gateway National Recreation Area; Personal Watercraft .....	1024-AC95
1421	Bighorn Canyon National Recreation Area; Personal Watercraft .....	1024-AC96
1422	Lake Meredith Recreation Area; Personal Watercraft .....	1024-AC97
1423	Chickasaw Recreation Area; Personal Watercraft .....	1024-AC98
1424	Curecanti Recreation Area; Personal Watercraft .....	1024-AC99
1425	Amistad Recreation Area; Personal Watercraft .....	1024-AD00
1426	Lake Roosevelt Recreation Area; Personal Watercraft .....	1024-AD01
1427	Native American Graves Protection and Repatriation Act; Future Applicability .....	1024-AD05
1428	Boating and Water Use Activities .....	1024-AD07
1429	Disposition of Culturally Unidentifiable Human Remains .....	1024-AD08

## National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1430	Native American Graves Protection and Repatriation Act Regulations; Civil Penalties .....	1024-AC84
1431	Assateague Island National Seashore; Personal Watercraft .....	1024-AD02
1432	Yellowstone National Park, Grand Teton National Park, John D. Rockefeller Memorial Parkway Winter Use Regulations .....	1024-AD06
1433	Snowmobile Regulations; Yellowstone and Grand Teton National Parks and John D. Rockefeller Memorial Parkway ( <b>Reg Plan Seq No. 75</b> ) .....	1024-AD09

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

## National Park Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1434	Special Regulations of the National Park System; Religious Ceremonial Collection of Golden Eaglets in Wupatki National Monument .....	1024-AC86
1435	Virgin Islands Coral Reef National Monument; Special Regulations .....	1024-AC89
1436	Golden Gate National Recreation Area; Special Regulations .....	1024-AD03

## National Park Service—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1024-AC74	World Heritage Convention	07/25/2002	Withdrawn - Extensive rewrite of entire part to occur within two years.
1024-AD04	Dry Tortugas National Park; Special Regulations	07/25/2002	Withdrawn - Rulemaking authority in the Park under legal challenge.

## DOI

## Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1437	Irrigation Projects and Systems .....	1076-AD44
1438	Indian Electric Power Utilities .....	1076-AD45
1439	Buy Indian Act Regulations .....	1076-AE07
1440	Tribal Revenue Allocation Plans .....	1076-AE24

## Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1441	Indian Business Development Program .....	1076-AD70
1442	Certificates of Degree of Indian Blood .....	1076-AD97
1443	Arrangement With States, Territories, or Other Agencies for Relief of Distress and Social Welfare of Indians .....	1076-AD98
1444	Alaska Resupply Operation .....	1076-AE04
1445	Protection of Products of Indian Art and Craftsmanship .....	1076-AE16
1446	Indian Reservation Roads Program .....	1076-AE17
1447	Trust Management Reform: Repeal of Outdated Rules .....	1076-AE20
1448	Technical Amendments to Housing Improvement Program Regulations .....	1076-AE31

## Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identification Number
1449	Indian School Equalization Program — Provisions for Exceptional Children .....	1076-AE14
1450	Adult Education Program .....	1076-AE29
1451	Indian Reservation Roads — FY 2002 Funds Distribution .....	1076-AE32
1452	Courts of Indian Offenses — Santa Fe .....	1076-AE33

## Bureau of Indian Affairs—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1076-AE21	Appeals of Administrative Actions	08/01/2002	Withdrawn - No further action will be taken at this time.
1076-AE22	Trust Funds for Tribes and Individual Indians	08/01/2002	Withdrawn - No further action scheduled.
1076-AE23	Leases and Permits	08/01/2002	Withdrawn - No further action scheduled.
1076-AE25	Probate of Indian Estates Except for Members of the Five Civilized Tribes	08/01/2002	Withdrawn - No further action will be taken.

## Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1453	Late and Overpayment Interest .....	1010-AC27
1454	Takes vs. Entitlements Reporting .....	1010-AC29
1455	Accounting Relief for Marginal Properties .....	1010-AC30
1456	Prepayment of Royalties .....	1010-AC31
1457	Incident Reporting .....	1010-AC57
1458	Royalty Relief Terms .....	1010-AC58
1459	MMS Hearings and Investigations .....	1010-AC79

## DOI

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

Sequence Number	Title	Regulation Identification Number
1460	Appeals of Minerals Management Service Orders .....	1010-AC80
1461	Dealing With Sustained Casing Pressure .....	1010-AC83
1462	Definition of Control .....	1010-AC88
1463	Documents Incorporated by Reference — API RP 14F and API 510 .....	1010-AC89
1464	Reporting Amendments .....	1010-AC90
1465	Rights-of-Use and Easements and Pipeline Rights-of-Way .....	1010-AC91
1466	Blowout Prevention for Production Tree Coiled Tubing Workover Operations .....	1010-AC96
1467	Data Release and Definitions .....	1010-AC99
1468	Relief or Reduction in Royalty Rates — Deep Gas Provisions ( <b>Reg Plan Seq No. 76</b> ) .....	1010-AD01
1469	Reduction to Royalty Relief in Special Circumstances .....	1010-AD02

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

## Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1470	Oil and Gas Drilling Operations .....	1010-AC43
1471	Plans and Information .....	1010-AC47
1472	Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Safety Measures and Procedures for Pipeline Modifications and Repairs .....	1010-AC75
1473	Proprietary Terms and Data Disclosure .....	1010-AC81
1474	Documents Incorporated by Reference — API Specification 2C .....	1010-AC82
1475	Documents Incorporated by Reference for Offshore Floating Production Facilities .....	1010-AC85
1476	Outer Continental Shelf Oil and Gas Leasing — Clarifying Amendments .....	1010-AC94
1477	Document Incorporated by Reference—API 510—Pressure Vessel Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration .....	1010-AC95
1478	Valuation of Oil from Indian Leases ( <b>Reg Plan Seq No. 77</b> ) .....	1010-AD00

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

## Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
1479	Prospecting for Minerals Other Than Oil, Gas, and Sulphur in the Outer Continental Shelf .....	1010-AC48
1480	Decommissioning Activities .....	1010-AC65
1481	Deep Water Royalty Relief for Outer Continental Shelf Oil and Gas Leases Issued After 2000 .....	1010-AC71
1482	Technical Amendments .....	1010-AC87
1483	Suspension of Operations for Exploration Under Salt Sheets .....	1010-AC92
1484	Documents Incorporated by Reference - API RP 14C .....	1010-AC93

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

Sequence Number	Title	Regulation Identification Number
1485	Abandoned Coal Refuse Sites—Title I .....	1029-AB70
1486	Revegetation .....	1029-AC02
1487	Placement of Excess Spoil .....	1029-AC04
1488	Financial Assurances .....	1029-AC05

## DOI

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

Sequence Number	Title	Regulation Identification Number
1489	Indian Lands .....	1029-AB83
1490	Abandoned Mine Land Reclamation Notices .....	1029-AB99

## Office of Surface Mining Reclamation and Enforcement—Discontinued Entries

Regulation Identification Number	Title	Date	Comments
1029-AB79	Contemporaneous Reclamation	08/01/2002	Withdrawn No further action will be taken at this time.
1029-AB92	Emergency Action Plans—Impoundments	08/01/2002	Withdrawn - No further action will be taken at this time.

## Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1491	Authorization of Law Enforcement Officers at Reclamation Facilities .....	1006-AA42

## Bureau of Reclamation—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1492	Acreage Limitation .....	1006-AA43
1493	Trespass on Reclamation Lands and Facilities .....	1006-AA44
1494	Public Conduct on Reclamation Lands and Projects .....	1006-AA45

## Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1495	Sales—Federal Land Policy and Management Act .....	1004-AB77
1496	Desert Land Entries .....	1004-AC56
1497	Disposal of Reserved Minerals Under the Stock Raising Homestead Act .....	1004-AC59
1498	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts .....	1004-AD32
1499	Conservation; Helium Leasing .....	1004-AD35
1500	Grazing Administration—Exclusive of Alaska .....	1004-AD42
1501	Permits for Recreation on Public Lands .....	1004-AD45
1502	Wilderness Management .....	1004-AD54

## Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1503	Cost Recovery; Mineral Filings and Operations .....	1004-AC64
1504	Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act .....	1004-AC74
1505	Indian Allotments .....	1004-AC77
1506	Use Authorizations (Recreation) .....	1004-AD25
1507	Location Recording and Maintenance of Mining Claims and Sites .....	1004-AD31
1508	Coal Management: Noncompetitive Leases; Management Provisions and Limitations .....	1004-AD43

DOI

Bureau of Land Management—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1509	Wilderness Management .....	1004-AD46
1510	Disclaimers of Interest .....	1004-AD50
1511	Rights-of-Way Under the Mineral Leasing Act; Timing of Approvals .....	1004-AD55
1512	Oil and Gas Leasing Operations; Bonding .....	1004-AD56

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1513	Leases, Permits, and Easements .....	1004-AB51
1514	Coalbed Methane Development .....	1004-AC27
1515	Carey Act Grants .....	1004-AC80
1516	Oil and Gas Leasing and Operations .....	1004-AC94
1517	Appeals Procedures; Hearings Procedures .....	1004-AC99
1518	Hazardous Materials Compliance .....	1004-AD38
1519	Supplementary Rules for Public Demonstrations at Grand Staircase-Escalante National Monument .....	1004-AD40
1520	Surface Management; Segregated or Withdrawn Lands .....	1004-AD51
1521	Mining Claims Under the General Mining Laws; Surface Management .....	1004-AD53

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
1522	Location Recording and Maintenance of Mining Claims or Sites .....	1004-AD52

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1523	Wild and Scenic Rivers .....	1093-AA08

Department of the Interior (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

**1226. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES**

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

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

**CFR Citation:** 43 CFR 11

**Legal Deadline:** None

**Abstract:** CERCLA and the Clean Water Act allow natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires

that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called type B procedures for determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the

Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment Period End	09/16/96	
NPRM	05/00/03	
NPRM Comment Period End	07/00/03	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

## DOI—ASPMB

## Proposed Rule Stage

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

Phone: 202 208-4143

**RIN:** 1090-AA29

### 1227. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1201

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

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 4015 Wilson Blvd., Arlington, VA 22203  
Phone: 703 235-3750

**RIN:** 1090-AA68

### 1228. DEPARTMENT HEARINGS AND APPEALS; PROCEDURES APPLICABLE IN ADJUDICATIONS BEFORE THE HEARINGS DIVISION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 372; 25 USC 373; 25 USC 373a; 25 USC 373b; 25

USC 374; 30 USC 1201 et seq; 43 USC 1201; 5 USC 571 to 583

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment Period End	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Charles E. Breece, Deputy Director, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240  
Phone: 703 235-3810

**RIN:** 1090-AA73

### 1229. NONPROCUREMENT SUSPENSION AND DEBARMENT; DRUG-FREE WORKPLACE GRANT REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 31 USC 6101; 41 USC 252a; 41 USC 701 et seq; EO 12549; EO 12689; PL 103-355

**CFR Citation:** 43 CFR 42; 43 CFR 43

**Legal Deadline:** None

**Abstract:** This proposed rule would implement a common Governmentwide rule for debarment and suspension and a common Governmentwide rule for the Drug-Free Workplace Act of 1988, including several specific provisions that apply to the Department of the Interior.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/03	

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Debra E. Sonderman, Property Management, Department of the Interior, Assistant Secretary for

Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 208-6431

**RIN:** 1090-AA79

### 1230. DEPARTMENT HEARINGS AND APPEALS PROCEDURES; PROCEDURES APPLICABLE IN INDIAN PROBATE HEARINGS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2; 25 USC 331; 25 USC 372; 25 USC 373; 25 USC 373a; 25 USC 373b; 25 USC 374; 25 USC 9

**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

**Abstract:** This proposed rule will revise the procedural rules for the Hearings Division of the Office of Hearings and Appeals concerning probate hearings. Hearings Division regulations must be amended to reflect OHA policy changes, new developments in probate case law, and other probate developments.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Charles E. Breece, Deputy Director, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240  
Phone: 703 235-3810

**RIN:** 1090-AA81

### 1231. • AMENDMENT OF AUTHORITY TO GRANT STAYS OF GRAZING DECISIONS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 43 CFR 4160

**Legal Deadline:** None

**Abstract:** This rule will grant authority to administrative law judges to rule on petitions for stay of Bureau of Land Management grazing decisions and on requests to place them into immediate effect.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

## DOI—ASPMB

## Proposed Rule Stage

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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

Interior Board of Appeals, 4015 Wilson Blvd., Arlington, VA 22203  
Phone: 703 235-3750

**RIN:** 1090-AA83

## Department of the Interior (DOI)

## Final Rule Stage

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

**1232. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT**

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

**Legal Authority:** 5 USC 552

**CFR Citation:** 43 CFR 2

**Legal Deadline:** None

**Abstract:** 43 CFR part 2, subparts A and B, are being revised in their entirety to reflect the provisions of the new FOIA law Electronic FOIA Amendments of 1996, Pub. L. 104-231, the recommendations of the National Performance Review lab, and to make other changes as necessary.

**Timetable:**

Action	Date	FR Cite
NPRM	07/16/01	66 FR 36966
NPRM Comment Period End	09/14/01	
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Alexandra Mallus, DOI FOIA Officer (OIRM), Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 208-5342

**RIN:** 1090-AA61

**1233. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF THE INTERIOR ON THE BASIS OF RACE, COLOR NATIONAL ORIGIN, HANDICAP, OR AGE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 29 USC 794; 42 USC 2000d-1; 42 USC 6101 et seq

**CFR Citation:** 43 CFR 17

**Legal Deadline:** None

**Abstract:** This proposed joint rule will incorporate the broadened definitions of the terms program and program or activity as contained in the Civil Rights Restoration Act of 1987 (CRRA). The

CRRA broadened the definitions of those terms so that all operations of an entity that receives Federal financial assistance are covered, not just the particular part receiving the Federal assistance.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76460
NPRM Comment Period End	01/05/01	
Final Action	12/00/02	
Final Action Effective	01/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Melvin C. Fowler, Civil Rights Staff Assistant, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 208-3455

**RIN:** 1090-AA77

## Department of the Interior (DOI)

## Completed Actions

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

**1234. • SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1256; 30 USC 1260; 30 USC 1261; 30 USC 1264; 5 USC 301

**CFR Citation:** 43 CFR 4

**Legal Deadline:** None

**Abstract:** This rule corrects addresses, phone numbers, and cross references to rules in title 30 of the Code of Federal Regulations.

**Timetable:**

Action	Date	FR Cite
Final Action	10/01/02	67 FR 61506

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 4015 Wilson Blvd., Arlington, VA 22203  
Phone: 703 235-3750

**RIN:** 1090-AA82

**BILLING CODE** 4310-RK-S

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

Prerule Stage

**1235. CONSIDERATION OF LISTING THE GREEN IGUANA (IGUANA IGUANA) AS INJURIOUS, PURSUANT TO THE LACEY ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

**Abstract:** The Humane Society of the United States requested that the Service list the green iguana as injurious under the Lacey Act. Iguanas are released into the wild by their owners for various reasons. These iguanas may be carriers of Salmonella bacteria and could negatively impact native populations. A notice requesting information will be published so that data can be gathered as to the injurious nature of the iguanas. This information will be analyzed to determine whether listing is warranted.

**Timetable:**

Action	Date	FR Cite
Notice of Inquiry	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**URL For Public Comments:**

<http://GreenIguana@fws.gov>

**Agency Contact:** Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2464

Email: [kari\\_duncan@fws.gov](mailto:kari_duncan@fws.gov)

**RIN:** 1018-AF08

**1236. PARTNERS FOR FISH AND WILDLIFE PROGRAM**

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

**Legal Authority:** 16 USC 742(a) to 754

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** Portions of the U.S. Fish and Wildlife Service manual are being

revised to update policy on the implementation of the Partners for Fish and Wildlife Program. This program provides private landowners with cost-sharing and restoration expertise to restore fish and wildlife habitat. The program does not acquire lands and is a voluntary incentive program. The revisions update policy, incorporate Office of Inspector General recommendations, and clarify technical assistance and cost-sharing in light of changes in U.S. Department of Agriculture conservation programs.

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

Phone: 703 358-1718

**RIN:** 1018-AH98

**1237. RELEASE OF CAPTIVE-REARED MALLARDS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** This notice announces our intent to resume review of all aspects of regulations pertaining to the release and harvest of captive-reared mallards.

**Timetable:**

Action	Date	FR Cite
Notice of Intent	08/28/01	66 FR 45274
Notice of Availability	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal, State

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

**RIN:** 1018-AI05

**1238. NORTH AMERICAN WETLANDS CONSERVATION ACT GRANT ADMINISTRATION POLICIES**

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

**Legal Authority:** 16 USC 4401 et seq

**CFR Citation:** None

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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

**URL For More Information:**

<http://birdhabitat.fws.gov>

**Agency Contact:** David A Smith, Chief, Division of Bird Habitat Conservation, Department of the Interior, United States Fish and Wildlife Service, Suite 110, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1784  
Fax: 703 358-2282

**RIN:** 1018-AI13

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

Proposed Rule Stage

**1239. GENERAL PROVISIONS AND  
GENERAL PERMIT PROCEDURES—50  
CFR PART 13**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 668a; 16 USC 704; 16 USC 712; 16 USC 742j-1; 16 USC 1382; 16 USC 1538(d); 16 USC 1539; 16 USC 1540(f); 16 USC 3374; 16 USC 4901 to 4916; 18 USC 42; 19 USC 1202; 31 USC 9701; EO 11911

**CFR Citation:** 50 CFR 13

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:** Undetermined

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

**RIN:** 1018-AC57

**1240. SEIZURE AND FORFEITURE  
PROCEDURES — 50 CFR PART 12**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4222 to 4241; 16 USC 4901 to 4916; 18 USC 42

**CFR Citation:** 50 CFR 12

**Legal Deadline:** None

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58468
Second NPRM	11/00/02	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** State, Federal

**Agency Contact:** Kevin Adams, Assistant Director for Law Enforcement, Department of the Interior, United States Fish and Wildlife Service  
Phone: 703 358-1949  
Email: kevin\_adams@fws.gov

**RIN:** 1018-AC89

**1241. REVISIONS TO THE FEDERAL  
AID ADMINISTRATIVE  
REQUIREMENTS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 777i; 16 USC 669i; 18 USC 701

**CFR Citation:** 50 CFR 80

**Legal Deadline:** None

**Abstract:** The Service proposes to revise part 80 to clarify the language in the administrative requirements section and simplify some of the procedures to enable the States and the public to better understand the procedures and requirements for obtaining and administering grants under the Federal Aid in Fish and Federal Aid in Wildlife Restoration Acts.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** State, Tribal

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

Email: kim\_galvan@fws.gov

**RIN:** 1018-AE17

**1242. U.S. PROPOSALS FOR CITES  
APPENDIX III; AMERICAN EEL**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis  
Required:** Undetermined

**Government Levels Affected:** Undetermined

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

**RIN:** 1018-AF09

**1243. HUMANE AND HEALTHFUL  
TRANSPORT OF WILD MAMMALS,  
BIRDS, REPTILES AND AMPHIBIANS  
TO THE UNITED STATES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 14

**Legal Deadline:** None

**Abstract:** The proposed rule contains amendments designed to add numerous transport standards to part 14 for reptiles and amphibians. Standards have already been promulgated for mammals and birds.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis  
Required:** No

## DOI—FWS

## Proposed Rule Stage

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

**RIN:** 1018–AF27

#### 1244. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE, 50 CFR PART 14

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 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 483(a)

**CFR Citation:** 50 CFR 14

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
ANPRM	07/15/98	63 FR 38143
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:**

Undetermined

**Agency Contact:** Kevin Adams, Assistant Director for Law Enforcement, Department of the Interior, United States Fish and Wildlife Service  
 Phone: 703 358-1949  
 Email: kevin\_adams@fws.gov

**RIN:** 1018–AF46

#### 1245. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; TIBETAN ANTELOPE

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Other, Statutory, 12 month finding.

**Abstract:** We received a petition to list the Tibetan antelope as endangered. We must determine if status review shows that the petitioned action is warranted. If so, we will propose endangered

status for the Tibetan antelope, or chiru (*Pantholops hodgsoni*). The antelope is a wild ungulate native to Tibet, Kashmir, and north-central China. It is threatened by illegal trade in its wool, known as shahtoosh, which is exceptionally fine. The wool and shawls made from it are in great demand on the black market, resulting in the slaughter of thousands of these animals annually. The species has experienced dramatic declines in recent years despite efforts by range countries to control poaching, as well as a prohibition on international commercial trade through listing in appendix I of CITES.

**Timetable:**

Action	Date	FR Cite
Notice	04/25/00	65 FR 24171
NPRM	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018–AF49

#### 1246. INJURIOUS WILDLIFE; ADDITION OF THE ASIAN SWAMP EEL

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Department of the Interior, United States Fish and

Wildlife Service, Room 810B, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2464

Email: kari\_duncan@fws.gov

**RIN:** 1018–AF53

#### 1247. 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:** Other, Statutory, 12 month finding.

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018–AG00

DOI—FWS

Proposed Rule Stage

**1248. FEDERAL FALCONRY STANDARDS AND FALCONRY PERMITTING****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 711**CFR Citation:** 50 CFR 21.28; 50 CFR 21.29**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

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

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

**RIN:** 1018-AG11**1249. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE GULF COAST DISTINCT POPULATION SEGMENT OF THE BROWN PELICAN POPULATION IN THE SOUTHEASTERN UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We plan to propose to remove the remaining Gulf coast population of the Brown pelican (Texas, Louisiana, Mississippi) from the list of threatened and endangered species.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

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

**RIN:** 1018-AG40**1250. WILD BIRD CONSERVATION ACT: REVIEW OF APPROVED LIST OF CAPTIVE-BRED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 4901 to 4916**CFR Citation:** 50 CFR 15**Legal Deadline:** None

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

**Timetable:**

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

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

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

**RIN:** 1018-AG64**1251. INTERAGENCY GUIDANCE FOR THE PRESCRIPTION OF FISHWAYS PURSUANT TO SECTION 18 OF THE FEDERAL POWER ACT****Priority:** Other Significant**Legal Authority:** 16 USC 791(a) et seq**CFR Citation:** None**Legal Deadline:** None

**Abstract:** This will make publicly available internal guidance for us and the National Marine Fisheries Service regarding the prescription of fishways under section 18 of the Federal Power Act, for non-Federal hydropower projects licensed by the Federal Energy Regulatory Commission. The guidance document will be reviewed following a two-year trial period, and the information obtained will be used to support a final action.

**Timetable:**

Action	Date	FR Cite
Notice	12/22/00	65 FR 80898
Notice of Availability	12/00/02	

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

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

**RIN:** 1018-AH42**1252. ENDANGERED AND THREATENED WILDLIFE; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF 2 FISHES IN SHOAL CREEK, ALABAMA AND TENNESSEE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We plan to propose the establishment of nonessential experimental populations for 2 fishes, the Boulder darter and Spotfin chub, in Shoal Creek, Alabama and Tennessee.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

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

**RIN:** 1018-AH44

**1253. ENDANGERED AND THREATENED PLANTS; RECLASSIFICATION OF THE PAPERY WHITLOW-WORT, WIREWEED AND SANDLACE FROM ENDANGERED TO THREATENED.**

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

**Abstract:** We plan to propose to reclassify the papery whitlow-wort, wireweed and sandlace plants from endangered to threatened.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

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

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

**RIN:** 1018-AH51

**1254. ENDANGERED AND THREATENED WILDLIFE; REMOVAL OF THE SAN MARCOS GAMBUSIA, A FISH, 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 propose to remove the San Marcos gambusia, a fish, from the List of Endangered and Threatened Wildlife.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

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

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

**RIN:** 1018-AH52

**1255. ENDANGERED AND THREATENED PLANTS; REMOVAL OF THE JOHNSTON'S FRANKENIA 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:** We plan to propose to remove the Johnston's frankenia, a plant which occurs in Texas, from the List of Endangered and Threatened Plants.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

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

**RIN:** 1018-AH53

**1256. ENDANGERED AND THREATENED WILDLIFE; RECLASSIFICATION OF THE GILA TROUT FROM ENDANGERED TO THREATENED**

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

**Abstract:** We propose to reclassify from endangered to threatened the Gila trout.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

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

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

**RIN:** 1018-AH57

**1257. ENDANGERED AND THREATENED PLANTS; RECLASSIFICATION OF THE MISSOURI BLADDER-POD, A PLANT, FROM ENDANGERED TO THREATENED**

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

**Abstract:** We plan to propose to reclassify the Missouri bladder-pod, a plant, from endangered to threatened.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203

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Phone: 703 358-2171

RIN: 1018-AH59

### 1258. EXPORT OF LIVE ALLIGATORS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** EO 13112

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

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

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

RIN: 1018-AH65

### 1259. EAGLE PERMITS: NEW DEFINITIONS, PERMITS FOR INCIDENTAL TAKING OF BALD EAGLES NECESSARY TO PROTECT OTHER INTERESTS IN ANY PARTICULAR LOCALITY

**Priority:** Other Significant

**Legal Authority:** 16 USC 668a

**CFR Citation:** 50 CFR 22

**Legal Deadline:** None

**Abstract:** This rule would allow take of bald eagles under the Eagle Protection Act incidental to otherwise lawful activities, in the event the species is removed from the U.S. Endangered Species List.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

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

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

RIN: 1018-AH74

### 1260. MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES (MANATEES)

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 18

**Legal Deadline:** NPRM, Judicial, March 6, 2001, Settlement agreement.

**Abstract:** We intend to develop a rule that would allow for the incidental, unintentional take of small numbers of Florida manatees that results from government activities related to watercraft and watercraft access facilities within the geographic area of the species' range in Florida for a period of not more than 5 years.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/12/01	66 FR 14352
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Small Entities Affected:** No

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

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

RIN: 1018-AH86

### 1261. IMPORTATION OF EXOTIC WILD BIRDS INTO THE UNITED STATES; ADDING BLUE-FRONTED AMAZON PARROTS FROM ARGENTINA'S APPROVED SUSTAINABLE USE MANAGEMENT PLAN TO THE APPROVED LIST OF NON-CAPTIVE BRED SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 15

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

RIN: 1018-AH89

### 1262. MARINE MAMMALS: INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES (BEAUFORT SEA POLAR BEAR AND WALRUS)

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

**Abstract:** The Marine Mammal Protection Act authorizes issuance of regulations to allow the incidental, unintentional take of small numbers of marine mammals in activities (other than commercial fishing) in specific geographical areas. These regulations would authorize incidental take of polar bears and walrus in the Beaufort Sea during oil and gas energy activities for up to 5 years, when current regulations expire on March 31, 2003.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

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

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## Proposed Rule Stage

**Agency Contact:** Dr. Benjamin Tuggle, Chief, Division of Federal Program Activities, Department of the Interior, United States Fish and Wildlife Service, Room 400, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2161  
Fax: 703 358-1869  
**RIN:** 1018-AH92

**1263. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REVISIONS TO THE REGULATIONS APPLICABLE TO PERMITS ISSUED UNDER THE ENDANGERED SPECIES ACT.**

**Priority:** Other Significant

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

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

**Legal Deadline:** None

**Abstract:** Presently, Safe Harbor Agreements and Candidate Conservation Agreements with Assurances only allow incidental take of species. The Service is proposing to amend the policies to allow for intentional take of species.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

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

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

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

**RIN:** 1018-AH93

**1264. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BLACKBURN'S SPHINX MOTH**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, November 2001, Court order.

**Abstract:** We propose to designate critical habitat for the Blackburn's sphinx moth.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/02	67 FR 40633
NPRM	08/26/02	67 FR 54763
NPRM Comment Period End	12/30/02	
Final Action	06/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH94

**1265. CIVIL PROCEDURES, 50 CFR PART 11**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3371

**CFR Citation:** 50 CFR 11

**Legal Deadline:** None

**Abstract:** These regulations will contain uniform rules and procedures for the assessment of civil penalties in connection with violations of certain laws and regulations enforced by the Service.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Kevin Adams, Assistant Director for Law Enforcement, Department of the Interior, United States Fish and Wildlife Service  
Phone: 703 358-1949  
Email: kevin\_adams@fws.gov

**RIN:** 1018-AH97

**1266. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF TWO AUSTRALIAN PARAKEETS FROM ENDANGERED TO THREATENED**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We propose to reclassify these two species of Australian parakeets so that their listing under the Endangered Species Act accurately reflects their current status.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI04

**1267. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; BELUGA STURGEON**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Other, Statutory, Notice of 90-day finding. We must determine if petitioned action is warranted within 90 days or as soon as possible after receipt of petition.

**Abstract:** Based upon a review of the species in response to a petition, we may propose to list the Beluga sturgeon (*Huso huso*) as endangered. This species historically inhabited the Caspian, Black, Azov and Adriatic Seas and all rivers flowing into them. The Adriatic Sea population has been extirpated, and no wild Beluga sturgeon has been found in the Sea of Azov since the mid 1980s. This species has declined due to fishing pressure. This species is highly valued for its caviar

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and is subject to both legal and substantial levels of illegal fishing. The Beluga sturgeon has also been impacted by dam building and other forms of habitat modification.

**Timetable:**

Action	Date	FR Cite
Notice	06/20/02	67 FR 41918
NPRM	11/00/02	

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

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

**RIN:** 1018-AI11**1268. CORRECTIONS TO RIGHTS-OF-WAY REGULATIONS****Priority:** Info./Admin./Other**Legal Authority:** PL 101-475**CFR Citation:** 50 CFR 29**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

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

**Agency Contact:** Barbara Ann Wyman, Program Manager, Division of Realty,

Department of the Interior, United States Fish and Wildlife Service, Room 622, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1811  
Fax: 703 358-2223  
Email: barbara\_wyman@fws.gov

**RIN:** 1018-AI12**1269. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE VENTURA MARSH MILKVETCH****Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, October 1, 2002, Settlement agreement.

**Abstract:** We propose to designate critical habitat for the plant, the Ventura Marsh milkvetch, which occurs in California.

**Timetable:**

Action	Date	FR Cite
NPRM	10/09/02	67 FR 62926
NPRM Comment	12/09/02	
Period End		
Final Rule	10/00/03	

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

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

**RIN:** 1018-AI21**1270. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 6 GUAM SPECIES****Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 1, 2002, Settlement agreement.

**Abstract:** We propose to designate critical habitat for 6 Guam species.

These include two mammals, the Little Mariana fruit bat and the Mariana fruit bat, and four birds, the Guam broadbill, the Mariana crow, the Guam Micronesian kingfisher and the Guam bridled white-eye.

**Timetable:**

Action	Date	FR Cite
NPRM	10/15/02	67 FR 63737
NPRM Comment	12/16/02	
Period End		
Final Rule	06/00/03	

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

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

**RIN:** 1018-AI25**1271. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR FOUR FAIRY SHRIMP AND 11 PLANTS IN CALIFORNIA****Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, November 30, 2001, Settlement agreement.

**Abstract:** We propose to designate critical habitat for four fairy shrimp and 11 plants in California. The fairy shrimp are the Conservancy fairy shrimp, the Longhorn fairy shrimp, the Vernal Pool fairy shrimp and the Vernal Pool tadpole shrimp.

**Timetable:**

Action	Date	FR Cite
NPRM	09/24/02	67 FR 59883
NPRM Comment	11/25/02	
Period End		
Final Rule	02/00/03	

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

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

## DOI—FWS

## Proposed Rule Stage

Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171

RIN: 1018-AI26

### 1272. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING RESIDENT CANADA GEESE POPULATIONS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

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

RIN: 1018-AI32

### 1273. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2004 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS

**Priority:** Routine and Frequent

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** This rulemaking will revise the regulations for seasons, harvest

limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2004 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review cycle.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

RIN: 1018-AI37

### 1274. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C—NONRURAL DETERMINATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

RIN: 1018-AI38

### 1275. MIGRATORY BIRD PERMITS; REGULATIONS FOR MANAGING DOUBLE-CRESTED CORMORANT DAMAGES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** We are proposing to establish, in cooperation with State wildlife agencies and USDA-APHIS-wildlife services, a cormorant damage management program. This program is designed to provide a biologically sound, cost-effective, and flexible method for the control of damages associated with cormorants.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

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

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

**URL For More Information:**

<http://migratorybirds.fws.gov/issues/cormorant/cormorant.html>

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

RIN: 1018-AI39

### 1276. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE AMERICAN CROCODILE FROM ENDANGERED TO THREATENED

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to propose to reclassify the American crocodile from endangered to threatened.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and

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## Proposed Rule Stage

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

RIN: 1018-AI41

**1277. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SOUTHWEST ALASKAN DISTINCT POPULATION SEGMENT OF THE NORTHERN SEA OTTER**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

RIN: 1018-AI44

**1278. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE MOUNTAIN PLOVER WITH A SPECIAL RULE**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory, February 16, 2000.

**Abstract:** We will amend our proposed listing of the Mountain plover based on new information. We will also publish a proposed Special Rule under section 4(d) of the Endangered Species Act.

**Timetable:**

Action	Date	FR Cite
NPRM	02/16/99	64 FR 7587

Action	Date	FR Cite
NPRM Comment Period Extended Second NPRM	04/19/99 11/00/02	64 FR 19108

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

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

RIN: 1018-AI45

**1279. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CACTUS FERRUGINOUS PYGMY OWL**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, July 13, 2002.

**Abstract:** We will propose a new designation of critical habitat for the Cactus ferruginous pygmy owl distinct population segment found in Arizona.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

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

RIN: 1018-AI48

**1280. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE COLUMBIA-KLAMATH DISTINCT POPULATION SEGMENT OF THE BULL TROUT**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

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

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

RIN: 1018-AI52

**1281. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATION STATUS AND REINTRODUCTION OF 16 MUSSELS, 1 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:** We propose the establishment of Nonessential Experimental Population status and reintroduction of 16 mussels, 1 snail, and 5 fishes in Tennessee

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

RIN: 1018-AI54

## DOI—FWS

## Proposed Rule Stage

**1282. • IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002 LANDOWNER INCENTIVE PROGRAM (NON-TRIBAL PORTION) FOR STATES, TERRITORIES AND THE DISTRICT OF COLUMBIA****Priority:** Other Significant**Legal Authority:** PL 88-578**CFR Citation:** None**Legal Deadline:** Final, Statutory, December 2002.

**Abstract:** The Landowner Incentive Program (LIP) is a \$40 million (LWCF derived) grant program authorized in the FY 2002 Interior Appropriations Bill that provides competitive matching grants to States, territories, the District of Columbia, and tribes. The grants will establish or supplement landowner incentive programs that provide technical and financial assistance to private landowners for projects that protect and restore habitats of listed species or species determined to be at-risk. It is important to note this action includes the "non-tribal" portion of this program only. Separate policy guidelines are being developed by the Service for the tribal LIP program.

**Timetable:**

Action	Date	FR Cite
Policy	11/00/02	

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

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

**RIN:** 1018-AI55**1283. • TRIBAL WILDLIFE GRANTS PROGRAM IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002****Priority:** Other Significant**Legal Authority:** PL 107-63**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** The Service is providing draft implementation guidance for this \$5

million program, which derives from the State Wildlife Grant Program. Proposed guidelines, ranking criteria, and additional information are presented for public comment.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

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

**Agency Contact:** Patrick Durham, Native American Liaison, Department of the Interior, United States Fish and Wildlife Service, Room 3012, 1849 C Street, Washington, DC 20240  
Phone: 202 208-4133

**RIN:** 1018-AI58**1284. • TRIBAL LANDOWNER INCENTIVE PROGRAM (T-LIP) IMPLEMENTATION GUIDELINES FOR FISCAL YEAR (FY) 2002****Priority:** Other Significant**Legal Authority:** PL 88-578**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** The Service is providing draft implementation guidance for the \$4 million tribal component of the Landowner Incentive Program. Proposed guidelines, ranking criteria, and additional information are presented for public comment.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

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

**Agency Contact:** Patrick Durham, Native American Liaison, Department of the Interior, United States Fish and Wildlife Service, Room 3012, 1849 C Street, Washington, DC 20240  
Phone: 202 208-4133

**RIN:** 1018-AI59**1285. • SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D — 2003-2004 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS****Priority:** Routine and Frequent**Legal Authority:** 16 USC 3124**CFR Citation:** 50 CFR 100; 36 CFR 242**Legal Deadline:** None

**Abstract:** This rule will revise the regulations for seasons, harvest limits, methods and means for the subsistence taking of wildlife during the 2003 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review cycle.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

**RIN:** 1018-AI62**1286. • 2003-2004 REFUGE SPECIFIC HUNTING AND SPORT FISHING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 16 USC 460; 16 USC 664; 16 USC 668(dd) to 668(ee); 16 USC 715(i)**CFR Citation:** 50 CFR 32**Legal Deadline:** None

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

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## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** Businesses**Government Levels Affected:** State

**Agency Contact:** Leslie Marler, Management Analyst, National Wildlife Refuge System, Department of the Interior, United States Fish and Wildlife Service, Room 670, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2397

RIN: 1018—AI63

**1287. • MIGRATORY BIRD PERMITS; EIDERDOWN FROM ICELAND****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 95-616; 16 USC 712(2); PL 106-108**CFR Citation:** 50 CFR 21**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis**

Required: No

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

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

RIN: 1018—AI64

**1288. • IMPORT OF POLAR BEAR TROPHIES FROM CANADA; FINDING FOR THE GULF OF BOOTHIA POPULATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 et seq**CFR Citation:** 50 CFR 18.30**Legal Deadline:** None

**Abstract:** This rule announces proposed findings on the import of

polar bears (*Ursus maritimus*) taken in sport hunts from the Canadian Gulf of Boothia polar bear population under the Marine Mammal Protection Act.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

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

RIN: 1018—AI65

**1289. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE CALIFORNIA SALAMANDER (RANGEWIDE)****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 15, 2003.

**Abstract:** We will propose to list the California tiger salamander throughout its range, to include areas where it is not already listed, under the Endangered Species Act.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** Federal

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

RIN: 1018—AI68

**1290. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE DESERT YELLOWHEAD****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, March 8, 2003, Settlement agreement.

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

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** Federal

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

RIN: 1018—AI69

**1291. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SOUTHWESTERN WILLOW FLYCATCHER****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, June 1, 2003.

**Abstract:** We will propose designation of critical habitat for the Southwestern willow flycatcher, an endangered bird found in Arizona, California, Colorado, New Mexico, Nevada, Texas and Utah.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** Federal

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

RIN: 1018—AI70

## DOI—FWS

## Proposed Rule Stage

**1292. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SAN DIEGO FAIRY SHRIMP****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 11, 2003, Court order.**Abstract:** We will propose designation of critical habitat for the endangered San Diego Fairy shrimp, a freshwater crustacean found in southern California.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/03	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI71**1293. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CALIFORNIA GNATCATCHER****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 11, 2003, Court order.**Abstract:** We will propose to designate critical habitat for the Coastal California gnatcatcher, a threatened bird found in southern California.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/03	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation andClassification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI72**1294. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR 9 APPALACHIAN BIVALVES (FRESHWATER MUSSELS)****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, March 17, 2003, Court order.**Abstract:** We will propose to designate critical habitat, if prudent, for nine species of Appalachian bivalves, or freshwater mussels.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/03	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI73**1295. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR BRAUN'S ROCKCRESS****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 19, 2003, Court order.**Abstract:** We will propose designation of critical habitat for Braun's rockcress, an endangered plant found in Kentucky and Tennessee.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/03	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI74**1296. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE CUMBERLAND ELKTOE****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, May 19, 2003, Court order.**Abstract:** We will propose designation of critical habitat, if prudent, for the Cumberland elktoe, an endangered freshwater mussel found in Kentucky and Tennessee.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/03	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI75**1297. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR FOUR APPALACHIAN MUSSELS****Priority:** Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, June 16, 2003, Court order.**Abstract:** We will propose designation of critical habitat, if prudent, for four

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species of Appalachian bivalves, or freshwater mussels.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI76

**1298. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE PEIRSON'S MILKVETCH**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

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

**Abstract:** We will propose designation of critical habitat for Pierson's milkvetch, a threatened plant found in California.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI77

**1299. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR A PLANT, THE LANE MOUNTAIN MILKVETCH**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 15, 2003, Court order.

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI78

**1300. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF A PLANT, THE ARIZONA AGAVE**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI79

**1301. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; NONESSENTIAL EXPERIMENTAL POPULATION OF THE NORTHERN APLOMADO FALCON**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI80

**1302. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE DUGONG IN THE REPUBLIC OF PALAU**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to reopen the comment period on the proposed listing, as endangered, of the dugong in the Republic of Palau. The proposed rule was published in the Federal Register on August 5, 1993.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

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**Government Levels Affected:** None

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

**RIN:** 1018-AI81

**1303. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE SCIMITAR-HORNED ORYX, ADDAX, AND DAMA GAZELLE**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to reopen the comment period on the proposed listing of the Scimitar-Horned oryx, addax and the Dama gazelle as endangered. The proposed rule was published in the Federal Register on November 5, 1991.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI82

**1304. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DOWNLISTING THE WOOD BISON FROM ENDANGERED TO THREATENED**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to publish a proposed rule to downlist the Wood bison from endangered to threatened. This action is being considered due to progress in the recovery of this species.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AI83

**1305. ● MIGRATORY BIRD SUBSISTENCE HARVEST IN ALASKA; REGULATIONS FOR THE SPRING AND SUMMER 2003 SEASON**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 92

**Legal Deadline:** None

**Abstract:** This is the first of annual regulations that will prescribe frameworks for harvest dates, the species that can be taken, and methods and means for subsistence harvest of migratory birds during the spring and summer in Alaska. These regulations were developed under a new process involving the Service, the Alaska Department of Fish and Game, and Alaska Native representatives. A 1916 treaty with Canada established a closed season for the taking of migratory birds between March 10 and September 1. The governments of Canada, Mexico, and the United States recently amended the 1916 treaty and a subsequent 1936 treaty to provide for the legal subsistence harvest of migratory birds and their eggs in Alaska and Canada during the closed season.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	
Final Action	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State

**Agency Contact:** Donna Dewhurst, Department of the Interior, United States Fish and Wildlife Service, U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3499  
Email: donna\_dewhurst@fws.gov

**RIN:** 1018-AI84

**1306. ● SAFE HARBOR AGREEMENTS AND CANDIDATE CONSERVATION AGREEMENTS WITH ASSURANCES; REVISIONS TO THE REGULATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1531

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis Required:** No

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

**Agency Contact:** Jody Elizabeth Brown, Biologist, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 N. Fairfax Dr., Arlington, VA 22203  
Phone: 703 358-2105  
Fax: 703 358-2324  
Email: jody\_brown@fws.gov

**RIN:** 1018-AI85

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

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**1307. LIST OF MIGRATORY BIRDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 704; 16 USC 712**CFR Citation:** 50 CFR 10.13**Legal Deadline:** None

**Abstract:** The List of Migratory Birds found at 50 CFR 10.13 is being revised to (1) bring the list into conformity with generally accepted taxonomy and nomenclature—English (common) and scientific names, as reflected in four published supplements to the 6th (1983) edition of the American Ornithologists' Union Checklist of North American Birds; and (2) add species that are of regular occurrence in the United States that are not included on the current list.

**Timetable:**

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
Second NPRM	10/12/01	66 FR 52281
Second NPRM Comment Period End	11/13/01	
Final Action	11/00/02	

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

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

**RIN:** 1018-AB72**1308. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

**Abstract:** This will be a revision to an existing rule that will incorporate decisions/interpretations made at nine conferences 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

Action	Date	FR Cite
Correction	06/29/00	65 FR 40167
Final Rule	12/00/02	

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

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

**RIN:** 1018-AD87**1309. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GRAY WOLF IN CERTAIN PARTS OF ITS RANGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We plan to make a final determination on the proposed rule to reclassify certain populations of the gray wolf from endangered to threatened status under the Endangered Species Act, based on the recent recovery achievements, and to establish distinct population segments.

**Timetable:**

Action	Date	FR Cite
NPRM	07/13/00	65 FR 43449
Notice - Meetings and Hearings	07/26/00	65 FR 45956
Final Action	11/00/02	

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

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

**RIN:** 1018-AF20**1310. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE DOUGLAS COUNTY, OREGON, POPULATION OF THE COLUMBIA WHITE-TAILED DEER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

**Abstract:** We plan to make a final determination on a proposed rule to remove the Douglas County, Oregon, population of the Columbia white-tailed deer from the list of endangered and threatened species.

**Timetable:**

Action	Date	FR Cite
NPRM	05/11/99	64 FR 25263
NPRM Comment Period Reopened	11/03/99	64 FR 59729
NPRM Comment Period Reopened	12/29/99	64 FR 72992
Second NPRM	06/21/02	67 FR 42217
Final Action	06/00/03	

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

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

**RIN:** 1018-AF43**1311. 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 15.41; 50 CFR 15.42**Legal Deadline:** None

**Abstract:** We will establish the information requirements and approval criteria for the import of captive-bred wild exotic birds from overseas breeding facilities. This rule applies primarily to species listed in the appendices to the Convention on International Trade in Endangered Species of Wild Fauna and Flora

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(CITES), which are otherwise prohibited from import by the Wild Bird Conservation Act of 1992. The rule also describes the process for handling petitions to approve qualifying facilities, establishes the duration of approval, provides for the suspension and revocation of approval, and provides for notice of approved facilities in the Federal Register.

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/94	59 FR 12784
Final Action	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AF44

### 1312. POLICY FOR EVALUATION OF CONSERVATION EFFORTS IN ENDANGERED SPECIES DECISIONMAKING

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Fish and Wildlife Service and the National Marine Fisheries Service announce a draft policy for the evaluation of conservation efforts in making listing decisions under the Endangered Species Act of 1973, as amended (Act). The policy identifies criteria to be used in determining whether conservation agreements, conservation plans, management plans, or other formalized conservation efforts remove the need to list a species as threatened or endangered under the Act.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/00	65 FR 37102
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

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

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

**RIN:** 1018-AF55

### 1313. POLICY ON GENERAL CONSERVATION PERMITS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This policy will contain provisions to issue permits to qualified organizations to conduct general conservation activities over a specified period of time instead of issuing multiple permits for each activity.

**Timetable:**

Action	Date	FR Cite
Notice of Proposed Policy	10/28/99	64 FR 58086
Final Action	07/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

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

**RIN:** 1018-AF63

### 1314. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING THE NORTHERN POPULATION OF THE TIDEWATER GOBY

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The Service plans to make a final determination on the proposed rule to remove the northern population of the tidewater goby from the List of

Threatened and Endangered Species. Currently, all tidewater goby populations in California are on the List of Endangered and Threatened Species.

**Timetable:**

Action	Date	FR Cite
NPRM	06/24/99	64 FR 33816
NPRM Comment Period Reopened	02/15/00	65 FR 7483
NPRM Comment Period Reopened	01/03/01	66 FR 345
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AF67

### 1315. U.S. PROPOSALS FOR CITES APPENDIX III; CERTAIN TURTLE SPECIES

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4217
NPRM Comment Period End	03/13/00	
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marie Maltese, Biologist, Division of Scientific Authority, Department of the Interior,

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United States Fish and Wildlife Service, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1708  
Email: marie\_maltese@fws.gov

RIN: 1018-AF69

**1316. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF ENDANGERED STATUS AND DESIGNATION OF CRITICAL HABITAT FOR THE GILA CHUB**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, August 18, 2001, Court Order.

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

**Timetable:**

Action	Date	FR Cite
NPRM	08/09/02	67 FR 51947
NPRM Comment Period End	09/23/02	
Final Action	08/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

RIN: 1018-AG16

**1317. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE HOOVER'S WOOLY-STAR**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

less vulnerable to certain activities, and adequately protected on public lands.

**Timetable:**

Action	Date	FR Cite
NPRM	03/06/01	66 FR 13474
NPRM Comment Period End	05/07/01	
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

RIN: 1018-AG41

**1318. NATIONAL WILDLIFE REFUGE SYSTEM; MISSION, GOALS, AND PURPOSES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** This proposed policy will address the mission, goals and purposes of the National Wildlife Refuge System in the context of the National Wildlife Refuge System Improvement Act of 1997.

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Federal

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

Phone: 703 358-1744

RIN: 1018-AG46

**1319. INJURIOUS WILDLIFE - ADDITION OF BLACK CARP**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 42

**CFR Citation:** 50 CFR 16

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/30/02	67 FR 49280
NPRM Comment Period End	09/30/02	
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**URL For Public Comments:**  
<http://BlackCarp@fws.gov>

**Agency Contact:** Kari Jonell Duncan, Fishery Biologist, Division of Environmental Quality, Department of the Interior, United States Fish and Wildlife Service, Room 810B, 4401 North Fairfax Drive, Arlington, VA 22203

Phone: 703 358-2464

Email: kari\_duncan@fws.gov

RIN: 1018-AG70

**1320. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATIONS OF WHETHER DESIGNATION OF CRITICAL HABITAT IS PRUDENT FOR 81 PLANTS AND PROPOSED DESIGNATIONS FOR 76 PLANTS FROM KAUAI AND NIIHAU, HAWAII**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, December 16, 2001, Court Order.

**Abstract:** We propose to designate for a second time critical habitat for 77 plants from the islands of Kauai and Niihau, Hawaii.

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**Timetable:**

Action	Date	FR Cite
NPRM	11/07/00	65 FR 66807
Correction	11/13/00	65 FR 67796
NPRM Comment Period Reopened	03/07/01	66 FR 13691
Second NPRM	01/28/02	67 FR 3939
Correction	02/11/02	67 FR 6214
NPRM	08/26/02	67 FR 54766
Final Action	02/00/03	

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

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

**RIN:** 1018-AG71

### 1321. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE PURPLE AMOLE

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2001, Settlement agreement.

**Abstract:** We will determine critical habitat for the Purple amole in California.

**Timetable:**

Action	Date	FR Cite
NPRM	11/08/01	66 FR 56508
NPRM Comment Period End	01/07/02	
Final Action	11/00/02	

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

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

**RIN:** 1018-AG75

### 1322. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THREE COASTAL CALIFORNIA PLANTS

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, September 30, 2001, Court order.

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/15/01	66 FR 57559
NPRM Comment Period End	01/14/02	
Final Action	11/00/02	

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

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

**RIN:** 1018-AG88

### 1323. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE KECK'S CHECKERMALLOW

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 10, 2002, Court order.

**Abstract:** We propose to designate critical habitat for the Keck's checkermallow in California.

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/02	67 FR 41669
Final Action	03/00/03	

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

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

**RIN:** 1018-AG93

### 1324. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE BAKER'S LARKSPUR AND THE YELLOW LARKSPUR

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 10, 2002, Court order.

**Abstract:** We propose to determine critical habitat for the Baker's larkspur and the Yellow larkspur in California.

**Timetable:**

Action	Date	FR Cite
NPRM	06/18/02	67 FR 41367
Final Action	03/00/03	

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

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

**RIN:** 1018-AG96

### 1325. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE OTAY TARPLANT

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, May 30, 2001, Settlement agreement.

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**Abstract:** We will designate critical habitat for the Otay tarplant in California.

**Timetable:**

Action	Date	FR Cite
NPRM	06/13/01	66 FR 32052
Final Action	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH00

**1326. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR TWO CAVE INVERTEBRATES FROM KAUAI**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, January 1, 2002, Court order to finalize by 01/01/02.

**Abstract:** We propose to designate critical habitat for the Kauai cave amphipod and the Kauai cave wolf spider.

**Timetable:**

Action	Date	FR Cite
NPRM	03/27/02	67 FR 14671
NPRM Comment Period End	05/28/02	
Final Action	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH01

**1327. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 58 PLANTS IN HAWAII**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, April 30, 2002, 145 plants final by 04/30/02.

**Abstract:** We propose to determine critical habitat for 58 plants on the island of Hawaii. This action is part of litigation involving 245 Hawaiian plants.

**Timetable:**

Action	Date	FR Cite
NPRM	05/28/02	67 FR 36967
NPRM	08/26/02	67 FR 54766
NPRM Comment Period Reopened	09/24/02	67 FR 59811
Final Action	05/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH02

**1328. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATIONS OF WHETHER DESIGNATION OF CRITICAL HABITAT IS PRUDENT FOR 20 PLANTS AND RE-PROPOSED DESIGNATIONS FOR 32 PLANTS FROM MOLOKAI, HAWAII**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, March 20, 2002, Settlement agreement.

**Abstract:** We re-propose to determine critical habitat for 50 plants on Molokai, Hawaii, and 2 plants in the Maui/NUI Complex, Hawaii, as the result of litigation.

**Timetable:**

Action	Date	FR Cite
NPRM	12/29/00	65 FR 83157
NPRM Comment Period Extended	02/22/01	66 FR 11132
Second NPRM	04/05/02	67 FR 16491
Second NPRM Comment Period End	05/20/02	
NPRM	08/26/02	67 FR 54766
Final Action	03/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH08

**1329. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR PLANTS OF THE NORTHWEST ISLANDS, HAWAII**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, November 30, 2000, 100 Hawaiian plants.  
Final, Judicial, November 30, 2001, 100 Hawaiian plants.

**Abstract:** We propose to determine critical habitat for 8 plants on the Northwest Islands of Hawaii, as a result of litigation.

**Timetable:**

Action	Date	FR Cite
NPRM	05/14/02	67 FR 34521
NPRM	08/26/02	67 FR 54766
NPRM	09/12/02	67 FR 57784
NPRM Comment Period End	10/15/02	
Final Action	05/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

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Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171

RIN: 1018-AH09

**1330. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATIONS OF WHETHER DESIGNATION OF CRITICAL HABITAT IS PRUDENT FOR 8 PLANTS AND REPROPOSED DESIGNATIONS FOR 18 PLANTS FROM LANAI, HAWAII**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, February 16, 2002, settlement.

**Abstract:** We will determine critical habitat for listed plants on the island of Hawaii, as a result of litigation.

**Timetable:**

Action	Date	FR Cite
NPRM	12/27/00	65 FR 82085
NPRM	02/22/01	66 FR 11133
NPRM	04/06/01	66 FR 18223
NPRM	03/04/02	67 FR 9805
NPRM Comment Period End	04/18/02	
Final Action	01/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

RIN: 1018-AH10

**1331. ENDANGERED AND THREATENED PLANTS; REMOVAL OF THE TRUCKEE BARBERRY 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:** We plan to propose to remove the Truckee barberry from the List of Endangered and Threatened Plants.

**Timetable:**

Action	Date	FR Cite
NPRM Final Action	09/03/02 09/00/03	67 FR 56254

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

RIN: 1018-AH47

**1332. ENDANGERED AND THREATENED WILDLIFE; REMOVAL OF THE GUAM BROADBILL AND MARIANA MALLARD 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 make a final determination on the proposed rule to remove the Guam broadbill and the Mariana mallard from the List of Endangered and Threatened Wildlife.

**Timetable:**

Action	Date	FR Cite
NPRM Final Action	01/25/02 04/00/03	67 FR 3675

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

RIN: 1018-AH50

**1333. ADDITION OF THE BASKING SHARK AND THE STAG BEETLE TO APPENDIX III UNDER CITES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

RIN: 1018-AH66

**1334. AUDIT RESOLUTION POLICY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** OMB Circular A-133

**CFR Citation:** 50 CFR 80; 43 CFR 12

**Legal Deadline:** None

**Abstract:** We will publish 6 USFWS Manual chapters regarding Federal Government auditing standards as they pertain to State grantees.

**Timetable:**

Action	Date	FR Cite
Policy	12/14/01	66 FR 64845
Policy	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Federal

**Agency Contact:** Kim Galvan, Management Analyst, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, MS 140, 4401 North Fairfax Drive, Arlington, VA 22203

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Phone: 703 358-1851  
 Email: kim\_galvan@fws.gov  
 RIN: 1018-AH69

**1335. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: REPROPOSED DETERMINATIONS OF PRUDENCY AND PROPOSED DESIGNATIONS OF CRITICAL HABITAT FOR PLANTS FROM MAUI AND KAHOO LAWE, HAWAII**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, November 30, 2000, 100 Hawaii plants. Final, Judicial, November 30, 2001, 100 Hawaii plants.

**Abstract:** We will determine critical habitat for approximately 63 plants from Maui and Kahoolawe, Hawaii.

**Timetable:**

Action	Date	FR Cite
NPRM	12/18/00	65 FR 79191
NPRM	02/22/01	66 FR 11131
NPRM Comment Period End	04/02/01	
NPRM	04/03/02	67 FR 15855
NPRM Comment Period End	05/20/02	
NPRM	08/26/02	67 FR 54764
NPRM	08/26/02	67 FR 54766
NPRM Comment Period Reopened	10/02/02	67 FR 61845
Final Action	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH70

**1336. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REOPENING OF COMMENT PERIOD ON THE THREATENED STATUS OF THE SACRAMENTO SPLITTAIL (POGONICHTHYS MACROLEPIDOTIS)**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, January 31, 2002, Settlement agreement.

**Abstract:** We were ordered by a court to reanalyze the information concerning the listing decision for the Sacramento splittail. Therefore, we have reopened the comment period for this issue. The previous regulatory action that finalized the listing decision for the Sacramento splittail was assigned RIN 1018-AC26, and was completed with the publication of the final rule designating the Sacramento splittail as a threatened species, effective March 10, 1999 (64 FR 5963). Since RIN 1018-AC26 has been completed, we are considering the reopening of the comment period on this issue to be a new regulatory action, which has been assigned this current RIN.

**Timetable:**

Action	Date	FR Cite
Comment Period Extended	01/12/01	66 FR 2828
Comment Period Reopened	05/08/01	66 FR 23181
Comment Period End	06/07/01	
Comment Period Reopened	08/17/01	66 FR 43145
Comment Period End	10/01/01	
NPRM Comment Period Reopened	03/21/02	67 FR 13095
NPRM Correction	04/01/02	67 FR 15337
NPRM Comment Period End	05/20/02	
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH73

**1337. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR POLYGONUM HICKMANII (SCOTTS VALLEY POLYGONUM)**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, October 19, 2001, Settlement agreement.

**Abstract:** We propose to list the Scotts Valley polygonum as an endangered species.

**Timetable:**

Action	Date	FR Cite
NPRM	11/09/00	65 FR 67335
Final Action	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH76

**1338. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF PROTECTION AREAS FOR THE WEST INDIAN MANATEE IN FLORIDA**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, August 2001, Settlement agreement. Final, Judicial, January 2002, Settlement agreement.

**Abstract:** In August 2001, pursuant to a settlement agreement, we published a proposal to create 16 manatee protection areas in Florida. On January 7, 2002, we published a final rule establishing manatee refuges at two of those sites, while deferring action on making a determination in a final rule on the remaining 14 sites until December 2002. Now, in response to comments received during the public comment period on the August 2001 proposed rule, we are proposing to create an exception to the regulations governing the Barge Canal manatee refuge in Brevard County. Under this exception, parties may apply for authorization to conduct otherwise prohibited activities in the refuge if they can demonstrate to us that the activity can be pursued in such a manner that manatees will not be taken. This exception is being proposed only for the Barge Canal refuge so that

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we may assess the efficacy of the process in a controlled fashion before considering whether to make the exception more widely available.

**Timetable:**

Action	Date	FR Cite
NPRM	08/10/01	66 FR 42318
NPRM	08/29/01	66 FR 45662
Final Rule	01/07/02	67 FR 680
NPRM	04/16/02	67 FR 18572
NPRM Comment Period End	06/17/02	
Emergency Rule	09/20/02	67 FR 59487
Final Rule	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH80

**1339. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING REHABILITATION ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712(2)

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** The Service proposes to amend the Migratory Bird Permit regulations which authorize permits to take, possess, transport, sell, purchase, barter, import and export migratory birds. The Service proposes to establish a new section to authorize rehabilitation permits, which currently are authorized under 50 CFR 21.27, Special Purpose permits.

**Timetable:**

Action	Date	FR Cite
NPRM	12/06/01	66 FR 63349
NPRM Comment Period End	03/06/02	
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

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

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird

Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1714  
Email: brian\_millsap@fws.gov

**RIN:** 1018-AH87

**1340. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE RIO GRANDE SILVERY MINNOW**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, November 30, 2001, Settlement agreement.

**Abstract:** We propose to designate critical habitat for the Rio Grande silvery minnow in New Mexico.

**Timetable:**

Action	Date	FR Cite
Notice of Intent	04/05/01	66 FR 18107
NPRM	06/06/02	67 FR 39205
NPRM	09/12/02	67 FR 57783
Final Action	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH91

**1341. PUBLIC NOTICE FOR CITES APPENDIX III LISTING OF SPANISH CEDAR AND BIGLEAF MAHOGANY BY THE GOVERNMENT OF PERU**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

**Abstract:** This notice advises the public that, by unilateral action provided for in the Convention on International Trade in Endangered

Species of Wild Fauna and Flora (CITES), the Government of Peru has listed Spanish cedar and bigleaf mahogany in CITES appendix III. This listing invokes certain permitting requirements to assist Peru in controlling trade in these species.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

Phone: 703 358-1708

Email: pat\_ford@fws.gov

**RIN:** 1018-AH99

**1342. MIGRATORY BIRD HUNTING AND PERMITS; REGULATIONS FOR MANAGING HARVEST OF LIGHT GOOSE POPULATIONS**

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** State, Tribal

**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the

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Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1714  
Email: brian\_millsap@fws.gov

RIN: 1018-AI07

**1343. ADDITION BY INDONESIA OF RAMIN TO APPENDIX III UNDER THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 23

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

Phone: 703 358-1708

Email: pat\_ford@fws.gov

RIN: 1018-AI08

**1344. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2003 SUBSISTENCE TAKING OF FISH AND SHELLFISH REGULATIONS**

**Priority:** Routine and Frequent

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** This rulemaking will revise the regulations for seasons, harvest

limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2003 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review cycle.

**Timetable:**

Action	Date	FR Cite
NPRM Final Action	02/11/02 02/00/03	67 FR 6334

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

RIN: 1018-AI09

**1345. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF THE TINIAN MONARCH FLYCATCHER FROM THE LIST OF ENDANGERED AND THREATENED SPECIES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and State Grants, Department of the Interior,

United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171

RIN: 1018-AI14

**1346. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING AND DESIGNATION OF CRITICAL HABITAT FOR THREE SNAILS AND ONE AMPHIPOD**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, February 6, 2002, Settlement agreement.

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

**Timetable:**

Action	Date	FR Cite
NPRM Final Action	02/12/02 01/00/03	67 FR 6459

**Regulatory Flexibility Analysis Required:** No

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

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

RIN: 1018-AI15

**1347. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY LISTING OF THE PYGMY RABBIT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Other, Judicial, November 23, 2001, Settlement agreement.

**Abstract:** We are emergency listing the Columbia Basin Distinct Population Segment of the Pygmy rabbit in Washington.

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**Timetable:**

Action	Date	FR Cite
NPRM	11/30/01	66 FR 59769
Emergency Final Rule	11/30/01	66 FR 59734
NPRM Comment Period Reopened	02/07/02	67 FR 5780
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018–AI17**1348. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE TOPEKA SHINER****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, August 13, 2002, Settlement agreement.**Abstract:** We propose to designate critical habitat for the fish, the Topeka shiner, which occurs in Iowa, Kansas, Minnesota, Missouri, and South Dakota.**Timetable:**

Action	Date	FR Cite
NPRM	08/21/02	67 FR 54261
Final Action	08/00/03	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal, State, Local**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018–AI20**1349. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE GULF STURGEON****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, February 2, 2002, Settlement agreement.**Abstract:** We propose to designate critical habitat for the Gulf sturgeon.**Timetable:**

Action	Date	FR Cite
NPRM	08/08/02	67 FR 51530
Final Action	03/00/03	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018–AI23**1350. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR 103 OAHU, HAWAII, PLANTS****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 30, 2002, Settlement agreement.**Abstract:** We propose to designate critical habitat for 103 Oahu, Hawaii, plants.**Timetable:**

Action	Date	FR Cite
NPRM	05/28/02	67 FR 37107
NPRM	08/26/02	67 FR 54766
NPRM Comment Period Reopened	10/10/02	67 FR 63066
Final Action	05/00/03	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation andClassification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018–AI24**1351. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR FIVE CARBONATE PLANTS IN CALIFORNIA****Priority:** Other Significant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, January 30, 2002, Settlement agreement.**Abstract:** We propose to designate critical habitat for five carbonate plants in California: Parish's daisy; Cushenbury buckwheat; Cushenbury milk-vetch; San Bernardino Mountains bladderpod; and Cushenbury oxythea.**Timetable:**

Action	Date	FR Cite
NPRM	02/12/02	67 FR 6577
NPRM Comment Period Reopened	09/20/02	67 FR 59239
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018–AI27**1352. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE ISLAND FOX****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat. 3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, November 30, 2001, Settlement agreement.

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**Abstract:** We propose to list the Island fox, which occurs on the Channel Islands off California.

**Timetable:**

Action	Date	FR Cite
NPRM	12/10/01	66 FR 63654
Final Action	07/00/03	

**Regulatory Flexibility Analysis Required:** No

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

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

**RIN:** 1018-AI28

**1353. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART D; SUBSISTENCE TAKING OF FISH, CUSTOMARY TRADE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3124

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

**Legal Deadline:** None

**Abstract:** This rulemaking will establish the guidelines under which the subsistence taking of fish and shellfish can be considered customary trade.

**Timetable:**

Action	Date	FR Cite
NPRM	02/27/02	67 FR 8918
Final Action	05/00/03	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** William Knauer, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503  
Phone: 907 786-3888

**RIN:** 1018-AI31

**1354. MIGRATORY BIRD HUNTING; APPROVAL OF TUNGSTEN-IRON-NICKEL-TIN SHOT AS NONTOXIC FOR HUNTING WATERFOWL AND COOTS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 20

**Legal Deadline:** None

**Abstract:** We will propose approval of shot comprised of 65 percent tungsten, 10.4 percent iron, 2.8 percent nickel, and 21.8 percent tin for waterfowl and coot hunting.

**Timetable:**

Action	Date	FR Cite
NPRM	05/10/02	67 FR 31754
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State

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

**RIN:** 1018-AI33

**1355. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF COOK'S LOMATIUM AND LARGE-FLOWERED WOOLLY MEADOWFOAM**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, October 31, 2002, court order.

**Abstract:** We will make a final listing determination for Cook's lomatium and the large-flowered woolly meadowfoam, two plants in Oregon.

**Timetable:**

Action	Date	FR Cite
NPRM	05/15/00	65 FR 30941
NPRM Comment Period Reopened	01/14/02	67 FR 1712
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

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

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

**RIN:** 1018-AI43

**1356. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE PREBLE'S MEADOW JUMPING MOUSE**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 4, 2002.

**Abstract:** We will propose critical habitat for the Preble's Meadow jumping mouse, which is found in Colorado and Wyoming.

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/02	67 FR 47153
Final Action	06/00/03	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI46

**1357. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR 9 INVERTEBRATE SPECIES IN BEXAR COUNTY, TEXAS**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, June 30, 2002.

**Abstract:** We will propose designation of critical habitat for 9 species of cave-

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dwelling invertebrates found in Bexar County, Texas.

**Timetable:**

Action	Date	FR Cite
NPRM	08/27/02	67 FR 55063
Final Action	03/00/03	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI47

### 1358. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SLICKSPOT PEPPERGRASS

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/02	67 FR 46441
NPRM Comment Period Reopened	09/25/02	67 FR 60206
Final Action	07/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI50

### 1359. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE FLAT-TAILED HORNED LIZARD

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Other, Judicial, December 26, 2001, court order.

**Abstract:** We will reconsider our 1997 withdrawal of a proposed rule to list the Flat-tailed horned lizard under the Endangered Species Act. As directed by the 9th Circuit Court, on December 26, 2001, we published a notice reinstating our 1993 proposal. A decision to list would extend the protection of the ESA to this species.

**Timetable:**

Action	Date	FR Cite
Notice	12/26/01	66 FR 66384
NPRM Comment Period Reopened	05/30/02	67 FR 37752
NPRM Comment Period End	07/29/02	
NPRM Comment Period Reopened	09/24/02	67 FR 59809
Final Rule	12/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AI51

### 1360. ● FISCAL YEAR 2002 PRIVATE STEWARDSHIP GRANTS PROGRAM; PROGRAM IMPLEMENTATION

**Priority:** Other Significant

**Legal Authority:** PL 107-63

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** We are soliciting proposals for Federal assistance under the Private Stewardship Grants Program (PSGP). This action describes how to apply for funding under the PSGP and how we will determine which proposals will be funded.

**Timetable:**

Action	Date	FR Cite
Notice	06/07/02	67 FR 39419
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** Martin Miller, Deputy Chief, Division of Consultation, HCPs and Recovery, Department of the Interior, United States Fish and Wildlife Service, Room 434, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171

**RIN:** 1018-AI56

### 1361. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF THE BLACK-FOOTED FERRET IN SOUTH-CENTRAL SOUTH DAKOTA

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** We plan to reintroduce and establish a population of Black-footed ferrets into south-central South Dakota, on the Rosebud Sioux Reservation.

**Timetable:**

Action	Date	FR Cite
NPRM	09/11/02	67 FR 57558
NPRM Comment Period End	10/11/02	
Final Action	01/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

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

**RIN:** 1018-AI60

### 1362. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE SONOMA COUNTY DISTINCT POPULATION SEGMENT OF THE CALIFORNIA TIGER SALAMANDER AS ENDANGERED

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

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**Abstract:** We are planning to list the Sonoma County Distinct Population Segment (DPS) of the California tiger salamander as an endangered species.

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/02	67 FR 47758
Emergency Final Rule	07/22/02	67 FR 47726
NPRM	08/26/02	67 FR 54761

Action	Date	FR Cite
NPRM Comment	10/21/02	
Period End		
Final Action	03/00/03	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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

**RIN:** 1018-AI61

## Department of the Interior (DOI)

## United States Fish and Wildlife Service (FWS)

## Long-Term Actions

**1363. MIGRATORY BIRD PERMITS; SPECIFIC PERMIT PROVISIONS; IMPORT AND EXPORT PERMITS; BANDING OR MARKING PERMITS; AND SCIENTIFIC COLLECTING PERMITS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712(2)

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** The Service proposes to amend the Migratory Bird Permit Regulations providing permits for the taking, possession, transportation, sale, purchase, importation, exportation, and banding or marking of migratory birds. The Service is revising the requirements for scientific collecting, banding or marking permits and import and export permits.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

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

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

**RIN:** 1018-AE63

**1364. MIGRATORY BIRD PERMITS; INTRODUCTION, GENERAL REQUIREMENTS AND EXCEPTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 712(2)

**CFR Citation:** 50 CFR 21

**Legal Deadline:** None

**Abstract:** The Service proposes to amend the migratory-bird permit regulations providing permits for the taking, possession, transportation, sale, purchase, and barter of migratory birds. The Service is revising these permit regulations to update them, simplify language, and ensure consistency in text between all parts and sections.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

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

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

**RIN:** 1018-AE64

**1365. IMPLEMENTATION OF THE 1994 AMENDMENTS TO THE MARINE MAMMAL PROTECTION ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1361 to 1374

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AE72

**1366. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELISTING OF THE BALD EAGLE THROUGHOUT THE LOWER 48 STATES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** None

**Abstract:** The bald eagle was reclassified to threatened status throughout the lower 48 States in 1995. Continued recovery gains and increasing population trends now make it possible to consider removing the bald eagle from the endangered species list. The Service plans to make a final determination on the proposal to delist the bald eagle.

**Timetable:**

Action	Date	FR Cite
NPRM	07/06/99	64 FR 36454
NPRM Comment	10/06/99	
Period End		
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

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## Long-Term Actions

**Government Levels Affected:** None

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

**RIN:** 1018-AF21

**1367. TAKING OF MARINE MAMMALS BY LEVEL B HARASSMENT; ISSUANCE OF GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH AND PERMITS FOR PHOTOGRAPHY, EDUCATIONAL, AND COMMERCIAL PURPOSES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 18

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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

**RIN:** 1018-AF26

**1368. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A SPECIAL RULE FOR THE CANADA LYNX**

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17.40

**Legal Deadline:** None

**Abstract:** The Fish and Wildlife Service plans to propose a special rule under section 4(d) of the Endangered Species Act to provide an alternative voluntary mechanism for the authorization of incidental take of lynx resulting from otherwise lawful trapping or hunting of wildlife other than lynx. The rule will establish criteria that must be satisfied by State or tribal trapping and hunting programs to minimize the likelihood of the incidental take of lynx by trappers and hunters pursuing bobcat or other species.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

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

**RIN:** 1018-AF40

**1369. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THREE PLANTS FROM THE MARIANA ISLANDS AND GUAM**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Statutory, June 1, 2001.

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/01/00	65 FR 35025
NPRM Comment Period Reopened	10/30/00	65 FR 64649
NPRM Comment Period End	11/29/00	
Final Action	04/00/04	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AG09

**1370. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR 12 SPECIES OF PICTURE-WING FLIES FROM THE HAWAIIAN ISLANDS**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Final, Judicial, July 31, 2001, Court Order.

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3964
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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## Long-Term Actions

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

**RIN:** 1018-AG23

### 1371. MIGRATORY BIRD PERMITS; TAKE OF MIGRATORY BIRDS BY FEDERAL AGENCIES

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 21.15

**Legal Deadline:** None

**Abstract:** According to a recent ruling of the United States Court of Appeals for the District of Columbia Circuit, Federal Agencies are subject to the Migratory Bird Treaty Act (MBTA) and must have authorization under the MBTA to take migratory birds. Our current regulations authorize issuance of permits to take migratory birds for activities such as scientific research, education, and depredation control. For many other activities that result in take of migratory birds, no permits have been available. This rule would allow Federal activities to take migratory birds that are not covered by existing permit regulations, provided certain conditions are met, until more specific regulations can be developed.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AG56

### 1372. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE MIAMI BLUE BUTTERFLY

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** Other, Judicial, December 2001, Settlement agreement. A 90-day finding for the Miami Blue butterfly must be completed by December 2001.

**Abstract:** We will complete a 12-month finding for the Miami Blue butterfly in Florida.

**Timetable:**

Action	Date	FR Cite
Notice of Petition Finding	01/03/02	67 FR 280
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH30

### 1373. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF CRITICAL HABITAT FOR THE SCALESHELL MUSSEL

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, October 1, 2001, Settlement agreement.

**Abstract:** We propose to determine critical habitat for the Scaleshell, a mollusk, in Arkansas, Missouri, and Oklahoma.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH35

### 1374. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE SACRAMENTO MOUNTAINS CHECKERSPOT BUTTERFLY AND PROPOSED DESIGNATION OF CRITICAL HABITAT

**Priority:** Other Significant

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

**CFR Citation:** 50 CFR 17

**Legal Deadline:** NPRM, Judicial, August 31, 2001, Court order.

**Abstract:** We will make a final listing determination for the Sacramento Mountain checkerspot butterfly as endangered, including a critical habitat determination in New Mexico. This will extend the protection of the Endangered Species Act to this species.

**Timetable:**

Action	Date	FR Cite
NPRM	09/06/01	66 FR 46575
NPRM Comment Period Extended	09/26/01	66 FR 49158
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

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

**RIN:** 1018-AH40

## DOI—FWS

## Long-Term Actions

**1375. ENDANGERED AND THREATENED WILDLIFE; REMOVAL OF FOUR ASH MEADOW SPECIES FROM THE LIST OF ENDANGERED AND THREATENED WILDLIFE AND PLANTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to propose to remove four species of Ash Meadow plants and animals from the List of Endangered and Threatened Wildlife and Plants: Ash Meadows Amargosa pupfish; Ash Meadows sunray; Ash Meadows gumplant; Spring Loving centaur.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AH49**1376. ENDANGERED AND THREATENED WILDLIFE; RECLASSIFICATION OF THE MARIANNA FRUIT BAT ON GUAM FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to reclassify the Marianna fruit bat on Guam from endangered to threatened.**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and State Grants, Department of the Interior, United States Fish and WildlifeService, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AH55**1377. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE DOLLY VARDEN AS A THREATENED SPECIES IN WASHINGTON DUE TO SIMILARITY OF APPEARANCE TO BULL TROUT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We propose to list the Dolly Varden (*Salvelinus malma*) as threatened under the "Similarity of Appearance" provision of the Endangered Species Act in Washington, due to its similarity of appearance to the bull trout.**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AH68**1378. MIGRATORY BIRD PERMITS; REGULATIONS GOVERNING EDUCATION; 50 CFR 21****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 712(2)**CFR Citation:** 50 CFR 21**Legal Deadline:** None**Abstract:** The Service proposes to amend the migratory bird permit regulations to establish a new section to authorize possession for education, which currently is authorized under 50 CFR 21.27, Special Purpose permits.**Timetable:**

Action	Date	FR Cite
Notice	11/20/00	65 FR 69726
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State**Agency Contact:** Brian Millsap, Chief, Division of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 634, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-1714  
Email: brian\_millsap@fws.gov**RIN:** 1018-AH71**1379. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF GRIZZLY BEARS IN THE BITTERROOT AREA OF IDAHO AND MONTANA; REMOVAL OF REGULATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service plans to make a final determination on the proposal to select the no-action alternative, as analyzed in the Bitterroot Final Environmental Impact Statement, as the preferred alternative.**Timetable:**

Action	Date	FR Cite
NPRM	06/22/01	66 FR 33620
NPRM Comment	08/21/01	
Period End		
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI03

## DOI—FWS

## Long-Term Actions

**1380. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF THE ROTA BRIDLED WHITE-EYE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625; 100 Stat.3500**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, September 29, 2001, Settlement agreement.**Abstract:** We propose to list a bird, the Rota bridled white-eye, which occurs in the Mariana Islands.**Timetable:**

Action	Date	FR Cite
NPRM	10/03/01	66 FR 50383
NPRM Comment Period End	12/03/01	
Final Action	01/00/04	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI16**1381. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE GRAY BAT FROM ENDANGERED TO THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We plan to propose to reclassify the Gray bat from endangered to threatened.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Patrick Leonard, Endangered Species: Chief, Division of Consultation, HCP's, Recovery and State Grants, Department of the Interior, United States Fish and Wildlife Service, Room 420, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI40**1382. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE SOUTHWESTERN WILLOW FLYCATCHER****Priority:** Other Significant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We will repropose critical habitat for the Southwestern willow flycatcher, a small bird found in the southwestern United States.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Federal**Agency Contact:** Chris Nolin, Chief, Office of Conservation and Classification, Department of the Interior, United States Fish and Wildlife Service, Room 452, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2171**RIN:** 1018-AI49**1383. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CONSERVATION EDUCATION; 50 CFR 17.21****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17.21(g)**Legal Deadline:** None**Abstract:** Part 17.21(g) of title 50, of the Code of Federal Regulations addresses education as a valid component of Endangered Species Act approved programs. An advanced notice of proposed rulemaking will request public input on conservation education requirements that will be used in the development of a proposed

rule that will propose a Service position on conservation education.

**Timetable:**

Action	Date	FR Cite
ANPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2350  
Fax: 703 358-2281  
Email: tim\_vannorman@fws.gov**RIN:** 1018-AI66**1384. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PERMITS FOR FOREIGN LISTED SPECIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** We will issue a proposed rule to clarify the process used for issuing Endangered Species Act permits for foreign listed species.**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Timothy J. Van Norman, Chief, Branch of Permits, International, Division of Management Authority, Department of the Interior, United States Fish and Wildlife Service, Room 700, 4401 North Fairfax Drive, Arlington, VA 22203  
Phone: 703 358-2350  
Fax: 703 358-2281  
Email: tim\_vannorman@fws.gov**RIN:** 1018-AI67

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

## Completed Actions

**1385. RECLASSIFICATION OF THE VICUNA FROM ENDANGERED TO THREATENED WITH A SPECIAL RULE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	05/30/02	67 FR 37695

**Regulatory Flexibility Analysis**

**Required:** Yes

**Government Levels Affected:** Federal

**Agency Contact:** Kurt Johnson

Phone: 703 358-1708

Email: kurt\_johnson@fws.gov

**RIN:** 1018-AE04

**1386. INJURIOUS WILDLIFE; ADDITION OF BRUSH-TAILED POSSUM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 16

**Completed:**

Reason	Date	FR Cite
Final Action	06/11/02	67 FR 39865

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Kari Jonell Duncan

Phone: 703 358-2464

Email: kari\_duncan@fws.gov

**RIN:** 1018-AE34

**1387. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PREBLES MEADOW JUMPING MOUSE; SPECIAL RULE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17.40

**Completed:**

Reason	Date	FR Cite
Final Action	10/01/02	67 FR 61531

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard

Phone: 703 358-2171

**RIN:** 1018-AF30

**1388. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING THE CHIRICAHUA LEOPARD FROG WITH A SPECIAL RULE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17.11

**Completed:**

Reason	Date	FR Cite
Final Action	06/13/02	67 FR 40789

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin

Phone: 703 358-2171

**RIN:** 1018-AF41

**1389. ADMINISTRATION OF THE NATIONAL COASTAL WETLANDS CONSERVATION GRANT PROGRAM**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 87

**Completed:**

Reason	Date	FR Cite
Final Action	07/30/02	67 FR 49264

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State

**Agency Contact:** Hannibal Bolton

Phone: 703 358-1718

**RIN:** 1018-AF51

**1390. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR SOUTHERN CALIFORNIA DISTINCT VERTEBRATE POPULATION SEGMENT (DPS) OF MOUNTAIN YELLOW-LEGGED FROG**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/02/02	67 FR 44382

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin

Phone: 703 358-2171

**RIN:** 1018-AF83

**1391. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR SAN DIEGO AMBROSIA**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/02/02	67 FR 44372

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Chris Nolin

Phone: 703 358-2171

**RIN:** 1018-AF86

**1392. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATIONS FOR FOUR FISHES: DUSKYTAIL DARTER, SMOKY MADTOM, YELLOWFIN MADTOM, AND SPOTFIN CHUB**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	08/12/02	67 FR 52420

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Patrick Leonard

Phone: 703 358-2171

**RIN:** 1018-AF96

**1393. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR THE SANTA CRUZ TARPLANT**

**Priority:** Other Significant

**CFR Citation:** 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Rule	10/16/02	67 FR 63967

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Chris Nolin

Phone: 703 358-2171

**RIN:** 1018-AG73

## DOI—FWS

## Completed Actions

**1394. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; CRITICAL HABITAT FOR KNEELAND PRAIRIE PENNYCRESS**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Rule	10/09/02	67 FR 62897

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

RIN: 1018-AG92

**1395. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR CHORIZANTHE PUNGENS VAR. PUNGENS (MONTEREY SPINEFLOWER)**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	05/29/02	67 FR 37497

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

RIN: 1018-AH04

**1396. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PRUDENCY AND CRITICAL HABITAT FOR A MOLLUSK, THE CAROLINA HEELSPLITTER**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/02/02	67 FR 44501

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

RIN: 1018-AH31

**1397. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PRUDENCY AND CRITICAL HABITAT DESIGNATION FOR A MOLLUSK, THE APPALACHIAN ELKTOE**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Rule	09/27/02	67 FR 61016

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

RIN: 1018-AH33

**1398. ENDANGERED AND THREATENED PLANTS; REMOVAL OF THE ROBIN'S CINQUEFOIL FROM THE LIST OF ENDANGERED AND THREATENED SPECIES**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	08/27/02	67 FR 54968

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

Agency Contact: Patrick Leonard

Phone: 703 358-2171

RIN: 1018-AH56

**1399. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR POLYGONUM HICKMANII (SCOTTS VALLEY POLYGONUM) AND CHORIZANTHE ROBUSTA VAR. HARTWEGII (SCOTTS VALLEY SPINEFLOWER)**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	05/29/02	67 FR 37336

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

RIN: 1018-AH82

**1400. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR CHORIZANTHE ROBUSTA VAR. ROBUSTA (ROBUST SPINEFLOWER)**

Priority: Other Significant

CFR Citation: 50 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	05/28/02	67 FR 36822

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: Chris Nolin

Phone: 703 358-2171

RIN: 1018-AH83

**1401. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS A AND B**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 100; 36 CFR 242

**Completed:**

Reason	Date	FR Cite
Final Action	05/07/02	67 FR 30559

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: Federal

Agency Contact: William Knauer

Phone: 907 786-3888

RIN: 1018-AH85

**1402. PROCEDURES FOR ESTABLISHING SPRING/SUMMER SUBSISTENCE HARVEST REGULATIONS FOR MIGRATORY BIRDS**

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 92

**Completed:**

Reason	Date	FR Cite
NPRM	04/08/02	67 FR 16707
Final Action	08/16/02	67 FR 53511

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: State

Agency Contact: Bob Stevens

Phone: 907 786-3499

RIN: 1018-AH88

## DOI—FWS

## Completed Actions

**1403. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR NEWCOMB'S SNAIL****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	08/20/02	67 FR 54025

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

Phone: 703 358-2171

**RIN:** 1018-AH95**1404. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DESIGNATION OF CRITICAL HABITAT FOR THE GREAT PLAINS BREEDING POPULATION OF THE PIPING PLOVER****Priority:** Other Significant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	09/11/02	67 FR 57637

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

Phone: 703 358-2171

**RIN:** 1018-AH96**1405. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RETENTION OF THREATENED STATUS FOR ARGALI IN KYRGYZSTAN, MONGOLIA, AND TAJIKISTAN****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	05/22/02	67 FR 35942

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** Kurt Johnson

Phone: 703 358-1708

Email: kurt\_johnson@fws.gov

**RIN:** 1018-AI02**1406. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPART C AND SUBPART D—2002-2003 SUBSISTENCE TAKING OF WILDLIFE REGULATIONS****Priority:** Routine and Frequent**CFR Citation:** 50 CFR 100; 36 CFR 242**Completed:**

Reason	Date	FR Cite
Final Action	06/28/02	67 FR 43710

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal**Agency Contact:** William Knauer

Phone: 907 786-3888

**RIN:** 1018-AI06**1407. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY LISTING OF THE CARSON'S WANDERING SKIPPER****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	08/07/02	67 FR 51116

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

Phone: 703 358-2171

**RIN:** 1018-AI18**1408. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; EMERGENCY LISTING OF THE TUMBLING CREEK CAVESNAIL****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action	08/14/02	67 FR 52879

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

Phone: 703 358-2171

**RIN:** 1018-AI19**1409. MIGRATORY BIRD HUNTING; PROPOSED 2002-2003 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUIREMENTS FOR INDIAN TRIBAL PROPOSALS****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 50 CFR 20**Completed:**

Reason	Date	FR Cite
NPRM	06/11/02	67 FR 40128
NPRM	07/17/02	67 FR 47224
NPRM	07/29/02	67 FR 49176
NPRM	08/16/02	67 FR 53689
Final Rule	08/29/02	67 FR 55623
Final Rule	09/19/02	67 FR 59109
Final Rule	09/20/02	67 FR 59357
Final Rule	09/20/02	67 FR 59385

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** Federal, State, Tribal**Agency Contact:** Brian Millsap

Phone: 703 358-1714

Email: brian\_millsap@fws.gov

**RIN:** 1018-AI30**1410. 2002-2003 REFUGE-SPECIFIC HUNTING AND SPORT FISHING REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 32**Completed:**

Reason	Date	FR Cite
NPRM	06/20/02	67 FR 41920
Final Rule	09/18/02	67 FR 58935

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Leslie Marler

Phone: 703 358-2397

**RIN:** 1018-AI34**1411. INJURIOUS WILDLIFE SPECIES; SNAKEHEADS****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 16**Completed:**

Reason	Date	FR Cite
NPRM	07/26/02	67 FR 48855
Final Rule	10/04/02	67 FR 62193

**Regulatory Flexibility Analysis****Required:** Undetermined

## DOI—FWS

## Completed Actions

**Government Levels Affected:**

Undetermined

**Agency Contact:** Kari Jonell Duncan

Phone: 703 358-2464

Email: kari\_duncan@fws.gov

**RIN:** 1018-AI36**BILLING CODE** 4310-55-S**Federalism:** Undetermined**Department of the Interior (DOI)  
National Park Service (NPS)**

## Proposed Rule Stage

**1412. VEHICLES AND TRAFFIC  
SAFETY; OPERATING UNDER THE  
INFLUENCE OF ALCOHOL OR DRUGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3;  
16 USC 462k; 16 USC 9a**CFR Citation:** 36 CFR 4.23**Legal Deadline:** None

**Abstract:** The National Park Service (NPS) is proposing to amend its regulations concerning motor vehicle operation under the influence of alcohol within units of the NPS. Current NPS regulations prohibit operation with a blood alcohol concentration (BAC) of 0.10 grams or more of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath. On March 3, 1998, President Clinton directed the NPS to promulgate regulations adopting a stricter limit of 0.08 grams BAC within units of the NPS.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC69**1413. PROCEDURES FOR STATE,  
TRIBAL, AND LOCAL GOVERNMENT  
HISTORIC PRESERVATION  
PROGRAMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 470 et seq**CFR Citation:** 36 CFR 61**Legal Deadline:** None

**Abstract:** The NPS proposes to establish the requirements and procedures by which those Indian tribes that choose to do so can assume State Historic Preservation Officer duties with regard to tribal lands and become eligible for grants-in-aid to carry out those duties.

**Timetable:**

Action	Date	FR Cite
NPRM	08/12/02	67 FR 52532
NPRM Comment Period End	12/10/02	

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

**Agency Contact:** Bryan Mitchell, Division, Department of the Interior, National Park Service, NC330, 1849 C Street N.W., NC330, Washington, DC 20240

Phone: 202 343-9558

Fax: 202 343-3921

Email: bryan\_mitchell@nps.gov

**RIN:** 1024-AC79**1414. COMMERCIAL USE  
AUTHORIZATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-391**CFR Citation:** 36 CFR 52**Legal Deadline:** None

**Abstract:** Public Law 105-391 became effective on November 13, 1998. The new Act mandates revised procedures for issuing commercial use authorizations. Section 417 of Public Law 105-391 requires that the Secretary promulgate implementing regulations as soon as practicable after the effective date of the Act. Existing regulations governing commercial use within National Parks are not adequate to administer the provisions of the new statute and must be revised to reflect new requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

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

**Agency Contact:** Cynthia Orlando, Chief of Concessions, Department of the Interior, National Park Service, 1849 C Street N.W., Washington, DC 20240  
Phone: 202 565-1211

Fax: 202 565-1224

Email: cindy\_orlando@nps.gov

**RIN:** 1024-AC85**1415. GLEN CANYON NATIONAL  
RECREATION AREA; PERSONAL  
WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3;  
16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.70**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

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

Fax: 202 208-6756

Email: kym\_hall@nps.gov

**RIN:** 1024-AC90

## DOI—NPS

## Proposed Rule Stage

**1416. LAKE MEAD NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.48**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/05/02	67 FR 56785
NPRM Comment Period End	11/04/02	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC91**1417. BIG THICKET NATIONAL PRESERVE; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.85**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC92**1418. PICTURED ROCKS NATIONAL LAKESHORE; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.32**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC93**1419. FIRE ISLAND NATIONAL SEASHORE; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.20**Legal Deadline:** None

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

National Park System expired on April 22, 2002.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC94**1420. GATEWAY NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.29**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC95**1421. BIGHORN CANYON NATIONAL RECREATION AREA; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a

## DOI—NPS

## Proposed Rule Stage

**CFR Citation:** 36 CFR 7.92

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC96

**1422. LAKE MEREDITH RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.57

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC97

**1423. CHICKASAW RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.50

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC98

**1424. CURECANTI RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.51

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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

Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AC99

**1425. AMISTAD RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.79

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD00

**1426. LAKE ROOSEVELT RECREATION AREA; PERSONAL WATERCRAFT**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 36 CFR 7.55

**Legal Deadline:** None

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

## DOI—NPS

## Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

RIN: 1024-AD01

**1427. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT; FUTURE APPLICABILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.13**Legal Deadline:** None

**Abstract:** This proposed rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act. This section will clarify the applicability of NAGPRA to museums and Federal agencies following the statutory deadlines for completion of summaries and inventories.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** John Robbins, Assistant Director, Cultural Resources, Department of the Interior, National Park Service, NC340, 1849 C Street N.W., NC-340, Washington, DC 20240  
Phone: 202 343-3388  
Fax: 202 343-5260  
Email: john\_robbins@nps.gov

RIN: 1024-AD05

**1428. • BOATING AND WATER USE ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 1a-2(h); 16 USC 3**CFR Citation:** 36 CFR 3**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:**

Undetermined

**Agency Contact:** Kym A. Hall, Regulations Program Manger,

Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

RIN: 1024-AD07

**1429. • DISPOSITION OF CULTURALLY UNIDENTIFIABLE HUMAN REMAINS****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10.11**Legal Deadline:** None

**Abstract:** This regulation will outline procedures for the disposition of culturally unidentifiable human remains in the possession of museums or Federal agencies as required by the Native American Graves Protection and Repatriation Act.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/03	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** Federal

**Agency Contact:** John Robbins, Assistant Director, Cultural Resources, Department of the Interior, National Park Service, NC340, 1849 C Street N.W., NC-340, Washington, DC 20240  
Phone: 202 343-3388  
Fax: 202 343-5260  
Email: john\_robbins@nps.gov

RIN: 1024-AD08

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

## Final Rule Stage

**1430. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS; CIVIL PENALTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 3001 et seq**CFR Citation:** 43 CFR 10**Legal Deadline:** None

**Abstract:** This final rule relates to one section of the regulations that implement the Native American Graves Protection and Repatriation Act of 1990. This section outlines procedures

for assessing civil penalties upon museums that fail to comply with applicable provisions of the Act.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/13/97	62 FR 1820
Interim Final Rule Effective	02/12/97	
Interim Final Rule Comment Period End	04/14/97	
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None

**Agency Contact:** John Robbins, Assistant Director, Cultural Resources, Department of the Interior, National Park Service, NC340, 1849 C Street N.W., NC-340, Washington, DC 20240  
Phone: 202 343-3388  
Fax: 202 343-5260  
Email: john\_robbins@nps.gov

RIN: 1024-AC84

## DOI—NPS

## Final Rule Stage

**1431. ASSATEAGUE ISLAND NATIONAL SEASHORE; PERSONAL WATERCRAFT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.65**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/02	67 FR 30339
NPRM Comment Period End	07/05/02	
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National

Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD02**1432. YELLOWSTONE NATIONAL PARK, GRAND TETON NATIONAL PARK, JOHN D. ROCKEFELLER MEMORIAL PARKWAY WINTER USE REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.13; 36 CFR 7.22**Legal Deadline:** NPRM, Statutory, March 29, 2002.

**Abstract:** This rule will propose a delay of one year for implementing existing snowmobile regulations at the parks.

**Timetable:**

Action	Date	FR Cite
NPRM	03/29/02	67 FR 15145

Action	Date	FR Cite
NPRM Comment Period End	05/28/02	
Final Action	11/00/02	

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

**Agency Contact:** Kym A. Hall, Regulations Program Manger, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

**RIN:** 1024-AD06**1433. • SNOWMOBILE REGULATIONS; YELLOWSTONE AND GRAND TETON NATIONAL PARKS AND JOHN D. ROCKEFELLER MEMORIAL PARKWAY**

**Regulatory Plan:** This entry is Seq. No. 75 in part II of this issue of the Federal Register.

**RIN:** 1024-AD09**Department of the Interior (DOI)  
National Park Service (NPS)**

## Long-Term Actions

**1434. SPECIAL REGULATIONS OF THE NATIONAL PARK SYSTEM; RELIGIOUS CEREMONIAL COLLECTION OF GOLDEN EAGLETS IN WUPATKI NATIONAL MONUMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 42 USC 1996; 42 USC 2000bb**CFR Citation:** 36 CFR 7.101**Legal Deadline:** None

**Abstract:** The NPS has preliminarily determined that under certain circumstances it is appropriate to allow the Hopi Tribe to collect golden eaglelets within Wupatki National Monument for religious ceremonial purposes. This rule would authorize this activity upon terms and conditions sufficient to protect park resources against impairment, and consistent with the Bald and Golden Eagle Protection Act.

**Timetable:**

Action	Date	FR Cite
NPRM	01/22/01	66 FR 6516

Action	Date	FR Cite
NPRM Comment Period End	03/23/01	
Next Action Undetermined		

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

**Agency Contact:** Patricia L. Parker, Chief, American Indian Liaison Office, Department of the Interior, National Park Service, 1849 C Street N.W., Room 3410, Washington, DC 20240  
Phone: 202 208-5475  
Fax: 202 273-0870  
Email: pat\_parker@nps.gov

**RIN:** 1024-AC86**1435. VIRGIN ISLANDS CORAL REEF NATIONAL MONUMENT; SPECIAL REGULATIONS****Priority:** Other Significant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 9a**CFR Citation:** 36 CFR 7.103; 36 CFR 7.73**Legal Deadline:** None

**Abstract:** This is an interim regulation to implement Presidential Proclamation No. 7932, which established the Virgin Islands Coral Reef National Monument. This regulation prohibits extractive uses, with some exceptions, and anchoring within the monument, and expands the boundaries of Buck Island Reef National Monument. The regulation also implements Presidential Proclamation No. 7399, which prohibits all extractive uses and boat anchoring, except in deep sand areas (all other anchoring is subject to permit) at Buck Island. Both proclamations require NPS to prepare management plans for each park within three years. We are soliciting comments on this interim rule and will take them into account in developing the final rule once we have completed the general management plans.

## DOI—NPS

## Long-Term Actions

## Timetable:

Action	Date	FR Cite
Interim Final Rule - Awaiting GAO report before proceeding.	To Be	Determined

## Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State,  
Federal

**Agency Contact:** Kym A. Hall,  
Regulations Program Manger,  
Department of the Interior, National  
Park Service, 1849 C Street NW.,  
Washington, DC 20240  
Phone: 202 208-4206  
Fax: 202 208-6756  
Email: kym\_hall@nps.gov

RIN: 1024-AC89

1436. GOLDEN GATE NATIONAL  
RECREATION AREA; SPECIAL  
REGULATIONS

Priority: Substantive, Nonsignificant

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

CFR Citation: 36 CFR 7.97

Legal Deadline: None

**Abstract:** This advance notice of  
proposed rulemaking will seek public  
comment on a range of potential  
management options for addressing  
appropriate pet management within the  
Golden Gate National Recreation Area,  
consistent with protecting national park  
resources and assuring visitor safety.

## Timetable:

Action	Date	FR Cite
ANPRM	01/11/02	67 FR 1424

Action	Date	FR Cite
ANPRM Comment Period End	03/12/02	
Next Action	Undetermined	

## Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

**Agency Contact:** Brian O'Neill,  
Superintendent, Department of the  
Interior, National Park Service, Golden  
Gate National Recreation Area, Fort  
Mason, Building 201, San Francisco,  
CA 94123-0022  
Phone: 415 561-4739  
Fax: 415 561-4710  
Email: brian\_o'neill@nps.gov

RIN: 1024-AD03

BILLING CODE 4310-70-S

## Department of the Interior (DOI)

## Bureau of Indian Affairs (BIA)

## Proposed Rule Stage

1437. IRRIGATION PROJECTS AND  
SYSTEMSPriority: Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 171

Legal Deadline: None

**Abstract:** BIA is revising this rule to  
incorporate new procedures on billing  
and collection of government debt.  
Once these changes are made, BIA will  
publish a new proposed rule for public  
comment.

## Timetable:

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35167
NPRM Comment Period End	09/03/96	
NPRM	11/00/02	
Final Action	02/00/03	

## Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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

RIN: 1076-AD44

1438. INDIAN ELECTRIC POWER  
UTILITIESPriority: Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 175

Legal Deadline: None

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

## Timetable:

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29040
NPRM Comment Period End	08/06/96	
NPRM	10/00/03	

## Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:  
Undetermined

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

RIN: 1076-AD45

1439. BUY INDIAN ACT  
REGULATIONSPriority: Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.Legal Authority: 25 USC 47; 36 Stat  
861; 41 USC 253(c)(5)

CFR Citation: 48 CFR 14 app A

Legal Deadline: None

**Abstract:** This rule will regulate the  
implementation of BIA's longstanding  
policy of contracting with Indian-  
owned firms on a preferential basis and  
will regulate the determination of  
eligibility and availability of Indian  
firms to perform a specific requirement  
for products, services, and road  
construction outside the State of  
Oklahoma and regulate the authority to  
deviate from the general policy and  
will regulate the determination of  
eligibility throughout contractual  
performance.

## Timetable:

Action	Date	FR Cite
NPRM	11/00/02	

## Regulatory Flexibility Analysis

Required: No

Government Levels Affected:  
Undetermined

**Agency Contact:** Kaye Armstrong,  
Division of Tribal Government Services,  
Department of the Interior, Bureau of

## DOI—BIA

## Proposed Rule Stage

Indian Affairs, 1849 C Street NW.,  
Washington, DC 20240  
Phone: 202 208-4400

RIN: 1076—AE07

#### 1440. TRIBAL REVENUE ALLOCATION PLANS

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

**Legal Authority:** 25 USC 2; 25 USC 2710; 25 USC 9; 5 USC 301

**CFR Citation:** 25 CFR 290

**Legal Deadline:** None

**Abstract:** The Secretary of the Interior is responsible for reviewing tribal plans for allocating revenues from gaming activities. The Secretary must determine whether the proposed rule is sufficient to promote tribal economic development and fund essential tribal programs, benefits, and services. BIA plans to revise the regulations in part 290 to include additional criteria to assist the Secretary in making this determination.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs, MS 2070 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 219-4066

RIN: 1076—AE24

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

## Final Rule Stage

#### 1441. INDIAN BUSINESS DEVELOPMENT PROGRAM

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 1524

**CFR Citation:** 25 CFR 286

**Legal Deadline:** None

**Abstract:** The rule for the Indian Business Development Program is being rewritten in plain English as part of the President's regulatory reform initiative. Entities already having received grants must submit business financial statements. BIA has consulted with tribes about the rule at various meetings and trade fairs. This consultation process will continue during the coming months before the final rule is published.

**Timetable:**

Action	Date	FR Cite
NPRM	01/30/97	62 FR 4497
Final Action	06/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** David B. Johnson, Department of the Interior, Bureau of Indian Affairs, Office of the Solicitor, Division of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-3026

RIN: 1076—AD70

#### 1442. CERTIFICATES OF DEGREE OF INDIAN BLOOD

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 13; 25 USC 9

**CFR Citation:** 25 CFR 70

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	04/18/00	65 FR 20775
NPRM Comment Period Extended	06/20/00	65 FR 38228
NPRM Comment Period End	07/17/00	
NPRM Comment Period Extended	08/16/00	
NPRM Comment Period Extended	06/25/01	66 FR 33654
NPRM Comment Period End	12/31/01	
Final Action	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Duane Bird Bear, Department of the Interior, Bureau of Indian Affairs, Tribal Government Services, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-5097

RIN: 1076—AD97

#### 1443. ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR RELIEF OF DISTRESS AND SOCIAL WELFARE OF INDIANS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 2

**CFR Citation:** 25 CFR 21

**Legal Deadline:** None

**Abstract:** This part, which allows BIA to seek arrangements with States or counties or other Federal agencies to provide welfare for Indians residing in a State within the exterior boundaries of Indian reservations under BIA jurisdiction, will be deleted because it has never been used.

**Timetable:**

Action	Date	FR Cite
NPRM	03/26/02	67 FR 13733
NPRM Comment Period End	05/28/02	
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Larry R. Blair, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, MS 4641, MS 4641 MIB, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-2721

RIN: 1076—AD98

## DOI—BIA

## Final Rule Stage

**1444. ALASKA RESUPPLY OPERATION****Priority:** Info./Admin./Other**Legal Authority:** 25 USC 13; 25 USC 9; 38 Stat. 486; 42 Stat. 208; 5 USC 301; R.S. 463; R.S. 465**CFR Citation:** 25 CFR 142**Legal Deadline:** None**Abstract:** This proposed rule makes technical revisions to reflect terms now in common usage, e.g., Regional Director and Traffic Manager. A new section refers to the application of Indian preference in hiring pursuant to the Indian Reorganization Act of 1934 (25 USC 479).**Timetable:**

Action	Date	FR Cite
NPRM	08/03/00	65 FR 47704
NPRM Comment Period End	10/02/00	
Final Action	06/00/03	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Duncan Brown, Regulatory Analyst, Department of the Interior, Bureau of Indian Affairs, Room 7229 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4582  
Fax: 202 219-2100  
Email: duncan\_l\_brown@ios.doi.gov**RIN:** 1076-AE04**1445. PROTECTION OF PRODUCTS OF INDIAN ART AND CRAFTSMANSHIP****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 1159; 25 USC 305 et seq**CFR Citation:** 25 CFR 309**Legal Deadline:** None**Abstract:** This rule establishes regulations to provide guidance to persons who produce, market, or purchase products marketed as Indian arts and crafts, as defined under the Indian Arts and Crafts Act of 1990, PL 101-644. The proposed regulations further clarify the definition of "Indian product" by including specific examples of "Indian product," as well as examples of what is not an "Indian product," in the regulations implementing the Indian Arts and Crafts Enforcement Act of 2000, Public

Law 101-497, an amendment to the Indian Arts and Crafts Act of 1990, Public Law 101-644.

**Timetable:**

Action	Date	FR Cite
NPRM	05/21/01	66 FR 27915
Final Action	12/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Meridith Stanton, Department of the Interior, Bureau of Indian Affairs, MS 4004 MIB, Indian Arts and Crafts Board, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-3773**RIN:** 1076-AE16**1446. INDIAN RESERVATION ROADS PROGRAM****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 2; 25 USC 202; 5 USC 301**CFR Citation:** 25 CFR 170**Legal Deadline:** None**Abstract:** This proposed rule would establish policies and procedures governing the Indian Reservation Roads (IRR) Program. It expands transportation activities available to tribes and tribal organizations and provides guidance to tribes and tribal organizations for planning, designing, constructing, and maintaining transportation facilities. This rule also includes a proposed funding formula for allocating IRR Program funds based upon the relative needs of Indian tribes, and reservation or tribal communities, for transportation assistance; and the relative administrative capacities of various tribes.**Timetable:**

Action	Date	FR Cite
NPRM	08/07/02	67 FR 51328
NPRM Comment Period End	10/07/02	
Final Action	03/00/03	

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Tribal**Agency Contact:** LeRoy Gishi, Chief, Division of Transportation, Departmentof the Interior, Bureau of Indian Affairs, MS 4058 MIB, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-4359**RIN:** 1076-AE17**1447. TRUST MANAGEMENT REFORM: REPEAL OF OUTDATED RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 121; 25 USC 331; 25 USC 355; 25 USC 408; 25 USC 474; 25 USC 500; 25 USC 883; 43 USC 1601**CFR Citation:** 25 CFR 112; 25 CFR 116; 25 CFR 121; 25 CFR 123; 25 CFR 125; 25 CFR 154; 25 CFR 156; 25 CFR 178; 25 CFR 243**Legal Deadline:** None**Abstract:** BIA plans to repeal various outdated regulations in many different areas because the regulations are no longer required. Some of the regulations govern payments that have already been completed, other regulations pertain to programs that are obsolete or no longer reflect Department policy.**Timetable:**

Action	Date	FR Cite
NPRM	02/21/02	67 FR 7985
NPRM Comment Period End	04/22/02	
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Agency Contact:** Duncan Brown, Regulatory Analyst, Department of the Interior, Bureau of Indian Affairs, Room 7229 MIB, 1849 C Street NW., Washington, DC 20240  
Phone: 202 208-4582  
Fax: 202 219-2100  
Email: duncan\_l\_brown@ios.doi.gov**RIN:** 1076-AE20**1448. • TECHNICAL AMENDMENTS TO HOUSING IMPROVEMENT PROGRAM REGULATIONS****Priority:** Info./Admin./Other**Legal Authority:** 25 USC 256**CFR Citation:** 25 CFR 256**Legal Deadline:** None**Abstract:** This rule makes technical amendments to the housing

## DOI—BIA

## Final Rule Stage

Improvement Program rule published in the Federal Register on March 2, 1998. The amendments revise the terminology to make the rule consistent and add several other clarifications.

**Timetable:**

Action	Date	FR Cite
Final Action	11/00/02	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** June Henkel, Chief, Division of Housing Assistance, Department of the Interior, Bureau of Indian Affairs, MS 4641 MIB, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-3667

**RIN:** 1076—AE31

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

## Completed Actions

**1449. INDIAN SCHOOL EQUALIZATION PROGRAM — PROVISIONS FOR EXCEPTIONAL CHILDREN**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 25 CFR 39

**Completed:**

Reason	Date	FR Cite
Final Action	08/13/02	67 FR 52828

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Dave Allison  
Phone: 801 722-4300

**RIN:** 1076—AE14

**1450. ADULT EDUCATION PROGRAM**

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

**CFR Citation:** 25 CFR 46

**Completed:**

Reason	Date	FR Cite
Final Action	03/25/02	67 FR 13568

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** George Skibine  
Phone: 202 219-4066

**RIN:** 1076—AE29

**1451. • INDIAN RESERVATION ROADS — FY 2002 FUNDS DISTRIBUTION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 36 Stat 861; 78 Stat 241; 45 Stat 750 (25 USC 47; 42 USC 2000e(b); 23 USC 101(a))

**CFR Citation:** 25 CFR 170

**Legal Deadline:** None

**Abstract:** This rule was issued for the purpose of distributing the remaining 25 percent of the fiscal year 2002 Indian Reservation Roads funds to projects on or near Indian Reservations using the relative need formula.

**Timetable:**

Action	Date	FR Cite
Final Action	07/02/02	67 FR 44355

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** LeRoy Gishi, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, MS 4058 MIB, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-4359

**RIN:** 1076—AE32

**1452. • COURTS OF INDIAN OFFENSES — SANTA FE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** RS 463; 25 USC 2; 38 Stat 586; 25 USC 200

**CFR Citation:** 25 CFR 11

**Legal Deadline:** None

**Abstract:** This rule amends the regulations by adding the Santa Fe Indian School property (Southwest Region, New Mexico) to the listing of Courts of Indian Offenses, section 11.100(a)(14). This amendment will establish a Court of Indian Offenses for a period not to exceed one year. It is necessary to establish a Court of Indian Offenses with jurisdiction over the Santa Fe Indian School property in order to protect lives and property.

**Timetable:**

Action	Date	FR Cite
Final Action	07/02/02	67 FR 44353

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

**Agency Contact:** Ralph Gonzales, Housing Program Specialist, Department of the Interior, Bureau of Indian Affairs, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-4401

**RIN:** 1076—AE33

**BILLING CODE** 4310—02—S

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

## Proposed Rule Stage

**1453. LATE AND OVERPAYMENT INTEREST**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 1001 et seq; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1701 et seq; 25 USC 1735; 25 USC 1801 et seq; 25 USC 181 et

seq; 25 USC 2101 et seq; 25 USC 351 et seq; 25 USC 3716; 25 USC 3720a; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 9701; 5 USC 301 et seq

**CFR Citation:** 30 CFR 206; 30 CFR 218; 30 CFR 230

**Legal Deadline:** None

**Abstract:** This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to

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## Proposed Rule Stage

royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/03	
NPRM Comment	10/00/03	
Period End		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
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Fax: 303 231-3385  
Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC27

**1454. TAKES VS. ENTITLEMENTS REPORTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 205

**Legal Deadline:** None

**Abstract:** This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	
NPRM Comment	04/00/03	
Period End		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
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**RIN:** 1010-AC29

**1455. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1735

**CFR Citation:** 30 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows reporters to seek accounting, reporting, and auditing relief for their marginal properties in accordance with section 117(c) of the Federal Oil and Gas Royalty Management Act of 1982 as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

**Timetable:**

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3360
NPRM Comment	03/22/99	
Period End		
Supplementary NPRM	11/00/02	
NPRM Comment	01/00/03	
Period End		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
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**RIN:** 1010-AC30

**1456. 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	06/00/03	
NPRM Comment	08/00/03	
Period End		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
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Email: sharron.gebhardt@mms.gov

**RIN:** 1010-AC31

**1457. INCIDENT REPORTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment	02/00/03	
Period End		

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC57

**1458. ROYALTY RELIEF TERMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 25 USC 396 et seq

**CFR Citation:** 30 CFR 203

**Legal Deadline:** None

**Abstract:** This rule amends the circumstances that discontinue the existing royalty relief for end-of-life oil

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## Proposed Rule Stage

and gas leases and also introduces a categorical royalty relief program for deep gas drilling on existing shallow water tracts.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment Period End	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC58

**1459. MMS HEARINGS AND INVESTIGATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1717

**CFR Citation:** 30 CFR 240

**Legal Deadline:** None

**Abstract:** This rule will explain how the Minerals Management Service will conduct hearings and investigations necessary and appropriate to carrying out the Secretary's duties under the Federal Oil and Gas Royalty Management Act of 1982.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/03	
NPRM Comment Period End	11/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211  
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Fax: 303 231-3385  
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**RIN:** 1010-AC79

**1460. APPEALS OF MINERALS MANAGEMENT SERVICE ORDERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 242; 30 CFR 290; 43 CFR 4

**Legal Deadline:** None

**Abstract:** This rule streamlines the appeals process to facilitate processing appeals within the 33-month deadline required by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA). It also implements the requirements of OMB Circular A-25, which establishes guidelines for Federal agencies to assess fees to cover the costs of Government-provided services or benefits beyond those accruing to the general public. The proposed rule will: (1) require the appellant to file its Notice of Appeal and Statement of Reasons directly with the MMS Appeals Division and file copies with the office that issued the order; (2) implement most of the recommendations made by the Royalty Policy Committee; (3) eliminate the requirement for an MMS field report containing MMS's arguments; (4) clarify the right of the States and tribes to participate in the appeals process; and (5) provide for settlement negotiations as required in RSFA.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/03	
NPRM Comment Period End	04/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Platte Clark, Senior Appeals Specialist, Department of the Interior, Minerals Management Service, 4230 MIB, 1849 C Street NW, Washington, DC 20240  
Phone: 202 208-2394

**RIN:** 1010-AC80

**1461. DEALING WITH SUSTAINED CASING PRESSURE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** This proposed rulemaking amends subpart E (Oil and Gas Well-Completion Operations) of MMS operating regulations. It describes procedures for dealing with sustained casing pressure in oil and gas wells on the Outer Continental Shelf. Currently lessees must request a departure from

MMS regulations to operate a well that has sustained casing pressure. When granting a departure, MMS requires that lessees perform periodic checks and evaluations to ensure that the pressure is not a danger to personnel, equipment, or the environment. This proposed rule will codify these procedures and ensure uniform regulatory practices among MMS regional offices. The proposed changes will also help ensure that lessees will continue to conduct operations in a safe manner.

**Timetable:**

Action	Date	FR Cite
NPRM	11/09/01	66 FR 56620
Comment Period Extended to 3/9/2002	01/03/02	67 FR 275
Final Action	11/00/03	
Final Action Effective	01/00/04	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1600  
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**RIN:** 1010-AC83

**1462. DEFINITION OF CONTROL**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq; 5 USC 2101 et seq; 5 USC 301 et seq; 5 USC 396 et seq; 5 USC 396a et seq

**CFR Citation:** 30 CFR 206

**Legal Deadline:** None

**Abstract:** MMS is amending the definition of "control" in 30 CFR part 206 based upon the relevance to MMS regulations of the decision *National Mining Association v. Department of the Interior*, 177 F.3rd 1 (DC Cir., May 28, 1999).

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

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**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211

Phone: 303 231-3211

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**RIN:** 1010-AC88**1463. DOCUMENTS INCORPORATED BY REFERENCE — API RP 14F AND API 510****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** This rule will update a document incorporated by reference and incorporate by reference a new document. Incorporation by reference makes a widely available technical document part of our regulations. The updated reference, API RP 14F, is the fourth edition of the American Petroleum Institute's (API)

"Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Class 1, Division 1, and Division 2 Locations. The new document, API RP 14 FZ, is titled "Recommended Practice for Design and Installation of Electrical Systems for Fixed and Floating Offshore Petroleum Facilities for Unclassified and Unclassified and Class 1, Zone 0, Zone 1 and Zone 2 Locations.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment	03/00/03	
Period End		

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

Undetermined

**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211

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**RIN:** 1010-AC89**1464. REPORTING AMENDMENTS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189; 30 USC 190; 30 USC 359; 31 USC 3716; 31 USC 9701; 43 USC 1334; 43 USC 1801; 44 USC 3506(a); 5 USC 301 et seq**CFR Citation:** 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218**Legal Deadline:** None**Abstract:** MMS is amending its regulations to: (1) update reporting instructions; (2) eliminate unnecessary report forms; (3) add approved information collections previously omitted; (4) remove the extended due date for production reports submitted electronically; (5) require production reporting on leases and agreements until all production has ceased and all inventory has been disposed of; and (6) eliminate certain reporting assessments and electronic reporting options.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/03	
NPRM Comment	06/00/03	
Period End		

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sharron Gebhardt, Regulatory Specialist, Department of the Interior, Minerals Management Service, MS 320B2, PO Box 25165, Denver, CO 80225-3211

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**RIN:** 1010-AC90**1465. RIGHTS-OF-USE AND EASEMENTS AND PIPELINE RIGHTS-OF-WAY****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** MMS is proposing to modify requirements governing rights-of-use

and easement and pipeline rights-of-way in the Outer Continental Shelf.

These changes will increase rental rates for pipeline rights-of-way and establish rentals for rights-of-use and easement. The proposed rule will also allow MMS to charge additional payment when the right-of-use and easement or the pipeline right-of-way prevents MMS from making the area available to other companies for exploration and possible development and production. This change is needed because of requests by lessees and pipeline right-of-way holders to use large areas outside of the area covered by their lease and pipeline right-of-way for accessory structures.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment	03/00/03	
Period End		

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

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Email: kumkum.ray@mms.gov

**RIN:** 1010-AC91**1466. • BLOWOUT PREVENTION FOR PRODUCTION TREE COILED TUBING WORKOVER OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** The rule would upgrade blowout prevention requirements for well workover operations conducted using coiled tubing while the well-head production tree is in place.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment	03/00/03	
Period End		

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior,

## DOI—MMS

## Proposed Rule Stage

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RIN: 1010-AC96

#### 1467. • DATA RELEASE AND DEFINITIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331

**CFR Citation:** 30 CFR 250 subpart A

**Legal Deadline:** None

**Abstract:** This rule will amend 30 CFR part 250 by adding a new definition, revising existing definition, clarifying or expanding certain requirements, and making administrative changes. We are adding a new definition for the term "production in paying quantities" to enable us to determine how much production qualifies as lease holding production. We are specifying the submission or from progress reports and final reports for suspensions of production and suspensions of operations to ensure that the lessee/operator is diligent in pursuing performance of their lease. We are adding a new section pertaining to notifying MMS on production status. We are reorganizing the forms data release table and adding entries for three new forms. We are expanding the requirements pertaining to submitting digital data.

#### Timetable:

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment Period End	02/00/03	

#### Regulatory Flexibility Analysis Required: No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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RIN: 1010-AC99

#### 1468. • RELIEF OR REDUCTION IN ROYALTY RATES — DEEP GAS PROVISIONS

**Regulatory Plan:** This entry is Seq. No. 76 in part II of this issue of the **Federal Register**.

RIN: 1010-AD01

#### 1469. • REDUCTION TO ROYALTY RELIEF IN SPECIAL CIRCUMSTANCES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 203

**Legal Deadline:** None

**Abstract:** The recently published final rule 1010-AC71 created a process for

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

#### Timetable:

Action	Date	FR Cite
NPRM	12/00/02	
NPRM Comment Period End	02/00/03	

#### Regulatory Flexibility Analysis Required: No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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RIN: 1010-AD02

### Department of the Interior (DOI)

### Final Rule Stage

#### Minerals Management Service (MMS)

#### 1470. OIL AND GAS DRILLING OPERATIONS

**Priority:** Other Significant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 30 CFR 250

**Legal Deadline:** None

**Abstract:** The rule will be written in plain English, substantive changes will be incorporated, and the rule will reflect the results of the blowout preventer study.

#### Timetable:

Action	Date	FR Cite
NPRM	06/21/00	65 FR 38453
NPRM Comment Period End	10/19/00	65 FR 46126

Action	Date	FR Cite
Final Action	11/00/02	
Final Action Effective	12/00/02	

#### Regulatory Flexibility Analysis Required: No

**Government Levels Affected:** None

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1600  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

RIN: 1010-AC43

#### 1471. PLANS AND INFORMATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1331 et seq

**CFR Citation:** 25 CFR 250

**Legal Deadline:** None

**Abstract:** MMS requires companies to submit for approval their exploration and development plans for activities on the Outer Continental Shelf. The companies must submit these plans before they can begin any activities, except preliminary activities. This rule would rewrite the requirements into clearer language and organize them into discrete sections by topic, to make them easier to follow.

## DOI—MMS

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	05/17/02	67 FR 35372
Comment Period Extended	12/13/02	67 FR 46616
Final Action	10/00/03	
Final Action Effective	11/00/03	

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC47

#### 1472. OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF—SAFETY MEASURES AND PROCEDURES FOR PIPELINE MODIFICATIONS AND REPAIRS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** The rule will address problems that arise out of the fact that eventually all pipeline valves leak internally. This is due to abrasion and deposition of operational residues on valve seats. Internal valve leakage poses a potential safety problem to offshore workers at the time pipeline repairs are performed because hydrocarbons and pressure differentials in the lines can pose a significant hazard of fire and explosion. The rule will require that lessees and operators consider and submit in writing the measures they plan to take and the procedures they plan to follow to ensure the safety of company or contract workers and to prevent pollution before beginning a pipeline modification or repair, and it will amend section 250.1006(b)(1) by requiring that a blind flange be installed at the platform end of any pipeline taken out of service to prevent seepage into the line through leaking valves.

**Timetable:**

Action	Date	FR Cite
NPRM	08/28/01	66 FR 45236
NPRM Comment Period End	10/29/01	

**Action****Date****FR Cite**

Final Action 06/00/03  
Final Action Effective 07/00/03

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC75

#### 1473. PROPRIETARY TERMS AND DATA DISCLOSURE

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250; 30 CFR 251**Legal Deadline:** None

**Abstract:** This rule would modify the proprietary terms for geophysical data and information and any of their derivatives that MMS acquires under 30 CFR part 251. We propose to change the beginning of the proprietary terms from the date of submission to MMS to the date MMS issues the permit. The rule would also allow selective disclosure of geological and geophysical data and information and allow selective disclosure of data and information generated on a lease to persons with a direct interest in issues concerning field determination and royalty relief eligibility.

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/02	67 FR 46942
NPRM Comment Period End	09/18/02	
Final Action	04/00/03	
Final Action Effective	05/00/03	

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1600  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC81

#### 1474. DOCUMENTS INCORPORATED BY REFERENCE — API SPECIFICATION 2C

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** MMS is proposing to incorporate by reference the Fifth Edition of the American Petroleum Institute's Specification for Offshore Cranes into our regulations. MMS is proposing this action to establish a minimum design standard for new cranes installed on fixed platforms on the Outer Continental Shelf (OCS) and to require all existing cranes installed on OCS fixed platforms to be equipped with anti-two block safety devices. This proposed rule would ensure that OCS lessees use the best available and safest technologies for the design and construction of cranes used in the OCS.

**Timetable:**

Action	Date	FR Cite
NPRM	07/19/01	66 FR 37611
NPRM Comment Period End	10/17/01	
Final Action	11/00/02	
Final Action Effective	12/00/02	

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1600  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC82

#### 1475. DOCUMENTS INCORPORATED BY REFERENCE FOR OFFSHORE FLOATING PRODUCTION FACILITIES

**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331**CFR Citation:** 30 CFR 250**Legal Deadline:** None

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

## DOI—MMS

## Final Rule Stage

floating production, storage, and offloading facilities; tension-leg platforms; spars; etc. We are also incorporating into our regulations a body of industry standards pertaining to floating production systems, and this will save the public the costs of developing government standards.

**Timetable:**

Action	Date	FR Cite
NPRM	12/27/01	66 FR 66851
Comment Period Extended to 3/27/2002	02/12/02	67 FR 6453
Comment Period Extended to 5/28/2002	03/28/02	67 FR 14902
Final Action	11/00/02	
Final Action Effective	12/00/02	

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
Phone: 703 787-1600  
Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC85**1476. OUTER CONTINENTAL SHELF OIL AND GAS LEASING — CLARIFYING AMENDMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 260**Legal Deadline:** None

**Abstract:** This rule proposes clarifying amendments to regulations on OCS bidding systems in 30 CFR part 260, revised as of July 1, 2001. The proposed amendments make explicit that water depth and production timing on leases issued after 2000 and placed on a field with leases issued earlier play no role in the way we determine the royalty suspension volume applicable to eligible leases on the field.

**Timetable:**

Action	Date	FR Cite
NPRM	02/12/02	67 FR 6454
NPRM Comment Period End	03/14/02	
Final Action	11/00/02	
Final Action Effective	12/00/02	

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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Fax: 703 787-1093  
Email: kumkum.ray@mms.gov

**RIN:** 1010-AC94**1477. DOCUMENT INCORPORATED BY REFERENCE—API 510—PRESSURE VESSEL INSPECTION CODE: MAINTENANCE INSPECTION, RATING, REPAIR, AND ALTERATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

**Abstract:** This rule proposes adding a document to be incorporated by reference into MMS's regulations governing oil and gas and sulphur operations in the outer continental shelf (OCS). This revision will ensure that lessees use the best available and safest technologies while operating in the OCS. The new document, API 510, is titled "Pressure Inspection Code: Maintenance Inspection, Rating, Repair, and Alteration."

**Timetable:**

Action	Date	FR Cite
NPRM	12/27/01	66 FR 66848
NPRM Comment Period End	02/25/02	
Final Action	10/00/03	
Final Action Effective	11/00/03	

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

**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170  
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**RIN:** 1010-AC95**1478. • VALUATION OF OIL FROM INDIAN LEASES**

**Regulatory Plan:** This entry is Seq. No. 77 in part II of this issue of the **Federal Register**.

**RIN:** 1010-AD00**Department of the Interior (DOI)  
Minerals Management Service (MMS)****Completed Actions****1479. PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 280**Completed:**

Reason	Date	FR Cite
Final Action	07/17/02	67 FR 46855
Final Action Effective	08/16/02	

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

**Agency Contact:** Kumkum Ray  
Phone: 703 787-1600  
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**RIN:** 1010-AC48**1480. DECOMMISSIONING ACTIVITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	05/17/02	67 FR 35398
Final Action Effective	07/16/02	

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

**Agency Contact:** Kumkum Ray  
Phone: 703 787-1600  
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**RIN:** 1010-AC65

## DOI—MMS

## Completed Actions

**1481. DEEP WATER ROYALTY RELIEF FOR OUTER CONTINENTAL SHELF OIL AND GAS LEASES ISSUED AFTER 2000****Priority:** Other Significant**CFR Citation:** 30 CFR 203**Completed:**

Reason	Date	FR Cite
Final Rule Effective	02/14/02	

**Regulatory Flexibility Analysis****Required:** Yes**Government Levels Affected:** Federal**Agency Contact:** Marshall B. Rose

Phone: 703 787-1536

Fax: 703 787-1141

Email: marshall.rose@mms.gov

**RIN:** 1010-AC71**1482. TECHNICAL AMENDMENTS****Priority:** Info./Admin./Other**CFR Citation:** 30 CFR 201; 30 CFR 206; 30 CFR 212; 30 CFR 216; 30 CFR 217; 30 CFR 218; 30 CFR 219; 30 CFR 220; 30 CFR 227; 30 CFR 228; 30 CFR 230; 30 CFR 241; 30 CFR 243**Completed:**

Reason	Date	FR Cite
Final Action	04/18/02	67 FR 19109
Final Action Effective	04/18/02	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Carol Shelby

Phone: 303 231-3191

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Email: carol.shelby@mms.gov

**RIN:** 1010-AC87**1483. SUSPENSION OF OPERATIONS FOR EXPLORATION UNDER SALT SHEETS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	07/02/02	67 FR 44357
Final Action Effective	08/01/02	

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

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**RIN:** 1010-AC92**1484. DOCUMENTS INCORPORATED BY REFERENCE - API RP 14C****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	08/09/02	67 FR 51757
Final Action Effective	09/09/02	

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

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Email: kumkum.ray@mms.gov

**RIN:** 1010-AC93

BILLING CODE 4310-MR-S

## Department of the Interior (DOI)

## Proposed Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1485. ABANDONED COAL REFUSE SITES—TITLE I****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** None**Abstract:** OSM intends to propose new rules governing permitting and performance standards for the recovery of coal from abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/03	

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

Undetermined

**Agency Contact:** Larry Trainor, Mining Engineer, Department of the Interior,Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 208-2617**RIN:** 1029-AB70**1486. REVEGETATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816**Legal Deadline:** None**Abstract:** This rule will revise the topsoil replacement and revegetation standards. The revisions will encourage species diversity on reclaimed lands, remove a possible impediment to the use of woody vegetation in revegetating mined land, and provide similar revegetation success standards in both areas of more than 26 inches of precipitation and in areas of less than 26 inches of precipitation.**Timetable:**

Action	Date	FR Cite
NPRM	03/00/03	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Larry Trainor, Mining Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 208-2617**RIN:** 1029-AC02**1487. PLACEMENT OF EXCESS SPOIL****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 701; 30 CFR 773; 30 CFR 780; 30 CFR 781; 30 CFR 785; 30 CFR 816; 30 CFR 817**Legal Deadline:** None**Abstract:** This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil from surface coal mining operations into waters of the United States. In addition, it will modify the backfilling and

## DOI—OSMRE

## Proposed Rule Stage

grading regulations to minimize the creation of excess spoil and it will revise the regulations governing surface coal mining operations within 100 feet of a perennial or intermittent stream to more closely track the underlying statutory provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** John Craynon, Chief, Technology Development Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement

Phone: 202 208-2866

**RIN:** 1029-AC04

**1488. • FINANCIAL ASSURANCES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 773; 30 CFR 780; 30 CFR 784; 30 CFR 800

**Legal Deadline:** None

**Abstract:** We are considering rulemaking to ensure adequate funding for the treatment of unanticipated long-term pollutant discharges, including acid or toxic mine drainage, that develop as a result of surface mining operations.

**Timetable:**

Action	Date	FR Cite
ANPRM	05/17/02	67 FR 35070
ANPRM Comment Period End	10/15/02	67 FR 46617
NPRM	09/00/03	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Ruth Stokes, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, MS 252 SIB, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 208-2611

**RIN:** 1029-AC05

## Department of the Interior (DOI)

## Final Rule Stage

## Office of Surface Mining Reclamation and Enforcement (OSMRE)

**1489. 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	06/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Tribal

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

**RIN:** 1029-AB83

**1490. ABANDONED MINE LAND RECLAMATION NOTICES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 1201 et seq

**CFR Citation:** 30 CFR 875

**Legal Deadline:** None

**Abstract:** This rule will eliminate the requirement to publish a Federal

Register notice announcing the receipt of, and seeking comments on, applications for construction of public facilities that are funded from the abandoned mine land fund. The publication requirement will become a discretionary action. Previous Federal Register notices have generated little interest from the public and have added delays to the construction of AML projects.

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/02	67 FR 41756
Final Action	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Larry Trainor, Mining Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue NW, Washington, DC 20240  
Phone: 202 208-2617

**RIN:** 1029-AB99

**BILLING CODE** 4310-05-S

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

Proposed Rule Stage

**1491. AUTHORIZATION OF LAW ENFORCEMENT OFFICERS AT RECLAMATION FACILITIES**

Priority: Other Significant

Legal Authority: 16 USC 4602-31; 43 USC 373b

CFR Citation: 43 CFR 422

Legal Deadline: None

Abstract: The Bureau of Reclamation is issuing this rule to establish criteria

for the use of non-Reclamation law enforcement personnel within a Bureau project or on Reclamation lands. We are required by law to issue this rule in order to provide for the security of dams, facilities, and resources under our jurisdiction.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

**Agency Contact:** John J. Lambert, Policy Analyst, Department of the Interior, Bureau of Reclamation, D-6020, Building 67, PO Box 25007, Denver, CO 80225  
Phone: 303 445-3640

RIN: 1006-AA42

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

Final Rule Stage

**1492. ACREAGE LIMITATION**

Priority: Info./Admin./Other

Legal Authority: 5 USC 301

CFR Citation: 43 CFR 426.24

Legal Deadline: None

**Abstract:** The Office of Hearings and Appeals has recently moved. This rule changes the Office's address to reflect this move.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/02	

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

**Agency Contact:** John J. Lambert, Policy Analyst, Department of the Interior, Bureau of Reclamation, D-6020, Building 67, PO Box 25007, Denver, CO 80225  
Phone: 303 445-3640

RIN: 1006-AA43

**Abstract:** This rule establishes the minimum requirements necessary to ensure the safety of the public, Reclamation employees, dams facilities, and other resources under our jurisdiction. We are developing a comprehensive public conduct rule that will replace this rule at a later date. We will use comments received on this rule to aid us in drafting a proposed public conduct rule.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/02	

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

**Agency Contact:** John J. Lambert, Policy Analyst, Department of the Interior, Bureau of Reclamation, D-6020, Building 67, PO Box 25007, Denver, CO 80225  
Phone: 303 445-3640

RIN: 1006-AA44

Legal Deadline: None

**Abstract:** This rule establishes regulations regarding public conduct on Reclamation lands and Reclamation projects, waters, and real property subject to the administration of Reclamation or in its custody. The rule is necessary to ensure the safety of the public, Reclamation employees, dams, facilities, and other resources in our jurisdiction. This rule replaces an interim rule that we issued on April 17, 2002.

**Timetable:**

Action	Date	FR Cite
Final Action	03/00/03	

**Regulatory Flexibility Analysis Required: No**

Government Levels Affected: None

Federalism: Undetermined

**Agency Contact:** John J. Lambert, Policy Analyst, Department of the Interior, Bureau of Reclamation, D-6020, Building 67, PO Box 25007, Denver, CO 80225  
Phone: 303 445-3640

RIN: 1006-AA45

BILLING CODE 4310-09-S

**1493. TRESPASS ON RECLAMATION LANDS AND FACILITIES**

Priority: Other Significant

Legal Authority: PL 102-575; PL 107-69

CFR Citation: 43 CFR 423

Legal Deadline: None

**1494. • PUBLIC CONDUCT ON RECLAMATION LANDS AND PROJECTS**

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-69; 43 USC 373b; 16 USC 4601-31

CFR Citation: 43 CFR 423

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

Proposed Rule Stage

**1495. SALES—FEDERAL LAND POLICY AND MANAGEMENT ACT**

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1701; 43 USC 1713

CFR Citation: 43 CFR 2710

Legal Deadline: None

**Abstract:** This rule will amend 43 CFR part 2710 to provide for improved administration of sales of public land

under the Federal Land Policy and Management Act. It will add a provision to allow the sale of public land to State or local government entities for affordable housing. Such

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sales may be for less than fair market value.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, 1849 C Street N.W., Washington, DC 20240

Phone: 202 452-5042

Fax: 202 653-5287

Email: ted\_hudson@blm.gov

**RIN:** 1004-AB77

**1496. DESERT LAND ENTRIES**

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

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2520

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/03	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

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

Phone: 202 452-7779

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Email: jeff\_holdren@blm.gov

**RIN:** 1004-AC56

**1497. DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 299

**CFR Citation:** 43 CFR 3814

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

**Abstract:** This rule will establish new procedures for mineral exploration and

development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of 1916 and the mineral estate remains reserved to the Federal Government.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management

Phone: 202 452-0355

Email: roger\_haskins@blm.gov

**RIN:** 1004-AC59

**1498. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 22 to 54; 43 USC 1201; 43 USC 1740

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management

Phone: 202 452-0355

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**RIN:** 1004-AD32

**1499. CONSERVATION; HELIUM LEASING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1701 et seq; 50 USC 167

**CFR Citation:** 43 CFR 16; 43 CFR 3196

**Legal Deadline:** None

**Abstract:** This rule will redesignate, amend, and extend the regulations on conservation of helium to facilitate administration and implementation of provisions in the Helium Privatization Act. The rule will move these regulations to 43 CFR subpart 3196 to consolidate helium-related regulations in one area for ease in finding and complying with them.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/19/00	65 FR 79325
ANPRM Comment	03/26/01	
Period End		
NPRM	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Joseph B. Peterson, Chief, Division of Helium Resources, Department of the Interior, Bureau of Land Management, Amarillo Field Office, 801 S. Fillmore, Suite 500, Amarillo, TX 79101

Phone: 806 324-2614

**RIN:** 1004-AD35

**1500. GRAZING ADMINISTRATION—EXCLUSIVE OF ALASKA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 118(d); 43 USC 1701 et seq; 43 USC 1901 et seq; 43 USC 315 et seq; 7 USC 1012

**CFR Citation:** 43 CFR 4100

**Legal Deadline:** None

**Abstract:** This rule will remove provisions for conservation use of grazing privileges. These provisions were determined by the Federal Circuit Court to be not consistent with the statutory authority of the Secretary of the Interior. The rule will also: (1) provide a full force and effect provision for grazing decisions; (2) include standards for determining socioeconomic impacts of grazing decisions; (3) include a provision allowing permittees to claim ownership of range improvements under certain

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circumstances; (4) address circumstances under which a grazing permittee may lose his grazing privileges upon conviction of a crime; and (5) extend the permit term from 3 to 5 years.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth M. Visser, Rangeland Management Specialist, Department of the Interior, Bureau of Land Management, 314 L Street, Washington, DC 20240  
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**RIN:** 1004-AD42

**1501. PERMITS FOR RECREATION ON PUBLIC LANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2930

**Legal Deadline:** None

**Abstract:** This rule would add a section on prohibited acts to the regulations on campgrounds and other fee areas to facilitate law enforcement at these sites. The rule would also change the maximum term for a special recreation permit from 5 years to 10 years.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Lee Larson, Recreation Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240  
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**RIN:** 1004-AD45

**1502. WILDERNESS MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1133; 43 USC 1733; 43 USC 1740; 43 USC 1782

**CFR Citation:** 43 CFR 6300

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240  
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**Related RIN:** Related To 1004-AB69

**RIN:** 1004-AD54

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

## Final Rule Stage

**1503. COST RECOVERY; MINERAL FILINGS AND OPERATIONS**

**Priority:** Substantive, Nonsignificant

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

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

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/15/00	65 FR 78440

Action	Date	FR Cite
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NPRM Comment 02/13/01

Period End

Final Action 04/00/03

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Durga N. Rimal, Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240  
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**RIN:** 1004-AC64

**1504. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES; RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 2800; 43 CFR 2880

**Legal Deadline:** None

**Abstract:** The rule will amend the regulations governing rights-of-way

issued under both the Federal Land Policy and Management Act and the Mineral Leasing Act by revising cost recovery policies and procedures and adjusting cost recovery fees to reflect cost increases since the current regulations became effective in 1987. The rule will also eliminate the automatic exemptions from cost recovery for Federal agencies except when they are exempted by law. It will also establish policies on paying rent in advance and a financial penalty for paying rent late.

**Timetable:**

Action	Date	FR Cite
NPRM	06/15/99	64 FR 32106
NPRM Comment	10/13/99	
Period End		
Final Action	01/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ron Montagna, Realty Specialist, Department of the Interior, Bureau of Land Management, 260, 1849 C Street N.W., Washington, DC 20240

## DOI—BLM

## Final Rule Stage

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RIN: 1004-AC74

**1505. INDIAN ALLOTMENTS**

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

**Legal Authority:** 25 USC 334; 25 USC 336; 43 USC 1201

**CFR Citation:** 43 CFR 2530

**Legal Deadline:** None

**Abstract:** This rule will convert existing regulations to plain English and remove those portions that relate to procedural matters.

**Timetable:**

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53887
NPRM Comment Period End	09/13/99	64 FR 38172
Final Action	04/00/03	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
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RIN: 1004-AC77

**1506. USE AUTHORIZATIONS (RECREATION)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 4601-6a; 43 USC 1740

**CFR Citation:** 43 CFR 8370

**Legal Deadline:** None

**Abstract:** This rule will revise the regulations on the issuance of special recreation permits for purposes of clarification and updating and will add regulations on the issuance of recreation use permits for the use of fee areas.

**Timetable:**

Action	Date	FR Cite
NPRM	05/16/00	65 FR 31233
NPRM Comment Period End	07/17/00	
Final Action	11/00/02	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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RIN: 1004-AD25

**1507. LOCATION RECORDING AND MAINTENANCE OF MINING CLAIMS AND SITES**

**Priority:** Substantive, Nonsignificant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 30 USC 22 to 54; 43 USC 1201; 43 USC 1740

**CFR Citation:** 43 CFR 3710; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3840; 43 CFR 3850

**Legal Deadline:** None

**Abstract:** This rule will amend the mining claim recordation and annual fee collection procedures to conform to the fiscal year 1999 Interior and Related Agencies Appropriations Act. It will also consolidate duplicative portions of 43 CFR part 3700 et seq. into 43 CFR part 3800 et seq., and remove the duplicative portions of these regulations from title 43. The interim final rule only implemented the statutory changes in the FY 99 Appropriations Act.

**Timetable:**

Action	Date	FR Cite
NPRM	08/27/99	64 FR 47023
Interim Final Rule	08/27/99	64 FR 47018
NPRM Comment Period End	10/26/99	
Final Action	04/00/03	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management  
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RIN: 1004-AD31

**1508. COAL MANAGEMENT: NONCOMPETITIVE LEASES; MANAGEMENT PROVISIONS AND LIMITATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 30 USC 181 et seq; 43 USC 1740; PL 106-463

**CFR Citation:** 43 CFR 3430; 43 CFR 3470

**Legal Deadline:** None

**Abstract:** This rule will increase the maximum acreage of Federal coal leases that may be leased to one entity in any one State from 46,080 to 75,000 acres to conform with legislation enacted in 2000, and to correct a technical error in the regulations by removing the requirements of a public hearing and publication of a notice of availability of environmental analysis documents for coal lease modifications. It will also raise the nationwide acreage limitation on coal leases that one entity can hold from 100,000 to 150,000 acres.

**Timetable:**

Action	Date	FR Cite
NPRM	01/18/02	67 FR 2618
NPRM Comment Period End	02/19/02	
NPRM Comment Period Reopened	04/12/02	67 FR 17962
NPRM Comment Period End	05/13/02	
Final Action	02/00/03	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Room 420, 1849 C Street N.W., Washington, DC 20240  
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RIN: 1004-AD43

**1509. WILDERNESS MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1740

**CFR Citation:** 43 CFR 6300

**Legal Deadline:** None

**Abstract:** This rule would add provisions on use of fixed anchors for rock climbing in wilderness areas.

## DOI—BLM

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/03	

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

**Agency Contact:** Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240  
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**Related RIN:** Related To 1004-AB69, Split From 1004-AD54**RIN:** 1004-AD46**1510. DISCLAIMERS OF INTEREST****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 1864**Legal Deadline:** None

**Abstract:** BLM proposes to make two minor amendments to the recordable disclaimer regulations at 43 CFR 1864.1-1 and .1-3. Presently the regulations state that any present owner of record may file an application to have a disclaimer of interest issued. Neither FLPMA nor its implementing regulations define the term present owner of record. Neither the Federal Courts nor the Interior Board of Land Appeals have defined or elaborated on the phrase. As such, BLM wishes to amend the regulations to eliminate the phrase. Such an amendment would prevent any legal challenge to BLM's interpretation of the phrase to include state applications.

**Timetable:**

Action	Date	FR Cite
NPRM	02/22/02	67 FR 8216
NPRM Comment Period End	04/23/02	
Final Action	04/00/03	

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

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**RIN:** 1004-AD50**1511. • RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT; TIMING OF APPROVALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 185**CFR Citation:** 43 CFR 2882**Legal Deadline:** None

**Abstract:** This rule will make our regulations consistent with the Mineral Leasing Act by allowing BLM to approve a right-of-way for pipelines 24 or more inches in diameter as soon as the Secretary notifies the appropriate committees of Congress. Existing regulations require BLM to allow 60 days to pass after notifying Congress before issuing a right-of-way for a pipeline 24 or more inches in diameter.

**Timetable:**

Action	Date	FR Cite
NPRM	06/15/99	64 FR 32106
NPRM Comment Period End	11/12/99	
Final Action	11/00/02	

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

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401, Regulatory Management Group (WO-630), 1849 C Street NW., Washington, DC 20240  
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**RIN:** 1004-AD55**1512. • OIL AND GAS LEASING OPERATIONS; BONDING****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 189; 30 USC 359; 43 USC 1732; 43 USC 1733; 43 USC 1740**CFR Citation:** 43 CFR 3100; 43 CFR 3104; 43 CFR 3154**Legal Deadline:** None

**Abstract:** This rule increases minimum bond amounts for individual lease bonds and statewide bonds. It changes BLM's current policy of terminating only the period of liability of bonds. Under the new rule, we will cancel bonds after determining that all lease obligations are met. Finally, the rule clarifies the responsibilities of record title holders and operating rights owners. The final rule is based upon a portion of a proposed rule published with the RIN 1004-AC94.

**Timetable:**

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66840
NPRM Comment Period End	07/19/99	
Final Action	12/00/02	

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

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401, Regulatory Management Group (WO-630), 1849 C Street NW., Washington, DC 20240  
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**RIN:** 1004-AD56

**Department of the Interior (DOI)**  
**Bureau of Land Management (BLM)**
**Long-Term Actions****1513. LEASES, PERMITS, AND EASEMENTS**

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

**Legal Authority:** 43 USC 1732; 43 USC 1740

**CFR Citation:** 43 CFR 2920

**Legal Deadline:** None

**Abstract:** This rule will amend the existing regulations to provide for improved administration of leases, permits and easements under the Federal Land Policy and Management Act.

**Timetable:**

Action	Date	FR Cite
NPRM	11/21/90	55 FR 48810
NPRM Comment Period End	01/22/91	
Second NPRM	02/09/95	60 FR 7878
Second NPRM Comment Period End	04/10/95	
Final Rule for Minimum Impact Land Use Permits Only	06/24/96	61 FR 32351
Final Rule Effective for Minimum Impact Land Use Permits Only	07/24/96	
Third NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC 20240  
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**RIN:** 1004-AB51

**1514. COALBED METHANE DEVELOPMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 13368

**CFR Citation:** 43 CFR 3170

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

**Abstract:** The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource

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

**Timetable:**

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47920
NPRM Comment Period End	11/14/95	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Federal

**Agency Contact:** David R. Stewart, Mineral Resources, Department of the Interior, Bureau of Land Management  
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**RIN:** 1004-AC27

**1515. CAREY ACT GRANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 641 et seq

**CFR Citation:** 43 CFR 2610

**Legal Deadline:** None

**Abstract:** This rule will update these regulations as they are inconsistent with present-day management policies. Application of these provisions of the Carey Act is rarely feasible due to limited water and suitable lands.

**Timetable:**

Action	Date	FR Cite
NPRM	09/10/96	61 FR 47725
NPRM Comment Period End	10/10/96	
Supplementary NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AC80

**1516. OIL AND GAS LEASING AND OPERATIONS**

**Priority:** Other Significant

**Legal Authority:** 30 USC 181 et seq

**CFR Citation:** 43 CFR 3100

**Legal Deadline:** None

**Abstract:** This rule will revise BLM's current Federal oil and gas leasing and operations regulations, except those concerning drainage (section 3100.2-2), combined hydrocarbon leasing (part 3140) and oil and gas leasing in the National Petroleum Reserve—Alaska (part 3130). The rule will: (1) Cite industry standards and incorporate them by reference rather than repeat those standards in the rule; (2) incorporate the requirements of the Onshore Oil and Gas Orders and national notices to lessees into the regulations to eliminate overlap with current regulations; (3) use performance standards in certain places instead of prescriptive requirements to allow more flexibility for operators and to protect the environment and Federal royalty interests; and (4) eliminate redundancies, clarify procedures and regulatory requirements and streamline procedures.

**Timetable:**

Action	Date	FR Cite
NPRM	12/03/98	63 FR 66840
NPRM Comment Period End	07/19/99	64 FR 29256
Final Action	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Local

**Agency Contact:** Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, MS 401, Regulatory Management Group (WO-630), 1849 C Street NW., Washington, DC 20240  
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**RIN:** 1004-AC94

**1517. APPEALS PROCEDURES; HEARINGS PROCEDURES**

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

**Legal Authority:** 43 USC 1701; 43 USC 1740

**CFR Citation:** 43 CFR 1840; 43 CFR 1850

**Legal Deadline:** None

## DOI—BLM

## Long-Term Actions

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AC99

**1518. HAZARDOUS MATERIALS COMPLIANCE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1701 et seq

**CFR Citation:** 43 CFR 1890

**Legal Deadline:** None

**Abstract:** This rule will clarify the respective responsibilities of BLM and the holders of various BLM authorizations with regard to releases of hazardous materials and other violations of environmental law caused by the holder or the holder's operator on public lands.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/04	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Cynthia Ellis, Regulatory Analyst, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240

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**RIN:** 1004-AD38

**1519. SUPPLEMENTARY RULES FOR PUBLIC DEMONSTRATIONS AT GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 CFR 8365.1-6

**CFR Citation:** 43 CFR 8365

**Legal Deadline:** None

**Abstract:** This interim final rule would require a permit for public demonstrations at Grand Staircase-Escalante National Monument and associated facilities, and establish procedures for obtaining such a permit. It would also provide for some locations to be designated as open for demonstrations, and others to be closed to protect sensitive resources and public health and safety.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/01/00	65 FR 53516
Interim Final Rule Comment Period End	10/02/00	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 1004-AD40

**1520. SURFACE MANAGEMENT; SEGREGATED OR WITHDRAWN LANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1280; 30 USC 22; 30 USC 612; 43 USC 1201; 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1781; 43 USC 1782

**CFR Citation:** 43 CFR 3809

**Legal Deadline:** None

**Abstract:** This rule will provide that a mineral examination is not required

for claims on specific categories of withdrawn lands in Alaska before approving plans of operations or allowing notice-level mining to begin, but will be discretionary with BLM on those lands. For mining claims on lands withdrawn for inclusion in land conservation systems like wilderness, wild and scenic rivers, etc., mineral examinations will remain mandatory.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Michael H. Schwartz, Group Manager, Regulatory Affairs, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240

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**RIN:** 1004-AD51

**1521. MINING CLAIMS UNDER THE GENERAL MINING LAWS; SURFACE MANAGEMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 1280; 30 USC 22; 30 USC 612; 43 USC 1201; 43 USC 1732; 43 USC 1733; 43 USC 1740; 43 USC 1781; 43 USC 1782

**CFR Citation:** 43 CFR 3809

**Legal Deadline:** None

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

**Timetable:**

Action	Date	FR Cite
NPRM	10/30/01	66 FR 54863

## DOI—BLM

## Long-Term Actions

Action	Date	FR Cite	Regulatory Flexibility Analysis Required:	Small Entities Affected:	Government Levels Affected:	Agency Contact:	RIN:
NPRM Comment Period End	02/15/02		Yes	Businesses	None	Michael H. Schwartz, Group Manager, Regulatory Affairs, Department of the Interior, Bureau of Land Management, 1849 C Street N.W., Washington, DC 20240	1004-AD53
NPRM Comment Period Reopened	04/12/02	67 FR 17962				Phone: 202 452-5198 Email: michael_schwartz@blm.gov	
NPRM Comment Period End	05/13/02						
Final Action	To Be Determined						

## Department of the Interior (DOI)

## Completed Actions

## Bureau of Land Management (BLM)

## 1522. LOCATION RECORDING AND MAINTENANCE OF MINING CLAIMS OR SITES

Priority: Info./Admin./Other

CFR Citation: 43 CFR 3730; 43 CFR 3820; 43 CFR 3830; 43 CFR 3850

## Completed:

Reason	Date	FR Cite
Final Action	06/03/02	67 FR 38203

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Roger Haskins  
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BILLING CODE 4310-84-S

## Department of the Interior (DOI)

## Final Rule Stage

## Office of the Secretary (OS)

## 1523. WILD AND SCENIC RIVERS

Priority: Other Significant

Legal Authority: 16 USC 1278

CFR Citation: 43 CFR 39

Legal Deadline: None

**Abstract:** This rule would establish uniform standards and procedures by which the Department of the Interior, through its agencies that administer rivers in the National Wild and Scenic Rivers System (Bureau of Land Management, Fish and Wildlife Service, and National Park Service), will

consider Federal licensing of, or assistance to, water resources projects affecting designated Wild and Scenic Rivers or congressionally authorized Study Rivers.

## Timetable:

Action	Date	FR Cite
NPRM	12/09/98	63 FR 67834
NPRM Comment Period End	02/08/99	
Final Action	11/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: John Haubert, Outdoor Recreation Planner, Department of the Interior, Office of the Secretary, Room 3230, 1849 C Street N.W., Room 3230, Washington, DC 20240

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[FR Doc. 02-26338 Filed 12-06-02; 8:45 am]  
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