

DEPARTMENT OF THE INTERIOR**Office of the Secretary****25 CFR Ch. I****30 CFR Chs. II and VII****36 CFR Ch. I****43 CFR Subtitle A, Chs. I and II****48 CFR Ch. 14****50 CFR Chs. I and IV****Semiannual Regulatory Agenda****AGENCY:** Office of the Secretary, Interior.**ACTION:** Semiannual regulatory agenda.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between fall 2007 and spring 2008. The Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

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

FOR FURTHER INFORMATION CONTACT: You should direct all comments and inquiries with regard to these rules to the appropriate Agency Contact. You should direct general comments relating to the agenda to the Office of Executive Secretariat, Department of the Interior, at the address above or at 202-208-3071 or 202-208-3181.

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 of Interior's regulatory agenda, the most important significant regulatory actions and a Statement of Regulatory Priorities are included in The Regulatory Plan, which appears in both the online Unified Agenda and in part II of the Federal Register that includes the Unified Agenda.

Beginning with the fall 2007 edition, the Internet will be the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at www.reginfo.gov, in a format that offers users a greatly enhanced ability to obtain information from the Agenda database.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), Department of Interior's printed agenda entries include only:

(1) rules that are in the Agency's regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and

(2) any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including the Department of the Interior's regulatory plan.

Dated: September 20, 2007.

NAME: John A. Strylowski,
Alternate Federal Register Liaison Officer.

The 264 Regulatory Agendas

Bureau of Land Management - Proposed Rule

Title	Regulation Identifier Number
Mineral Lands Available for Locating Lode and Placer Mining Claims and Mill and Tunnel Sites; Special Laws in Addition to FLPMA That Require Recording or Notice	1004-AD79
Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act; Linear Right-of-Way Rental Payment Schedule	1004-AD87
Oil Shale Leasing and Operations	1004-AD90
Noncompetitive Leasing; Fringe Acreage Leases and Lease Modifications	1004-AD91
Coal Management: Lease Modifications, Lease and Logical Mining Unit (LMU) Diligence; Advance Royalties; Royalty Rates; Bonds	1004-AD93
Oil and Gas Leasing and Operations--Appeals Procedures	1004-AD97

Bureau of Land Management - Final Rule

Title	Regulation Identifier Number
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Information Collection	1004-AD94
Permits for Recreation on Public Lands	1004-AD96
Application Procedures: Filing a Document	1004-AD98

Bureau of Land Management - Completed Action

Title	Regulation Identifier Number
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Bureau of Reclamation - Proposed Rule

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Reclamation Loan Guarantee Program	1006-AA53
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Bureau of Reclamation - Final Rule

Title	Regulation Identifier Number
Use of Reclamation Land, Facilities, and Water Bodies	1006-AA51

Bureau of Reclamation - Completed Action

Title	Regulation Identifier Number
Inclusion of Hoover Dam	1006-AA52

Minerals Management Service - PreRule

Title	Regulation Identifier Number
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Minerals Management Service - Proposed Rule

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Minerals Management Service - Final Rule

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Minerals Management Service - Long-term Action

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Minerals Management Service - Completed Action

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United States Fish and Wildlife Service - PreRule

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United States Fish and Wildlife Service - Proposed Rule

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United States Fish and Wildlife Service - Final Rule

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United States Fish and Wildlife Service - Long-term Action

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United States Fish and Wildlife Service - Completed Action

Title	Regulation Identifier Number
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National Park Service - Proposed Rule

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National Park Service - Final Rule

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National Park Service - Long-term Action

Title	Regulation Identifier Number
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National Park Service - Completed Action

Title	Regulation Identifier Number
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Office of Surface Mining Reclamation and Enforcement - Proposed Rule

Title	Regulation Identifier Number
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Office of Surface Mining Reclamation and Enforcement - Final Rule

Title	Regulation Identifier Number
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Office of Surface Mining Reclamation and Enforcement - Completed Action

Title	Regulation Identifier Number
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Bureau of Indian Affairs - Proposed Rule

Title	Regulation Identifier Number
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Bureau of Indian Affairs - Final Rule

Title	Regulation Identifier Number
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Bureau of Indian Affairs - Completed Action

Title	Regulation Identifier Number
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Assistant Secretary for Policy, Management and Budget - Proposed Rule

Title	Regulation Identifier Number
Implementation of the National Environmental Policy Act of 1969	1090-AA95
Implementation of OMB Guidance on Nonprocurement, Debarment, and Suspension	1090-AA96

Assistant Secretary for Policy, Management and Budget - Final Rule

Title	Regulation Identifier Number
Procedures for Hydropower Licensing Hearings and Alternative Conditions and Prescriptions	1090-AA91
Revision of Privacy Act Regulations	1090-AA94

Assistant Secretary for Policy, Management and Budget - Completed Action

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

Office of Hearings and Appeals - Proposed Rule

Title	Regulation Identifier Number
Procedures Applicable in Adjudications Before the Hearings Division	1094-AA52

Office of Hearings and Appeals - Final Rule

Title	Regulation Identifier Number
Special Procedures for Public Lands and Surface Mining Cases	1094-AA53

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

RIN: 1004-AD79

Title: Mineral Lands Available for Locating Lode and Placer Mining Claims and Mill and Tunnel Sites; Special Laws in Addition to FLPMA That Require Recording or Notice

Abstract: This rule will amend the regulations on locating, filing, and maintaining mining claims or sites by consolidating the remaining provisions scattered in various portions of Groups 3700 and 3800 that address lands available for location of mining claims or sites, and certain statutes requiring a mining claimant to meet them in order to maintain claim.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 3710; 43 CFR 3720; 43 CFR 3730; 43 CFR 3810; 43 CFR 3820; 43 CFR 3830; 43 CFR 3839 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 122; 30 USC 22 et seq; 30 USC 521 to 525; 30 USC 611 to 615; 30 USC 621 to 625; 43 USC 1201; 43 USC 299

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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

RIN: 1004-AD87

Title: Rights-of-Way, Principles and Procedures; Rights-of-Way Under the Mineral Leasing Act; Linear Right-of-Way Rental Payment Schedule

Abstract: The Bureau of Land Management (BLM) proposes to amend its right-of-way regulations to update the linear right-of-way rent schedule in 43 CFR parts 2800 and 2880. The rent schedule covers most linear rights-of-way granted under title V of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), and section 28 of the Mineral Leasing Act of 1920, as amended (MLA). Those laws require the holder of a right-of-way grant to pay annually, in advance, the fair market value to occupy, use, or traverse public lands for facilities such as power lines, fiber optic lines, pipelines, roads, and ditches. Section 367 of the Energy Policy Act of 2005 (the Act) directs the Secretary of the Interior to update the per acre rent schedule found in 43 CFR 2806.20. The Act requires that the BLM revise the per acre rental fee zone value schedule by state, county, and type of linear right-of-way use to reflect current land values in each zone. The Act also requires the Secretary of Agriculture (Forest Service) to make the same revisions for rights-of-way on National Forest System (NFS) lands.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 2800; 43 CFR 2880 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 367

Legal Deadline: Final rule required by Energy Policy Act of 2005, sec. 267, by August 8, 2006.

Action	Source	Date
Other	Statutory	08/08/2006

Timetable:

Action	Date	FR Cite
ANPRM	04/27/2006	71 FR 24836
ANPRM Comment Period End	05/30/2006	
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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

RIN: 1004-AD90

Title: Oil Shale Leasing and Operations

Abstract: The Energy Policy Act of 2005 envisions a 3-step approach to the development of oil shale resources. The first step is the creation of a limited Research, Development, and Demonstration (RDD) Leasing Program designed to evaluate and test promising oil shale technology. Step two in the process is the completion of a Programmatic Environmental Impact Statement for leasing of Oil Shale and Tar Sands on public lands, with an emphasis on the most geologically prospective lands within the States of Colorado, Utah, and Wyoming. The third step in the process is the creation of rules regulating the leasing and development of the oil shale. This rule would create the regulations necessary to develop converted RDD leases and make commercial exploration, leasing, and development possible.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 3900 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Sec. 369(d) of the Energy Policy Act of 2005

Legal Deadline: None

Regulatory Plan:

Statement of Need: Currently there are no regulations in place that allow leasing and development of oil shale resources. The rule would establish the regulatory framework allowing commercial leasing and development of oil shale.

Legal Basis: Sec. 369(d) of the Energy Policy Act of 2005 requires that the Secretary of the Interior publish final regulations establishing a commercial leasing program for Oil Shale and Tar Sands.

Alternatives: There is no alternative to creation of the regulations. Creation of the regulations is mandated by sec. 369(d) of the Energy Policy Act of 2005.

Costs and Benefits: BLM anticipates the following benefit: Increased Federal revenue and domestic fuel production, decreased dependency on energy imports, and the expansion of local economies through employment and taxes. The major categories of costs include: BLM administrative costs, including enforcement and monitoring, and compliance costs for lessees.

Risks: Development of the oil shale resources will place additional demands on the lands and localities containing the oil shale resources. These demands will result in increased resource conflicts (i.e., oil and gas, nahcolite, and wildlife) and pressure on local governments/infrastructure (i.e., law enforcement, schools, hospitals and roads).

Timetable:

Action	Date	FR Cite
ANPRM	08/25/2006	71 FR 50378
Commend Period Extended	09/26/2006	71 FR 56085
ANPRM Comment Period End	09/25/2006	
ANPRM Comment Period End	10/25/2006	
NPRM	03/00/2008	

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

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)**Bureau of Land Management (BLM)****RIN:** 1004-AD91**Title:** Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications**Abstract:** This rule will amend the procedures for phosphate lease modifications to allow adjustments of lease boundaries to facilitate the ultimate maximum recovery of mineral deposits within a lease, consistent with the protection and use of other natural resources and the protection and preservation of the environment.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 43 CFR 3510 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 30 USC 181 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** George F. Brown

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Department of the Interior (DOI)**Bureau of Land Management (BLM)****RIN:** 1004-AD93**Title:** Coal Management: Lease Modifications, Lease and Logical Mining Unit (LMU) Diligence; Advance Royalties; Royalty Rates; Bonds**Abstract:** This rule will amend the coal management regulations that pertain to the administration of Federal coal leases and logical mining units (LMUs) by implementing the provisions of title D of the Energy Policy Act of 2005 (Pub.L. 109-58) that include: Increasing the maximum acreage for a lease modification from 160 acres to 960 acres; new procedures for extending the life of a LMU beyond 40 years; changes in the procedures and standards for payment of advance royalty for leases and LMUs; elimination of the requirement to submit a resource recovery and protection plan within 3 years after the issuance or establishment of an LMU; and changes in procedures and standards for bonds used to ensure payment of the remaining balance of deferred bonus bids. The rule will also clarify the royalty rate that is applicable to continuous highwall mining operations conducted on Federal coal leases.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 43 CFR 3400; 43 CFR 3430; 43 CFR 3470; 43 CFR 3480 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 30 USC 189; 30 USC 359; 30 USC 1211; 30 USC 1251; 30 USC 1266; 30 USC 1273; 43 USC 1461; 43 USC 1733; 43 USC 1740**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: Undetermined

RIN Information URL: www.regulations.gov

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

RIN: 1004-AD97

Title: Oil and Gas Leasing and Operations--Appeals Procedures

Abstract: This proposed rule would replace the existing provisions for protesting the offering of certain parcels for oil and gas leasing and would bring into line the Bureau of Land Management's (BLM) oil and gas leasing processes with the best administrative practices of the Department of the Interior. The rule would specifically address opportunities for public comment on the BLM implementing certain land use allocation decisions related to oil and gas leasing approved in a land use plan. In addition to replacing lease protests with comments, the proposed rule would also ease the administrative burden on the Interior Board of Land Appeals (IBLA) through a new BLM process. The BLM would extend commenters an opportunity for administrative appeal only in those cases that the BLM has determined raise novel or important issues. The rule would revise the BLM procedures for State Director Review of oil and gas operational issues. For the purpose of the proposed rule we would make State Director Review available only to lessees and operators. This would effectively focus the attention of the State Directors on operational issues that can be resolved by staff trained in engineering and geology, leaving decisions regarding legal issues to the IBLA.

Priority: Routine and Frequent

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 4; 43 CFR 3120; 43 CFR 3160 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1201; 5 USC 301

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1004-AD78

Title: Oil and Gas Leasing in the National Petroleum Reserve--Alaska

Abstract: This rule will establish new administrative procedures for the efficient transfer, consolidation, segregation, suspension, and unitization of Federal leases in the National Petroleum Reserve in Alaska. It will implement section 347 of the Energy Policy Act of 2005.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 3130 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1733; 43 USC 1740; 43 USC 6508

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/22/2007	72 FR 28636
NPRM Comment Period End	07/23/2007	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1004-AD94

Title: Information Collection

Abstract: This rule will update information collection clearance numbers referred to throughout chapter II of subtitle B of title 43 of the Code of Federal Regulations, remove outdated language, and otherwise maintain the accuracy of such references.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 43 CFR 2200; 43 CFR 2500; 43 CFR 2700; 43 CFR 2720; 43 CFR 2740; 43 CFR 2812; 43 CFR 2920; 43 CFR 2930; 43 CFR 3100; 43 CFR 3140; 43 CFR 3160; 43 CFR 3200; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 44 USC 3501 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Department of the Interior (DOI)

Bureau of Land Management (BLM)

RIN: 1004-AD96

Title: Permits for Recreation on Public Lands

Abstract: This rule will explain that recreation use permits are used by the Bureau of Land Management to implement provisions of the Federal Lands Recreation Enhancement Act that refer to standard amenity permits and expanded amenity fees.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 2930 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1740; 16 USC 6802

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	01/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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**Department of the Interior (DOI)
Bureau of Land Management (BLM)****RIN:** 1004-AD98**Title:** Application Procedures: Filing a Document**Abstract:** This rule will amend the general procedures for submitting applications to the BLM by restoring to the regulations a provision allowing the BLM to accept a late filing or payment if acceptance would not interfere with the orderly conduct of business. This provision was inadvertently removed in a 1999 rewrite of this part.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 1820 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1740**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Shirlean Beshir

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**Department of the Interior (DOI)
Bureau of Land Management (BLM)****RIN:** 1004-AD59**Title:** Oil and Gas Onshore Order No. 1**Abstract:** This proposed rule would clarify the schedule for submitting and processing applications, define terms used, and introduce concepts that will make filing and processing more efficient. BLM does not intend to add significant new requirements. The rule is a joint rule with the U.S. Forest Service.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 43 CFR 3164 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1740

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/27/2005	70 FR 43349
Commend Period Extended	08/26/2005	70 FR 50262
Second NPRM	03/13/2006	71 FR 12656
Comment Period End	04/12/2006	
Final Rule	03/07/2007	72 FR 10308
Final Rule Effective	04/06/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Bureau of Land Management (BLM)

RIN: 1004-AD69

Title: Mining Claims Under the General Mining Law; Surface Management

Abstract: This rulemaking will determine whether or to what degree the Department of the Interior will charge fair market value for the surface use of unclaimed lands and lands where claims have been determined to be invalid for mining activities involving locatable minerals under the Mining Law.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 3800 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 21 et seq; 43 USC 1701 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	02/23/2007	72 FR 8139
Withdrawn	08/20/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: Undetermined

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

RIN: 1004-AD86

Title: Geothermal Resource Leasing; Geothermal Resources Unit Agreements: Unproven Areas

Abstract: The rule will implement changes in geothermal leasing and geothermal unitization regulations--an all-competitive leasing system, new royalty and fee structures, and production incentives--required by the Energy Policy Act of 2005, and will also include some other technical changes. The Energy Policy Act of 2005 (Act), subtitle B, Geothermal Energy, requires new regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 3200; 43 CFR 3280 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 30 USC 1001 et seq; 43 USC 1740; PL 109-58, Energy Policy Act of 2005, sec 221 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/21/2006	71 FR 41542
NPRM Comment Period End	09/19/2006	
Final Rule	05/02/2007	72 FR 24358
Final Action Effective	06/01/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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

RIN: 1004-AD92

Title: Regulatory Advisory Committees

Abstract: This rule will amend the BLM's existing regulations regarding advisory committees to be consistent with GSA's direction for all advisory committees within the Federal Government.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 1784 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC app

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	08/20/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1004-AD95

Title: Minerals Management: General

Abstract: This rule will amend the table in 43 CFR 3000.12 to adjust the fixed fees for cost recovery according to the change in the Implicit Price Deflator for Gross Domestic Product. The final rule will allow the BLM to update these fees and services by October 1, 2007, as required by the 2005 regulation. This rule simply administers the procedures set forth in that regulation.

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 3000 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 31 USC 9701; 43 USC 1701 et seq

Legal Deadline:

Action	Source	Date
Other	Statutory	10/01/2007

Timetable:

Action	Date	FR Cite
Final Action	09/05/2007	72 FR 50882
Final Action Effective	10/01/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

RIN Information URL: www.regulations.gov

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Department of the Interior (DOI)**Bureau of Reclamation (RB)****RIN:** 1006-AA48**Title:** Implementation of the Truckee River Operating Agreement

Abstract: This rule would implement the Truckee River Operating Agreement in accordance with the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990. The Agreement's primary purposes are to modify reservoir operations in the Truckee River basin, enhance conditions for threatened and endangered fish species, increase drought protection, improve water quality, and enhance stream flows. The draft agreement was approved by the Department of the Interior, the States of California and Nevada, the Truckee Meadows Water Authority, and the Pyramid Lake Paiute Tribe.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 419 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 104 Stat 3294**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kenneth Parr

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Department of the Interior (DOI)**Bureau of Reclamation (RB)****RIN:** 1006-AA50**Title:** Regulating the Taking of Lower Colorado River Water Without an Entitlement

Abstract: The rule is needed to prevent unlawful taking of Colorado River water and motivate unlawful users to sign contracts or subcontracts authorizing them to use water. Arizona, California, and Nevada all recognize that action is necessary to stop unlawful taking of Colorado River water in the Lower Basin. There is no viable alternative to a rule for addressing non-contract use.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 415 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 373; 43 USC 485; 43 USC 617; 5 USC 552**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/18/2006	71 FR 47763
ANPRM Comment Period End	10/17/2006	
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Margot Selig

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Department of the Interior (DOI)**Bureau of Reclamation (RB)****RIN:** 1006-AA53**Title:** Reclamation Loan Guarantee Program

Abstract: Much of Reclamation's water supply infrastructure was built in the early 1900s and is at or nearing the end of its design life. In many cases, this infrastructure is in need of extraordinary maintenance work or rehabilitation. Reclamation law assigns responsibility for these costs to the projects' beneficiaries, but these entities often cannot secure long-term financing from private lenders for these expenses. This is primarily because Reclamation holds title to the facilities, leaving the entities with little or no collateral to pledge for typical loans. Public Law 109-451 gives the Secretary of the Interior authority to issue loan guarantees to assist in financing both rural water supply projects and extraordinary maintenance and rehabilitation. Reclamation's rule will establish the eligibility criteria and program requirements for loan guarantees.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 403 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 109-451**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

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

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

RIN: 1006-AA54

Title: Rural Water Supply Program

Abstract: This rule would establish criteria for the Rural Water Supply Program, including prioritization and eligibility criteria and criteria for conducting appraisal and feasibility studies. The program will work with non-Federal entities to plan and design safe and adequate water supplies for domestic, municipal, and industrial use in small communities and rural areas of the Reclamation States.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-451

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1006-AA51

Title: Use of Reclamation Land, Facilities, and Water Bodies

Abstract: This rule will provide: (1) Notification that authorization is required to use Reclamation lands, facilities, and water bodies; (2) information on required forms and clearer application procedures; (3) explicit application review criteria; (4) information on application fees, recovery of administrative costs, and collection of fees; (5) conditions under which costs and fees may be reduced or waived; (6) a listing of prohibited uses; and (7) a clear decisions and appeals process for decisions made under this part.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 429 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 373; 43 USC 395; 43 USC 9701; PL 108-447

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/18/2007	72 FR 39530
NPRM Comment Period End	10/16/2007	
Final Action	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)

Bureau of Reclamation (RB)

RIN: 1006-AA52

Title: Inclusion of Hoover Dam

Abstract: This rule would include Hoover Dam within the applicability of the recently-issued "Public Conduct on Bureau of Reclamation Facilities, Lands, and Waterbodies" (43 CFR part 423), which currently applies to all Reclamation facilities except Hoover Dam. Reclamation initially decided not to include the Hoover Dam area under the new rule because that area was already subject to an existing public conduct rule, 43 CFR part 421. However, Reclamation has since determined that, primarily for reasons of consistency in agency-wide law enforcement, it will be preferable to make all Reclamation projects subject to the same set of public conduct regulations. This rule will also remove 43 CFR part 421 from the Code of Federal Regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 421; 43 CFR 423 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 373b; 16 USC 460

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/28/2006	71 FR 56923
NPRM Comment Period End	11/27/2006	
Final Action	06/08/2007	72 FR 31755

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1010-AD14

Title: Requirements for Material, Personnel, and Pipe Handling Operations

Abstract: MMS is seeking comments on various approaches to regulating operations involving the movement of material, personnel, and pipe on the Outer Continental Shelf (OCS) facilities. MMS is examining several regulatory approaches because material, personnel, and pipe handling incidents continue to occur on the OCS on a regular basis. Responses to this request will help MMS establish an appropriate regulatory approach for improving the safety of these operations.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250.108 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kumkum Ray

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

RIN: 1010-AC29

Title: Takes Versus Entitlements Reporting

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.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 30 USC 1001 et seq; 30 USC 1701 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 5 USC 301 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	11/29/2005	70 FR 71421
ANPRM	04/07/2006	71 FR 17774
ANPRM Comment Period End	06/06/2006	
Second NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local; State

Small Entities Affected: Business

Federalism: No

Energy Affected: Undetermined

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

RIN: 1010-AC58

Title: End-of-Life Royalty Relief

Abstract: This rule proposes to amend the circumstances that discontinue the existing royalty relief for end-of-life oil and gas leases and expands the eligibility criteria for leases to qualify for this program.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 203 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 25 USC 396 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	
NPRM Comment Period End	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)
Minerals Management Service (MMS)
RIN: 1010-AD02**Title:** Royalty Relief in Special Circumstances

Abstract: MMS regulations include a process for certain leases (those that are inadequately helped by our formal relief systems) to seek special royalty relief. However, overly restrictive eligibility criteria may exclude some leases that fulfill statutory purposes, while redundant criteria may include other leases that do not fit statutory purposes. This rule would refine the eligibility criteria to include marginal discoveries in the shallow water part of the Gulf of Mexico that may offer meaningful conservation or infrastructure preservation benefits.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 203 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	
NPRM Comment Period End	08/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Kumkum Ray

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Department of the Interior (DOI)
Minerals Management Service (MMS)
RIN: 1010-AD06**Title:** Leasing of Sulphur or Oil and Gas in the Outer Continental Shelf

Abstract: This rulemaking will rewrite the existing rules at 30 CFR part 256 to make them clearer. The rule has been reorganized and streamlined to better reflect the 5-year and lease sale processes as they have evolved since the last rewrite in the 1980s. There are few substantive changes to the rule.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	
NPRM Comment Period End	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)

Minerals Management Service (MMS)

RIN: 1010-AD11

Title: Pipeline Safety Rule Phase I

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 250; 43 USC 1331 et seq (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/03/2007	72 FR 56442
NPRM Comment Period End	01/31/2008	
Final Action	10/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD13**Title:** Rights of Use and Easement

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	
NPRM Comment Period End	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Kumkum Ray

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD15**Title:** Safety Management Systems

Abstract: MMS is seeking comments on regulatory options for the development of safety and environmental management systems (SEMS) for operations conducted on the Outer Continental Shelf (OCS) under MMS jurisdiction. The options range from voluntary implementation to establishment of a 12-element program. MMS believes that effective use of SEMS would improve safety and environmental performance on the OCS. Comments on the options will help MMS determine the best approach for integrating SEMS into its regulatory program.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	05/22/2006	71 FR 29277
ANPRM Comment Period End	10/23/2006	
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1010-AD29

Title: Reduction in Oil and Gas Royalty Rates in the Outer Continental Shelf Under the Deep Water Royalty Relief Act

Abstract: Currently MMS regulations state that a lease is not entitled to royalty suspension volume (RSV) if the lease is in a field that included a lease that produced before Deep Water Royalty Relief Act. A recent court decision held that MMS had no authority to deny royalty relief based on those circumstances. Also, where an eligible lease was placed on a field with other eligible leases, MMS regulations require that all eligible leases share the one RSV. The court held MMS has no authority to impose this restriction. Rulemaking is necessary to conform the regulations to the court decision.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Yes

Unfunded Mandates: No

CFR Citation: 30 CFR 203; 30 CFR 260 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1010-AD30

Title: Alternate Energy-Related Uses on the Outer Continental Shelf

Abstract: This rulemaking is required by section 388 of the Energy Policy Act of 2005. This rule will establish a cohesive Federal permitting process for alternate energy-related uses on the Outer Continental Shelf (OCS), including renewable energy development, and for alternate uses of existing OCS platforms.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 285 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	12/30/2005	70 FR 77345
ANPRM Comment Period End	02/28/2006	
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Minerals Management Service (MMS)

RIN: 1010-AD34

Title: Revenue Sharing for Alternative Uses on the Outer Continental Shelf

Abstract: This rule implements section 388(a)(2)(B) of the Energy Policy Act of 2005. The law requires DOI (MMS) to establish a formula for equitable distribution of 8(g) revenue (27 percent of Federal royalties) among States within 15 miles of the geographic center of a project for alternative energy projects.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 285 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-190

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
NPRM Comment Period End	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

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

RIN: 1010-AD36

Title: Debt Collection

Abstract: Current MMS regulations do not contain a debt collection rule as required by the Federal Claims Collection Act of 1966 (Pub. L. 89-508, 80 Stat. 308), as amended by the Debt Collection Act of 1982 and the Debt Collection Improvement Act of 1996. This rulemaking will satisfy those statutory requirements.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 218 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 89-508**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharron Gebhardt

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

RIN: 1010-AD37

Title: Valuation of Coal for Advance Royalty Purposes

Abstract: This rulemaking would comply with a requirement of the Energy Policy Act of 2005, which changes the way coal is valued on Federal leases for purposes of determining advance royalty in lieu of continued operations. This rulemaking would update the regulations to implement this change in the governing law.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 206; 43 CFR 3483 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 109-58

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharron Gebhardt

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD43**Title:** Electronic Payment for Cost Recovery Fees for Oil and Gas Operations**Abstract:** This rule would require electronic payment through pay.gov for all OCS application and filing fee payments. Processing, handling, and posting check payments is significantly more work for MMS and leads to errors and payment problems that may take hours to research and correct and may delay MMS action on submitted applications.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250 to 30 CFR 251; 30 CFR 256 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	
NPRM Comment Period End	02/00/2008	

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

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

RIN: 1010-AD44

Title: Bonus or Royalty Credits for Relinquishing of Certain Leases Offshore Florida

Abstract: This rule implements a provision in the Gulf of Mexico Energy Security Act of 2006 that requires providing a bonus or royalty credit for the relinquishment of certain eligible leases. This Act mandates promulgation of a regulation within 1 year after enactment; i.e., by December 21, 2007. Eligible leases are those within 125 miles of the Florida coast in the Eastern Planning Area, and within 100 miles of the Florida coast in the Central Planning area.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 30 CFR 256 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
NPRM Comment Period End	01/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1010-AD45

Title: Documents Incorporated by Reference–API Spec 14A

Abstract: MMS has concerns about testing requirements for safety valves for critical wells having a rated working pressure greater than 15,000 psig, or temperatures greater than 350 degrees. This rule would incorporate by reference the latest edition (11th) of American Petroleum Institute's (API) Specification for Subsurface Safety Valve (SSSV) Equipment, API Specification 14A into the regulations and add a new requirement for the submission of information concerning safety valve design and testing.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Not Yet Determined

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	
NPRM Comment Period End	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Wilbon A. Rhone Department of the Interior

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD46**Title:** Distribution of Qualified OCS Gulf Revenues to Nearby States

Abstract: This rule would implement a provision in the Gulf of Mexico Energy Security Act of 2006 (Pub. L. 109-432) that requires distributing a portion of qualified revenues collected from leases in the Gulf of Mexico to nearby States. This Act mandates allocating monies paid by certain OCS leases based on the distance from the State coastline to the lease. Revenues involved are from future leases in the newly opened areas of the Gulf of Mexico near Florida for the next 10 years and after 2016 from leases issued from 2007 forward in the whole Gulf of Mexico.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 219 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Not Yet Determined**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	
NPRM Comment Period End	04/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marshall B. Rose Department of the Interior

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD47**Title:** Incorporation by Reference--Annular Casing Pressure Management

Abstract: This proposed rule would incorporate the American Petroleum Institute standard API RP 90, "Annular Casing Pressure Management for Offshore Wells," into the regulations, and establish criteria for testing and departures. API RP 90 is a guide for managing annular casing pressures that covers topics of monitoring, diagnostic testing, maximum allowable wellhead operating pressure (MAWOP), and acceptable risk level for annular casing pressure under certain parameters. This rule would clarify departure and diagnostic testing criteria, thereby reducing the volume of departure requests sent to the Regions and reducing certain diagnostic testing performed by industry.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kirk Malstrom Department of the Interior

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD48**Title:** Incorporation of API Hurricane Bulletins Into MMS Regulations

Abstract: The direct final rule would incorporate three API hurricane bulletins into MMS's regulations. The hurricane bulletins increase survivability by raising design and assessment criteria for both new and existing structures. If these bulletins are not incorporated into MMS's regulations, there is a significant chance that another hurricane event could destroy or damage many structures in the central Gulf of Mexico resulting in possible pollution and negative economic impacts from lost/decreased production.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

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

Energy Affected: No

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

RIN: 1010-AD00

Title: Indian Oil Valuation

Abstract: This rule would make technical changes to the rules at 30 CFR 206.50 through 206.55 regarding valuation for royalty purposes of oil produced from Indian leases. Issues related to the calculation of "major portion" for production from these leases will be addressed in a future rule to be developed by a negotiated rulemaking committee that MMS will establish.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 206 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 2101 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 30 USC 1701 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	12/20/1995	60 FR 65610
NPRM	02/12/1998	63 FR 7089
NPRM Comment Period Extended	04/09/1998	63 FR 7089
NPRM Comment Period End	05/13/1998	
Commend Period Extended	02/28/2000	65 FR 10436
Supplemental NPRM	02/13/2006	71 FR 7453
Supplemental NPRM	04/14/2006	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 1010-AC24

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

RIN: 1010-AD12

Title: Oil and Gas Production Rates

Abstract: This rule would amend provisions regarding oil and natural gas production. This is a complete rewrite of that section and addresses issues such as production rates and burning oil and flaring and venting natural gas. Currently there are restrictions on production rates that are no longer needed and the limits on flaring and venting natural gas are open to interpretation. The proposed rule would eliminate most restrictions on production rates and clarify flaring and venting limits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/06/2007	72 FR 9884
NPRM Comment Period End	06/04/2007	
Final Action	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)

Minerals Management Service (MMS)

RIN: 1010-AD17

Title: Open and Nondiscriminatory Movement of Oil and Gas as Required by the Outer Continental Shelf Lands Act

Abstract: The Outer Continental Shelf Lands Act (OCSLA) requires pipelines to provide open and non-discriminatory access to shippers of production. The Federal Energy Regulatory Commission (FERC) has historically enforced this provision through its enforcement of the Natural Gas Act (NGA) and the Interstate Commerce Act. Beginning in the 1990s, FERC began relinquishing NGA jurisdiction over some of these pipelines. FERC contended it still maintained authority under OCSLA; however, the Courts have ruled otherwise. In order to provide shippers with a methodology to file complaints alleging denial of access or discriminatory access, MMS is proposing regulations to fill this regulatory gap.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 270 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1863

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/06/2007	72 FR 17047
NPRM Comment Period End	06/05/2007	
Final Action	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1010-AD18

Title: Revisions to Rules Governing Platforms and Structures and Pipelines

Abstract: The proposed revisions are necessary because of aging OCS infrastructure and the movement of OCS facilities into deeper waters through the use of new technology. These proposed revisions would require lease operators and pipeline right-of-way holders to: (1) Submit information on the structural integrity of their OCS platforms; (2) submit an inspection program to MMS yearly; (3) provide additional information if they propose using unbonded flexible pipe or install pipeline risers on floating platforms. The proposed rule, at the request of industry, incorporates an industry-developed document into our regulations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/03/2006	71 FR 37874
NPRM Comment Period End	09/01/2006	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1010-AD20

Title: Reporting Amendments

Abstract: This rule would amend current reporting requirements to delete references to old reports, designations, systems, and codes; and add new ones as needed. MMS faces substantial risk if it does not provide regulatory authority for the current reporting scheme.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 206; 30 CFR 210; 30 CFR 216; 30 CFR 218 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 2107; 25 USC 396; 30 USC 1023; 30 USC 1751(a); 30 USC 189 to 30 USC 190; 30 USC 359; 31 USC 3716; 43 USC 1334; 44 USC 3505(a); 5 USC 301 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/07/2006	71 FR 38545
NPRM Comment Period End	09/05/2006	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Minerals Management Service (MMS)

RIN: 1010-AD33

Title: Deep Gas and Offshore Alaska Provisions

Abstract: This rule implements three new royalty relief incentives specified by the Energy Policy Act of 2005 (Pub. L. 109-190). The new incentives are: (1) A royalty suspension volume of 35 BCF for gas produced from ultra-deep (20,000 feet or more subsea) reservoirs on shallow water leases in the Gulf of Mexico; (2) extension of at least the existing deep gas incentives plus the new ultra-deep gas incentive to leases in the Gulf located in water depths between 200 and 400 meters of water; and (3) provision of pre-production royalty relief to leases in offshore Alaska when it is necessary to promote development, increased production, or production of marginal resources.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 203 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-190

Legal Deadline:

Action	Source	Date
Other	Statutory	02/03/2006

Timetable:

Action	Date	FR Cite
NPRM	05/18/2007	72 FR 283296
NPRM Comment Period End	07/17/2007	
Final Rule	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Kumkum Ray

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD41**Title:** Changing Proprietary Term of Certain Geophysical Information

Abstract: Certain vintage geophysical information can have an enhanced value by processing or reprocessing. Under current regulations, when MMS retains this information, the permittee or third party has 5 years or less to benefit from this processing or reprocessing before the proprietary term expires. Early release of such valuable information could cost the industry considerable sums of money. The proprietary term can be extended only via rulemaking. This rule would propose changes to the requirements governing release of this information.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 251 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 USC 1331**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/18/2007	72 FR 33417
NPRM Comment Period End	08/17/2007	
Final Action	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dave Zinzer Department of the Interior

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

RIN: 1010-AC27

Title: Late and Overpayments of Interest

Abstract: This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent, and estimates resulting from sales of Federal onshore and offshore oil and gas production.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 30 CFR 206; 30 CFR 218; 30 CFR 230 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Sharron Gebhardt

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

RIN: 1010-AC31

Title: Prepayment of Royalties

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.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 30 CFR 204 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1735**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2008	

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

Federalism: No**Energy Affected:** Undetermined**Agency Contact:** Sharron Gebhardt

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD21**Title:** Federal Sodium and Potassium Valuation**Abstract:** This rule will: (1) Create valuation rules for sodium and potassium minerals, which are currently subject to generic regulations governing solid minerals; and (2) make existing rules more specific and clear. This rule would affect all lessees because they would have to comply when computing Federal production royalties.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 206 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharron Gebhardt

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD10**Title:** Protection of Marine Mammals and Endangered Species

Abstract: This rule would revise subpart B to require lessees to provide information on the requirements of the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). It identifies environmental, monitoring, and mitigation information that lessees must submit with exploration and development and production. The proposed rule would ensure that lessees conduct their activities in a manner consistent with the provisions of the ESA and MMPA.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 250 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/06/2005	70 FR 52953
NPRM Comment Period End	11/07/2005	
Final Rule	04/13/2007	72 FR 18577

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

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

RIN: 1010-AD32

Title: Geothermal Valuation

Abstract: The current MMS regulations for geothermal valuation and reporting must be changed to implement the recently passed Energy Policy Act of 2005. The Energy Policy Act of 2005 changes the methodology for geothermal valuation and simplifies the calculations for geothermal resources, for both direct use and electrical-generation purposes.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 202; 30 CFR 206; 30 CFR 210; 30 CFR 212 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 43 USC 1331 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/21/2006	71 FR 41515
NPRM Comment Period End	09/19/2006	
Final Rule	05/02/2007	72 FR 24448

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sharron Gebhardt

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Department of the Interior (DOI)**Minerals Management Service (MMS)****RIN:** 1010-AD42**Title:** Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS)--Corrections**Abstract:** These correcting amendments would make minor technical changes to regulations that will correct various citations and typographical errors, as well as correct MMS form titles/numbers in 30 CFR 250.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 250; 30 CFR 251; 30 CFR 260; 30 CFR 270 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 43 UCS 1331 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	04/04/2007	72 FR 25197

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Cheryl Blundon Department of the Interior

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT34**Title:** Marine Mammals; Endangered and Threatened Wildlife and Plants; Proposed Termination of the Southern Sea Otter Translocation Program

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

Priority: Other Significant

Agenda Stage of Rulemaking: PreRule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	10/07/2005	70 FR 58737
ANPRM	11/00/2007	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV40

Title: Endangered and Threatened Wildlife and Plants; Amendment of the Rule Establishing a Nonessential Experimental Population of the Arizona and New Mexico Population of the Gray Wolf (Mexican Gray Wolf)

Abstract: We are preparing a draft environmental impact statement (EIS) and socioeconomic assessment, pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, in conjunction with a proposed rule to amend the 1998 final rule that authorized the establishment of a nonessential experimental population of the "Mexican gray wolf" in Arizona and New Mexico, under section 10(j) of the Endangered Species Act of 1973, as amended (Act). We will hold 12 public informational sessions and scoping meetings.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: PreRule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17; 40 CFR 1506.6 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq; 42 USC 4321 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	08/07/2007	72 FR 44065
ANPRM Comment Period End	12/31/2007	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1018-AD07**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AC89**Title:** Seizure and Forfeiture Procedures

Abstract: The Service proposes to amend our regulations that establish procedures relating to property seized and administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisal, administrative proceeding, petition for remission, and disposal of items subject to forfeiture. Also, these revisions are intended to provide for greater consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service. In August 2000, the Civil Asset Forfeiture Reform Act became law. CAFRA mandated many changes to 50 CFR 12 that we will incorporate in a second proposed rule.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 12 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 3371 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/27/1995	60 FR 58468
NPRM Comment Period End	01/26/1996	
Second NPRM	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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

RIN: 1018-AF09

Title: U.S. Proposals for CITES Appendix III; American Eel

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 23 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Small Entities Affected: Business

Federalism: No

Energy Affected: Undetermined

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

RIN: 1018-AF27

Title: Humane and Healthful Transport of Reptiles and Amphibians to the United States

Abstract: We propose to add numerous transport standards to 50 CFR part 14 for reptiles and amphibians. Standards have already been promulgated for mammals and birds.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 18 USC 42; 16 USC 3371 to 3378**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

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

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AF44**Title:** Importation of Captive-Bred Exotic Birds Into the United States From Breeding Facilities in Other Countries

Abstract: On March 17, 1994, we published a proposed rule that included certain provisions of the Wild Bird Conservation Act (WBCA). This planned re-proposal would allow import of captive-bred birds from facilities in other countries for species that are otherwise prohibited from import under the WBCA.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 15 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 4901 to 4916**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/17/1994	59 FR 12784
Second NPRM	12/00/2007	

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

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AF46

Title: Importation, Exportation, and Transportation of Wildlife

Abstract: We propose to revise the importation, exportation, and transportation regulations pertaining to the movement of all wildlife and wildlife products into or out of the United States.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	07/15/1998	63 FR 38143
ANPRM Comment Period End	09/14/1998	63 FR 38143
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AG00

Title: 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

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	09/23/1999	64 FR 51499
Comment Period End	01/21/2000	
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AG64

Title: Wild Bird Conservation Act: Review of Approved List of Captive-Bred Species

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 propose to amend this approved list, which was established in 1994.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 15 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 4901 to 4916

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	05/29/2001	66 FR 29072
Comment Period End	07/30/2001	66 FR 29072
NPRM	09/00/2008	

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

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AI12**Title:** Corrections to Rights-of-Way Regulations

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 29 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 101-475**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

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

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AI65**Title:** Import of Polar Bear Trophies From Canada; Findings for the Western Hudson Population

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 18.30 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1361 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

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

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-A183**Title:** Endangered and Threatened Wildlife and Plants; Downlisting the Wood Bison From Endangered to Threatened**Abstract:** We are taking action to downlist the wood bison from endangered to threatened. This action is being considered because of progress in the recovery of this species.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

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

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AI97**Title:** Migratory Bird Permits; Regulations Governing Possession of Migratory Birds for Educational Purposes**Abstract:** We will amend migratory bird permit regulations to create a new permit to possess migratory birds, including eagles, for educational purposes. Currently, this activity is authorized by a miscellaneous permit category.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 92 Stat 3112 (16 USC 712(2)); PL 95-616; PL 106-108; 16 USC 668a; 16 USC 703 to 712; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	10/13/2005	70 FR 59710
ANPRM Comment Period End	12/12/2005	70 FR 59710
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert Blohm

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AJ24**Title:** Humane and Healthful Transport of Wild Mammals and Birds to the United States**Abstract:** We published an advance notice of proposed rulemaking to ask the public for comments and input into the best process and spectrum of updates needed to amend the regulations that establish standards for the humane and healthful transport of wild birds and mammals. These regulations have not been amended in more than 10 years and are currently not in accordance with international requirements.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 18 USC 42; 16 USC 3371 to 3378**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	09/16/2005	70 FR 54700
ANPRM Comment Period End	12/15/2005	70 FR 54700
NPRM	06/00/2008	

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

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Government Levels Affected: Undetermined**Federalism:** No**Department of the Interior (DOI)****United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT50**Title:** Revised Definition of "Destruction or Adverse Modification" for Endangered Species Act Section 7 Consultations**Abstract:** Fish and Wildlife Service and National Marine Fisheries Service will revise the definition of "destruction or adverse modification" to reflect the two Circuit Court of Appeals decisions that the existing regulation is invalid.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 402.02 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Related Agencies:** Joint : NOAA

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT72**Title:** Mosquito and Mosquito-Borne Disease Management

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 668dd to 668ee**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michael Higgins

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT79**Title:** Endangered and Threatened Wildlife and Plants; Salt Creek Tiger Beetle Critical Habitat Designation

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

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1018-AJ13**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT85**Title:** Endangered and Threatened Wildlife and Plants; Removal of the Cui-ui From the List of Endangered and Threatened Wildlife**Abstract:** The Service proposes to remove the cui-ui (*Chasmistes cujus*), a fish in Nevada, from the List of Endangered and Threatened Wildlife based on recovery of this species. Threats to the species have been reduced, and the population has rebounded and surpassed recovery levels.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU16**Title:** Negotiation of Annual Funding Agreements With Tribes (Manual Chapter)

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Proposed Rule	01/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Dave Walker

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU38

Title: Civil Procedures

Abstract: We plan to revise our civil procedure regulations to make them easier to understand, through use of simpler language and more clearly explained procedures. These regulations provide uniform rules and procedures for the assessment of civil penalties in connection with violations of certain laws and regulations enforced by the Service.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 11 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU40

Title: CITES Appendix III Listing of Galax

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 23 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU62

Title: Endangered and Threatened Wildlife and Plants; Amending the Formats of the Lists of Endangered and Threatened Wildlife and Plants

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU67

Title: Endangered and Threatened Wildlife and Plants; Removal of the Maguire Daisy From the List of Endangered and Threatened Plants

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU68**Title:** Endangered and Threatened Wildlife and Plants; Designation of a Nonessential Experimental Population of the Rio Grande Silvery Minnow in Texas**Abstract:** The Service proposes a nonessential experimental population of the Rio Grande silvery minnow in Texas. This action is being taken to achieve one of the species's recovery goals, to reestablish the minnow in at least three other areas of its historic range, as outlined in the 1999 recovery plan.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/05/2007	72 FR 50918
NPRM Comment Period End	11/05/2007	
Final Action	09/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU69**Title:** Endangered and Threatened Wildlife and Plants; Proposed Reclassification of the Running Buffalo Clover From Endangered to Threatened**Abstract:** The Service proposes to reclassify the running buffalo clover from endangered to threatened. This plant is found in Arkansas, Illinois, Indiana, Kansas, Kentucky, Missouri, Ohio, and West Virginia.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Michelle Morgan

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU84

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Nevin's Barberrry

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

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	01/30/2007
Other	Judicial	01/30/2008

Timetable:

Action	Date	FR Cite
NPRM	02/06/2007	72 FR 5551
NPRM Comment Period End	04/09/2007	72 FR 5551
NPRM Comment Period End	10/17/2007	72 FR 58793
NPRM Comment Period End	11/16/2007	
Final Action	01/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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

RIN: 1018-AU88

Title: Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Two Aquatic Snails and One Freshwater Mussel in the Southeast

Abstract: We propose to make a listing determination and to designate critical habitat for the interrupted rocksnail and rough hornsnail (aquatic snails) and the Georgia pigtoe (freshwater mussel), all of which occur in the Mobile River Basin of Alabama and Georgia.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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

RIN: 1018-AU93

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for 12 Species of Hawaiian Picture-Wing Flies

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

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	11/15/2007
Other	Judicial	11/15/2008

Timetable:

Action	Date	FR Cite
NPRM	08/15/2006	71 FR 46994
NPRM Comment Period End	10/16/2006	71 FR 46994
NPRM COmment Period Reopened	01/04/2007	72 FR 321
NPRM Comment Period End	01/19/2007	72 FR 321
Second NPRM	11/00/2007	
Supplemental NPRM	04/00/2008	
Final Action	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Douglas Krofta

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU95

Title: Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2008-2009 Subsistence Taking of Wildlife Regulations

Abstract: We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2008-2009 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 242; 50 CFR 100 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 3124

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

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

Office of Subsistence Management

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU96**Title:** Endangered and Threatened Wildlife and Plants; Withdrawal of the Reclassification Rule and Removal of the Hawaiian Hawk From the List of Endangered and Threatened Wildlife**Abstract:** We plan to withdraw the previous proposed rule to reclassify the Hawaiian hawk, and instead we propose to delist the Hawaiian hawk. This action is based on recovery.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	08/05/1993	58 FR 41684
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1018-AB88**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU97**Title:** Endangered and Threatened Wildlife and Plants; Delisting of Concho Watersnake**Abstract:** We propose to remove the Concho watersnake, a species in Texas, from the List of Endangered and Threatened Wildlife due to recovery.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV00**Title:** Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for *Phyllostegia hispida***Abstract:** We plan to make a determination on listing a Hawaiian plant, *Phyllostegia hispida* (no common name), as endangered under the Endangered Species Act and designating critical habitat for this species.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

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

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV02

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Pecos Sunflower

Abstract: We propose to designate critical habitat for the Pecos sunflower, a threatened plant in New Mexico and Texas.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	03/16/2007
Other	Judicial	03/16/2008

Timetable:

Action	Date	FR Cite
NPRM	03/27/2007	72 FR 14328
NPRM Comment Period End	05/29/2007	72 FR 14328
Supplemental NPRM	11/00/2007	
Final Action	03/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV03**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for La Graciosa Thistle**Abstract:** We propose to designate critical habitat for La Graciosa thistle, an endangered plant in San Luis Obispo and Santa Barbara Counties, California.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	07/27/2008
Other	Judicial	07/27/2009

Timetable:

Action	Date	FR Cite
NPRM	08/00/2008	
Supplemental NPRM	01/00/2009	
Final Action	08/00/2009	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV04**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for California Taraxacum and San Bernardino Bluegrass**Abstract:** We propose to designate critical habitat for California taraxacum (*Taraxacum californicum*) and San Bernardino bluegrass (*Poa atropurpurea*), two endangered plants in the mountains of southern California.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	07/27/2007
Other	Judicial	07/25/2008

Timetable:

Action	Date	FR Cite
NPRM	08/07/2007	72 FR 44231
NPRM Comment Period End	09/21/2007	
Supplemental NPRM	01/00/2008	
Final Action	08/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV05**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Sierra Nevada Distinct Population Segment of California Bighorn Sheep**Abstract:** We propose to designate critical habitat for the Sierra Nevada Distinct Population Segment of California bighorn sheep in Mono and Inyo Counties, California.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	07/17/2007
Other	Judicial	07/17/2008

Timetable:

Action	Date	FR Cite
NPRM	07/25/2007	72 FR 40955
NPRM Comment Period End	09/24/2007	72 FR 40955
Supplemental NPRM	12/00/2007	
Final Action	07/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV06**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Five Carbonate Plants From the San Bernardino Mountains of Southern California**Abstract:** We propose to revise critical habitat for five carbonate plants in San Bernardino County, California: Cushenberry milk vetch (*Astragalus albens*), Cushenberry buckwheat (*Eriogonum ovalifolium* var. *vineum*), San Bernardino Mountains bladderpod (*Lesquerella kingii* ssp. *bernardina*), Cushenberry oxytheca (*Oxytheca parishii* var. *goodmaniana*), and Parish's daisy (*Erigeron parishii*).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV07

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the San Bernardino Kangaroo Rat

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	06/01/2007
Other	Judicial	06/01/2008

Timetable:

Action	Date	FR Cite
NPRM	06/19/2007	72 FR 33807
NPRM Comment Period End	08/20/2007	72 FR 33807
Supplemental NPRM	11/00/2007	
Final Action	06/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV09

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Peninsular Bighorn Sheep

Abstract: We propose to designate critical habitat for the peninsular bighorn sheep (*Ovis canadensis*) in Riverside, San Diego, and Imperial Counties, California.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	09/30/2007
Other	Judicial	09/30/2008

Timetable:

Action	Date	FR Cite
NPRM	10/10/2007	72 FR 57740
NPRM Comment Period End	12/10/2007	
Supplemental NPRM	03/00/2008	
Final Action	10/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV14**Title:** Migratory Birds; Religious/Spiritual Use of Feathers by Native Americans

Abstract: We are planning a possible proposed rule to allow Native Americans to legally acquire non-eagle feathers for religious use. Currently, there are no regulations governing acquisition and possession of migratory bird parts and feathers (of birds other than eagles) for Native American religious use. We believe that Native American need for these parts and feathers for religious use is a compelling justification for implementation of an approved method of legal acquisition. Through this implementation, we would seek to protect the traditional religious and cultural resource values of Native Americans.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 50 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 703 to 712; 16 USC 668a**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	06/15/2007	72 FR 33188
ANPRM Comment Period End	08/14/2007	72 FR 33188
NPRM	03/00/2008	

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

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

RIN: 1018-AV20

Title: 2007 to 2008 Refuge-Specific Hunting and Sport Fishing Regulations

Abstract: We propose to open additional national wildlife refuges to hunting and/or sport fishing and to provide refuge-specific regulations for those activities and to amend certain regulations on existing refuges in 50 CFR part 32. This is an annual update for the National Wildlife Refuge System that ensures adequate public notice of openings/changes. We operate hunting/fishing programs on refuges in furtherance of the implementation of the National Wildlife Refuge System Improvement Act of 1997 directives to facilitate compatible priority wildlife-dependent recreational opportunities.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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

RIN: 1018-AV21

Title: Endangered and Threatened Wildlife and Plants; Listing Six Foreign Birds of the Family Procellariidae (Tube-Nosed Seabirds) as Endangered on the List of Threatened and Endangered Wildlife

Abstract: We are proposing to list the following six foreign Pacific Ocean bird species of the Family Procellariidae (Tube-nosed seabirds) as endangered on the List of Threatened and Endangered Wildlife: the Fiji petrel (*Pterodroma macgillivrayi*), the Chatham petrel (*Pterodroma axillaris*), Cook's petrel (*Pterodroma cookii*), the Galapagos petrel (*Pterodroma phaeopygia*), the magenta petrel (*Pterodroma magentae*), and Heinroth's shearwater (*Puffinus heinrothi*).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Dr. Rosemarie Gnam

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E-Mail: rosemarie_gnam@fws.gov**Department of the Interior (DOI)****United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV22**Title:** Endangered and Threatened Wildlife and Plants; Removing the Morelet's Crocodile From the List of Endangered and Threatened Wildlife**Abstract:** We propose to remove the Morelet's crocodile from the List of Threatened and Endangered Wildlife, because substantial scientific and commercial information indicates that the action may be warranted. The species is found naturally along the Atlantic coast of Mexico and northern Central America (i.e., Belize and Guatemala), where it inhabits freshwater habitats.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	06/28/2006	71 FR 36743
ANPRM Comment Period End	09/26/2006	71 FR 36743
NPRM	12/00/2007	

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

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

RIN: 1018-AV23

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Quino Checkerspot Butterfly

Abstract: We propose to revise critical habitat for the Quino checkerspot butterfly, an endangered butterfly in California.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	12/07/2007
Other	Judicial	12/07/2008

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	
Supplemental NPRM	05/00/2008	
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AV24

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Bay Checkerspot Butterfly, California

Abstract: We propose to revise critical habitat for the Bay checkerspot butterfly, a threatened butterfly in California.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	08/14/2007
Other	Judicial	08/14/2008

Timetable:

Action	Date	FR Cite
NPRM	08/22/2007	72 FR 48178
NPRM Comment Period End	10/09/2007	
Supplemental NPRM	01/00/2008	
Final Action	08/00/2008	

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

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV25**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Devils River Minnow**Abstract:** We propose to designate critical habitat for Devils River minnow (*Dionda diaboli*), a threatened fish in Texas.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	07/31/2007
Other	Judicial	07/31/2008

Timetable:

Action	Date	FR Cite
NPRM	07/31/2007	72 FR 41679
NPRM Comment Period End	10/01/2007	72 FR 41679
Supplemental NPRM	01/00/2008	
Final Action	08/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV26

Title: Endangered and Threatened Wildlife and Plants; Reclassification of Morro Shoulderband Snail From Endangered to Threatened

Abstract: We plan to reclassify the Morro shoulderband snail from endangered to threatened. This decision is based on our 5-year review for the banded dune snail, which at the time of listing we considered a single species composed of the subspecies the Morro shoulderband snail and the Chorro shoulderband snail. Current knowledge of the life history, status, and threats to these snails indicates that the Morro shoulderband snail meets the definition of threatened and the Chorro shoulderband snail does not appear to warrant the protections of the Act at this time.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AV27

Title: Endangered and Threatened Wildlife and Plants; Removal of the Deseret Milk Vetch From the List of Endangered and Threatened Plants

Abstract: We plan to propose the deseret milk vetch for delisting, due to recovery. This flowering plant, currently listed as threatened, occurs in Utah.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 1018-AU72

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

RIN: 1018-AV28

Title: Endangered and Threatened Wildlife and Plants; Removal of the Brown Pelican From the List of Endangered and Threatened Wildlife

Abstract: We plan to propose the brown pelican for delisting, due to recovery. The information we have on the size and distribution of the brown pelican population, together with an absence of limiting threats, indicates that the listed brown pelican population does not meet the definition of an endangered or threatened species under the Endangered Species Act.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV29**Title:** Endangered and Threatened Wildlife and Plants; Removal of the Valley Elderberry Longhorn Beetle From the List of Endangered and Threatened Wildlife**Abstract:** We plan to propose to remove the Valley elderberry longhorn beetle from the List of Endangered and Threatened Wildlife, due to recovery. This decision is based on the completed 5-year review for the species. Current knowledge of the life history, status, and threats to the beetle indicates to us that the beetle no longer meets the definition of threatened.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

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

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

RIN: 1018-AV30

Title: Endangered and Threatened Wildlife and Plants; Removal of the Ute Ladies'-Tresses Orchid From the List of Endangered and Threatened Plants

Abstract: We plan to propose the removal of the Ute ladies'-tresses orchid from the List of Endangered and Threatened Plants, because recovery actions have secured a number of populations, and we have identified additional populations not previously known.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AV31

Title: Importation, Exportation, and Transportation of Wildlife; Inspection Fees and Import/Export License Exemptions

Abstract: We propose to change our user fees for the importation and exportation of wildlife and wildlife products by increasing these fees for 2008 through 2012. We must adjust these fees every year to cover the increased cost of providing our services. By publishing the user fee changes in advance, importers and exporters can accurately predict the costs of importing and exporting wildlife and wildlife products for several years. We also propose to remove several exemptions from our import/export license requirements, including exemptions for businesses that import or export products from several mammal species that have been bred in captivity and circuses that import or export wildlife.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 50 CFR 14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

Related RINs: Related to 1018-AF46

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV32

Title: Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for *Astelia Waialealae* (*Painiu*)

Abstract: We will make a determination regarding listing a Hawaiian plant, *Astelia waialealae* (*painiu*), as endangered under the Endangered Species Act and designating critical habitat for this species.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
Supplemental NPRM	04/00/2008	
Final Action	11/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1018-AV00**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV33**Title:** Migratory Bird Permits; Control of Purple Swampghens**Abstract:** Although protected under the Migratory Bird Treaty Act, the purple swampghen (*Porphyrio porphyrio*) is not native to any State, and competes with native species. We will propose to allow removal of purple swampghens in the contiguous United States, Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Migratory Bird Treaty Act, 40 Stat 755, 16 USC 703 to 712; Fish and Wildlife Act of 1956, 16 USC 742a-j; PL 106-108, 113 Stat 1491**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

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

Agency Contact: Dr. George T. Allen

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AV34**Title:** Migratory Bird Permits; Control of Muscovy Ducks

Abstract: Although protected under the Migratory Bird Treaty Act, the muscovy duck (*Cairina moschata*) occurs naturally in four Texas counties only, and is not native in any other U.S. States or territories. We will propose to allow removal of muscovy ducks in the contiguous United States, Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands, except where the species occurs naturally in Texas.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 13 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Migratory Bird Treaty Act, 40 Stat 755; 16 USC 703 to 712; Fish and Wildlife Act of 1956; 16 USC 742a-j; PL 106-108, 113 Stat 1491

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dr. George T. Allen

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AV35**Title:** Migratory Bird Permits; Revisions of Migratory Bird Import and Export Regulations

Abstract: We propose to amend our regulations to eliminate unnecessary reviews of export permits granted under the Convention on International Trade in Endangered Species (CITES) and to reorganize the regulations and make them clearer.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 703 to 712; PL 106-108; 16 USC 668a**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dr. George T. Allen

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E-Mail: george_t_allen@fws.gov**Department of the Interior (DOI)****United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV43**Title:** Refuge-Specific Regulations for Upper Mississippi River National Wildlife and Fish Refuge

Abstract: We propose new regulations for the Upper Mississippi River National Wildlife and Fish Refuge that pertain to existing general public use and recreation. These regulations would take effect in 2008 and would implement the provisions in the completed Comprehensive Conservation Plan. These regulations would also codify many existing regulations that have previously been in effect through the public notice provisions of 50 CFR 25.31 (brochures, signs, and maps). These regulations would create a new entry in the existing 50 CFR 26.34 under the State of Minnesota with references to Minnesota in the States of Illinois, Iowa, and Wisconsin.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 26.34 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 668dd to 668ee; 16 USC 460k to 460k-4**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/17/2007	72 FR 58981
NPRM Comment Period End	12/17/2007	
Final Action	01/00/2008	

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

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

RIN: 1018-AV44

Title: Off-Road Vehicle Regulations on National Wildlife Refuges

Abstract: We plan to develop regulations to provide for administrative designation of the specific areas and trails on public lands on which the use of off-road vehicles (ORVs) may or may not be permitted. We also plan to describe the requirements for ORVs on areas of the National Wildlife Refuge System, describe the permit requirements for ORV use, describe what determines if/when we close existing trails to ORV use, and establish refuge-specific sections for refuge units that have special regulations concerning public access, use, and recreation. This will be done in compliance with Executive Order 11644.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 25 to 50 CFR 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AV45

Title: 2008-2009 Refuge-Specific Hunting and Sport Fishing Regulations

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Leslie A Marler

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV46**Title:** Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Wintering Piping Plover in Texas**Abstract:** Pursuant to a settlement agreement, we propose to revise currently designated critical habitat for the wintering piping plover in 19 units in Texas.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	05/08/2008
Other	Judicial	05/08/2009

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
Supplemental NPRM	10/00/2008	
Final Action	05/00/2009	

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

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

RIN: 1018-AV47

Title: Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Four Hawaiian Damselflies

Abstract: We will make a determination regarding listing four Hawaiian damselflies under the Endangered Species Act and designating critical habitat for these species.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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

RIN: 1018-AV48

Title: Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Seven Kauai Plants

Abstract: We will make a determination regarding listing seven Hawaiian plants on the island of Kauai under the Endangered Species Act and designating critical habitats for these plants.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV49**Title:** Endangered and Threatened Wildlife and Plants; Listing Determination and Critical Habitat Designation for Two Oahu Plants**Abstract:** We will make a determination regarding listing two Hawaiian plants on the island of Oahu under the Endangered Species Act and designating critical habitat for these species.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/00/2008	

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

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

RIN: 1018-AV50

Title: Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Northern Great Plains Breeding Population of the Piping Plover

Abstract: Pursuant to a court order, we propose to revise currently designated critical habitat for the northern Great Plains breeding population of the piping plover.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	
Other	Judicial	

Timetable:

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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

RIN: 1018-AV51

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Alabama Sturgeon

Abstract: Pursuant to a court order, we propose to designate critical habitat for the Alabama sturgeon, an endangered fish, in Alabama and Mississippi.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	05/10/2008
Other	Judicial	05/10/2009

Timetable:

Action	Date	FR Cite
NPRM	05/00/2008	
Supplemental NPRM	10/00/2008	
Final Action	05/00/2009	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

Agency Contact: Douglas Krofta

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV52

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Louisiana Black Bear

Abstract: Pursuant to a court order, we propose to designate critical habitat for the Louisiana black bear, a threatened subspecies of the American black bear, found in Louisiana, Mississippi, and Texas.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	10/26/2007
Other	Judicial	06/26/2008

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	
Supplemental NPRM	02/00/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV53**Title:** Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2008 Season**Abstract:** We plan to propose annual subsistence migratory bird harvest regulations for 2008 in Alaska.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 92 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 703 to 712**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/15/2007	72 FR 58274
NPRM Comment Period End	12/14/2007	
Final Action	03/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Fred Armstrong

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV54**Title:** Endangered and Threatened Wildlife and Plants; Reclassification of Smith's Blue Butterfly From Endangered to Threatened**Abstract:** We are proposing to reclassify the Smith's blue butterfly from endangered to threatened. This action is based on the results of the species' 5-year review.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV55**Title:** Endangered and Threatened Wildlife and Plants; Proposed Rule To Amend the List of Threatened and Endangered Wildlife for the Northern Red-Bellied Cooter**Abstract:** We are proposing to amend the 50 CFR 17.11 entry for the Plymouth redbelly turtle (now referred to as the northern red-bellied cooter). Information gathered as part of a status review of the species indicates the bangsi subspecies designation is not taxonomically accurate. However, threats to the cooter remain such that the endangered classification is still warranted. The amendment will only be from a subspecies to a distinct population segment, as the range of the species is not expanding or contracting.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV56**Title:** Endangered and Threatened Wildlife and Plants; Designation of the San Clemente Island Distinct Population Segment of the Island Night Lizard and Delisting**Abstract:** We are proposing to designate the San Clemente Island population of the island night lizard as a distinct population segment (DPS) and remove that DPS from the List of Endangered and Threatened Wildlife. This action is based on the results of the species' 5-year review.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV60**Title:** Endangered and Threatened Wildlife Plants; Adding Penguin Species to the List of Endangered and Threatened Wildlife

Abstract: We are conducting a status review of 10 species of penguin to determine if listing is warranted on the List of Threatened and Endangered Wildlife. This action is in response to a petition received from the public to list 12 species. The 12 species originally included in the petition were emperor penguin (*Aptenodytes forsteri*), southern rockhopper penguin (*Eudyptes chrysocome*), northern rockhopper penguin (*Eudyptes moseleyi* (*E. chrysocome moseleyi*)), fiordland crested penguin (*Eudyptes pachyrhynchus*), erect-crested penguin (*Eudyptes sclateri*), macaroni penguin (*Eudyptes chrysolophus*), white-flipped penguin (*Eudyptula albosignata* (*E. minor albosignata*)), yellow-eyed penguin (*Megadyptes antipodes*), African penguin (*Spheniscus demersus*), Humboldt penguin (*Spheniscus humboldti*), snares crested penguin (*Eudyptes robustus*), and royal penguin (*Eudyptes schlegeli*). We found that the petition did not contain substantial information on the snares crested and royal penguins.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Statutory	11/27/2007

Timetable:

Action	Date	FR Cite
Notice	07/11/2007	72 FR 37695
Comment Period End	09/10/2007	72 FR 37695
NPRM	11/00/2007	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV62

Title: Migratory Bird Hunting: 2008 to 2009 Migratory Game Bird Hunting Regulations

Abstract: We promulgate annual hunting regulations for certain migratory game birds for the 2008-2009 hunting season. We annually prescribe outside limits (frameworks), within which States may select hunting seasons. We also request proposals from Indian tribes that wish to establish special migratory bird hunting regulations on Federal Indian reservations and ceded lands, and proposals for the 2008-2009 spring/summer migratory bird subsistence season in Alaska. Migratory game bird hunting seasons provide hunting opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory bird population status and habitat conditions.

Priority: Economically Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 50 CFR 20 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State; Tribal

Small Entities Affected: Business

Federalism: No

Energy Affected: Yes

Agency Contact: Ronald Kokel

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV64

Title: Endangered and Threatened Wildlife and Plants; Amending Listing of Preble's Meadow Jumping Mouse (*Zapus Hudsonius Preblei*) To Specify Over What Portion of Its Range the Subspecies Is Threatened

Abstract: Under the Endangered Species Act, we revise our February 2, 2005 (70 FR 5404), proposed rule to remove the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the List of Threatened and Endangered Wildlife. We propose to amend the listing for the Preble's meadow jumping mouse to specify over what portion of its range the subspecies is threatened. The best scientific and commercial information available demonstrates: (1) That the Preble's meadow jumping mouse is a valid subspecies and should not be delisted based upon taxonomic revision; (2) that the subspecies is not threatened throughout all of its range; and (3) that Colorado represents a significant portion of range (SPR) where the Preble's meadow jumping mouse is threatened with extinction within the foreseeable future and should retain its threatened status.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: Undetermined

CFR Citation: 16 USC 1531 et seq (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 50 CFR 17

Legal Deadline: Court-ordered settlement agreement requires us to deliver the revised proposed rule to the Federal Register by 10/31/07.

Action	Source	Date
NPRM	Judicial	10/31/2007

Timetable:

Action	Date	FR Cite
NPRM	11/07/2007	72 FR 62992
Other	12/12/2007	
Other	12/10/2007	
NPRM Comment Period End	01/22/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** Undetermined**Energy Affected:** Undetermined**Related RINs:** Previously Reported as 1018-AU12**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV65**Title:** Endangered and Threatened Wildlife and Plants; Proposed Rule To Reclassify the Stephen's Kangaroo Rat From Endangered to Threatened**Abstract:** We are proposing to reclassify the Stephen's kangaroo rat from endangered to threatened. This action is based on the results of the species' 5-year review.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

Endangered Species, Branch of Recovery and Delisting

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV66**Title:** Blackbird Depredation Order**Abstract:** Revise the blackbird depredation order (50 CFR 21.43) to remove Rusty Blackbird.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 703 to 712, Migratory Bird Treaty Act**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Shauna Hanisch

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AB72**Title:** List of Migratory Birds

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 10.13 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 704; 16 USC 712**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/09/1995	60 FR 24686
NPRM Comment Period End	07/10/1995	60 FR 24686
Second NPRM	10/12/2001	66 FR 52281
Second NPRM COmment Period End	11/13/2001	66 FR 52281
Second NPRM	08/24/2006	71 FR 50194
NPRM Comment Period End	10/23/2006	71 FR 50194
NPRM COmment Period Reopened	12/14/2006	71 FR 75188
Comment Period End	12/29/2006	71 FR 75188
Final Action	12/00/2007	

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

Federalism: No**Energy Affected:** No

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AG11**Title:** Federal Falconry Standards and Falconry Permitting

Abstract: We proposed changes in the regulations governing the practice of falconry in the United States. We proposed 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.

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 21.28; 50 CFR 21.29 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 703 to 712**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/09/2005	70 FR 6978
NPRM Comment Period End	05/10/2005	70 FR 6978
NPRM COmment Period Reopened	06/21/2006	71 FR 35599
Second NPRM COmment Period End	09/19/2006	71 FR 35599
Notice	06/06/2007	72 FR 31268
Final Rule	01/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AH53

Title: Endangered and Threatened Wildlife and Plants; Removal of the Johnston's Frankenia From the List of Endangered and Threatened Plants

Abstract: We plan to make a final determination on our proposal to remove the Johnston's frankenia, a plant listed as endangered, and endemic to southern Texas and northeastern Mexico, from the List of Endangered and Threatened Plants. This action is based on new information.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/22/2003	68 FR 27961
Public Hearing	07/07/2003	68 FR 27961
NPRM Comment Period End	08/20/2003	68 FR 27961
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Michelle Morgan

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AH89

Title: 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

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 15 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 4901 to 4916

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/06/2003	68 FR 46559
NPRM Comment Period End	10/06/2003	68 FR 46559
NPRM COmment Period Reopened	03/29/2005	70 FR 15798
NPRM Comment Period End	04/28/2005	70 FR 15798
NPRM COmment Period Reopened	05/24/2005	70 FR 29711
NPRM Comment Period End	07/08/2005	70 FR 29711
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-A104

Title: Endangered and Threatened Wildlife and Plants; Removal of Two Australian Parakeets From the List of Endangered and Threatened Wildlife

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/02/2003	68 FR 52169
Public Hearing	10/17/2003	68 FR 52169
NPRM Comment Period End	12/01/2003	68 FR 52169
Final Rule	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AI07

Title: Migratory Bird Hunting and Permits; Regulations for Managing Harvest of Light Goose Populations

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.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 20; 50 CFR 21 subpart E (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/12/2001	66 FR 52077
NPRM	11/07/2001	66 FR 56266
NPRM Comment Period End	12/14/2001	66 FR 56266
NPRM Comment Period End	12/11/2001	66 FR 52077
NPRM Comment Period Extended	12/10/2001	66 FR 63665
NPRM Comment Period End	01/25/2002	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AT31

Title: Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Rule to Delist the Mexican Bobcat (Lynx Rufus Escuinapae) From the List of Endangered and Threatened Wildlife

Abstract: We received a petition to delist the Mexican bobcat (*Lynx rufus escuinapae*), listed as endangered. We determined as a result of our status review and our review of the best available scientific information that the species does not meet the definitions of endangered or threatened in the Endangered Species Act (i.e., that delisting is warranted), so we proposed to delist it. Subsequent to the proposed rule, we received comments and additional information that conflict with information given significant weight in the proposed rule. Based on this new information, we are convinced that our assessment of the population status and taxonomic status of the Mexican bobcat in the proposed delisting rule was premature, and we have decided to withdraw the proposal.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/19/2005	70 FR 28895
Public Hearing	07/05/2005	70 FR 28895
NPRM Comment Period End	08/17/2005	70 FR 28895
NPRM COmment Period Reopened	11/23/2005	70 FR 70779
Second NPRM COmment Period End	12/23/2005	70 FR 70779
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AT37

Title: Endangered and Threatened Wildlife and Plants; Removal of the Virginia Northern Flying Squirrel From the List of Endangered and Threatened Wildlife

Abstract: The Service is planning to make a final determination on our proposal to delist, due to recovery, the endangered Virginia northern flying squirrel.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/19/2006	71 FR 75924
NPRM Comment Period End	02/20/2007	
Supplemental NPRM	02/21/2007	72 FR 7852
Second NPRM COmment Period End	04/23/2007	72 FR 7852
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Michelle Morgan

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AT60

Title: Migratory Bird Permits; Changes in Regulations Governing Raptor Propagation

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 21.30 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 703 to 712

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	10/14/2005	70 FR 60052
NPRM Comment Period End	01/12/2006	
NPRM COmment Period Reopened	06/21/2006	71 FR 35599
Second NPRM COmment Period End	09/19/2006	71 FR 35599
Notice	06/06/2007	72 FR 31268
Final Rule	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 1018-AG11

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

RIN: 1018-AT62

Title: Endangered and Threatened Wildlife and Plants; Listing of Six Foreign Birds Under the Endangered Species Act

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/22/2006	71 FR 67530
NPRM Comment Period End	02/20/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU11

Title: Endangered and Threatened Wildlife and Plants; 4(d) Rule for the Pacific Coast Distinct Population Segment of the Western Snowy Plover

Abstract: The Service plans to make a final determination on our proposed special rule for the Pacific Coast population of the threatened western snowy plover under section 4(d) of the Endangered Species Act. The special rule would eliminate the take prohibitions when entities involved in management activities have a habitat management plan that has been approved by the Service in the States of Washington, Oregon, and California.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/21/2006	71 FR 20625
NPRM	05/22/2006	71 FR 20625
NPRM Comment Period Extended	06/20/2006	71 FR 35406
NPRM Comment Period End	06/20/2006	71 FR 20625
NPRM Comment Period End	08/21/2006	71 FR 35406
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU15

Title: Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D: 2007-2008 Subsistence Taking of Wildlife Regulations, Kenai Peninsula

Abstract: We will revise the regulations for seasons, harvest limits, methods, and means related to the taking of wildlife for subsistence uses during the 2007-2008 regulatory year. This rulemaking is necessary because subpart D is subject to an annual review.

Priority: Routine and Frequent

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 242; 50 CFR 100 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 3124

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/14/2006	71 FR 46423
NPRM Comment Period End	10/20/2006	71 FR 46423
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU27

Title: National Wildlife Refuge System; Wilderness Stewardship

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 668dd to 668ee

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Other	01/16/2001	66 FR 3708
Commend Period Extended	03/15/2001	66 FR 15136
Other	05/15/2001	66 FR 26879
Other	06/21/2001	66 FR 33268
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Federalism: No

Energy Affected: No

Related RINs: Split From 1018-AG46

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AU37

Title: Endangered and Threatened Wildlife and Plants; Determination of Critical Habitat for the Northern Spotted Owl

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

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline:

Action	Source	Date
NPRM	Judicial	06/01/2007
Other	Judicial	06/01/2008

Timetable:

Action	Date	FR Cite
NPRM	06/12/2007	72 FR 32450
NPRM Comment Period End	08/13/2007	72 FR 32450
Supplemental NPRM	09/05/2007	72 FR 50929
Supplemental NPRM	10/05/2007	
Final Action	06/00/2008	

Regulatory Flexibility Analysis
Required: Undetermined

Government Levels Affected: Federal; Local; State

Federalism: Undetermined

Energy Affected: Undetermined

Agency Contact: Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU41**Title:** Marine Mammals; Incidental Take During Specified Activities; Chukchi Sea

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 Pacific walrus and polar bear in the Chukchi Sea and adjacent coast of Alaska during oil and gas industry activities for 5 years.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 18 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1361 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/01/2007	72 FR 30670
NPRM Comment Period End	07/02/2007	72 FR 30670
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Martin Kodis

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU43**Title:** Endangered and Threatened Wildlife and Plants; Re-Evaluation of Final Listing Determination for Queen Charlotte Goshawk

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1533 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Comment Period Extended	12/15/2005	70 FR 74284
Comment Period End	02/13/2006	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU48

Title: Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Wintering Piping Plover in North Carolina

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1533 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Rule	07/10/2001	66 FR 36038
NPRM	06/12/2006	71 FR 33703
Public Hearing	07/27/2006	71 FR 33703
Second NPRM Comment Period End	08/11/2006	71 FR 33703
Supplemental NPRM	05/31/2007	72 FR 30326
Supplemental NPRM	07/30/2007	72 FR 30326
Final Action	01/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU53

Title: Endangered and Threatened Wildlife and Plants; Removal of the Northern Rocky Mountains Distinct Population Segment of the Gray Wolf From the List of Endangered and Threatened Wildlife

Abstract: We plan to make a final determination on our proposal to establish a Northern Rocky Mountains distinct population segment (DPS) of the gray wolf and remove the DPS from the List of Endangered and Threatened Wildlife.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	02/08/2006	71 FR 6633
ANPRM Comment Period End	04/10/2006	71 FR 6633
NPRM	02/08/2007	72 FR 6105
NPRM Comment Period Extended	03/29/2007	72 FR 14760
NPRM Comment Period End	04/09/2007	72 FR 6105
Second NPRM COmment Period End	05/09/2007	72 FR 14760
NPRM COmment Period Reopened	07/06/2007	72 FR 36939
NPRM Comment Period End	08/06/2007	72 FR 36939
Final Action	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 1018-AU54

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU61**Title:** 2006 to 2007 Refuge-Specific Hunting and Sport Fishing Regulations

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/24/2006	71 FR 41864
NPRM Comment Period End	08/16/2006	71 FR 41864
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Leslie A Marler

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E-Mail: leslie_marler@fws.gov**Department of the Interior (DOI)****United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU71**Title:** Subsistence Management Regulations for Public Lands in Alaska: 2008-2009 Subsistence Taking of Fish and Shellfish Regulations

Abstract: This rule would establish regulations for fishing seasons, harvest limits, methods, and means related to taking of fish and shellfish for subsistence uses during the 2008 to 2009 regulatory year. The rulemaking is necessary because subpart D is subject to an annual public review cycle. When final, this rulemaking would replace the fish and shellfish taking regulations included in the "Subsistence Management Regulations for Public Lands in Alaska, subpart D, 2007-2008 Subsistence Taking of Fish and Wildlife Regulations," which expire on March 31, 2008. This rule would also amend the Customary and Traditional Use Determinations of the Federal Subsistence Board and the general regulations related to the taking of fish and shellfish.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 100; 36 CFR 242 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 3111**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/19/2006	71 FR 75899
NPRM Comment Period End	03/23/2007	
Final Action	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related Agencies: Common : FS

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU80

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Bear Valley Sandwort, Southern Mountain Wild-Buckwheat, and Ash-Grey Indian Paintbrush

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	11/09/2006
Other	Judicial	11/09/2007

Timetable:

Action	Date	FR Cite
NPRM	11/22/2006	71 FR 67711
NPRM Comment Period End	01/22/2007	
NPRM Comment Period End	08/14/2007	72 FR 45407
NPRM Comment Period End	09/13/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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

RIN: 1018-AU81

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Tidewater Goby

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	11/15/2006
Other	Judicial	11/15/2007

Timetable:

Action	Date	FR Cite
NPRM	11/28/2006	71 FR 68913
NPRM Comment Period End	01/29/2007	
NPRM Comment Period End	09/25/2007	72 FR 54411
NPRM Comment Period End	10/10/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Energy Affected: Undetermined

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU83**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Monterey Spineflower**Abstract:** We propose critical habitat for Monterey spineflower, a threatened plant, in California.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	12/07/2006
Other	Judicial	12/07/2007

Timetable:

Action	Date	FR Cite
NPRM	12/14/2006	71 FR 75189
NPRM Comment Period End	02/12/2007	
NPRM Comment Period End	10/16/2007	72 FR 58618
NPRM Comment Period End	10/31/2007	
Final Action	12/00/2007	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU85**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Flatwoods Salamander**Abstract:** We propose to designate critical habitat for the flatwoods salamander, a threatened amphibian that historically occurred in Alabama, Georgia, Florida, and South Carolina.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	01/30/2007
Other	Judicial	01/30/2008

Timetable:

Action	Date	FR Cite
NPRM	02/07/2007	72 FR 5855
NPRM Comment Period End	04/09/2007	72 FR 5855
Final Action	01/00/2008	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU86**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for San Diego Thornmint**Abstract:** We propose critical habitat for San Diego thornmint, a threatened plant in California.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	02/28/2007
Other	Judicial	02/28/2008

Timetable:

Action	Date	FR Cite
NPRM	03/14/2007	72 FR 11945
NPRM Comment Period End	05/14/2007	72 FR 11945
Final Action	02/00/2008	

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

Energy Affected: Undetermined

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU87

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Five Endangered Freshwater Mussels and Two Threatened Freshwater Mussels in Georgia, Florida, and Alabama

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

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	05/30/2006
Other	Judicial	10/31/2007

Timetable:

Action	Date	FR Cite
NPRM	06/06/2006	71 FR 32745
NPRM	07/21/2006	71 FR 32745
NPRM Comment Period End	08/07/2006	71 FR 32745
NPRM COmment Period Reopened	06/21/2007	72 FR 34215
Second NPRM COmment Period End	08/06/2007	72 FR 34215
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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

RIN: 1018-AU89

Title: Change of Addresses for Regional Offices and Addition of One New Address

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

Priority: Info./Admin./Other

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 29 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU91

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Marbled Murrelet

Abstract: Under a court-approved settlement agreement, we proposed critical habitat for the marbled murrelet (*Brachyramphus marmoratus*), a threatened bird inhabiting old growth forests in the northwestern United States and Canada.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	08/30/2006
Other	Judicial	08/30/2007

Timetable:

Action	Date	FR Cite
NPRM	09/12/2006	71 FR 53837
NPRM Comment Period End	11/13/2006	71 FR 53837
NPRM COmment Period Reopened	06/26/2007	72 FR 35025
Second NPRM COmment Period End	07/26/2007	72 FR 35025
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Business; Organizations

Energy Affected: No

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Government Levels Affected: Federal

Federalism: No

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU92

Title: Subsistence Management Regulations for Public Lands in Alaska; Kenai Peninsula Subsistence Resource Region

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

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 50 CFR 100; 36 CFR 242 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Direct final Rule	08/14/2006	71 FR 46400
NPRM	08/14/2006	71 FR 46427
NPRM Comment Period End	09/18/2006	71 FR 46427
Commend Period Extended	09/27/2006	71 FR 56421
Direct final Rule	09/27/2006	71 FR 56356
Comment Period End	09/29/2006	71 FR 46400
NPRM Comment Period End	11/09/2006	71 FR 56421
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU98

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Pierson's Milk Vetch

Abstract: Pursuant to a court order, we must re-evaluate the potential economic costs of designating critical habitat for Pierson's milk vetch, a threatened plant in southern California (and our final rule published in 2004), and complete a new final rule.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	02/01/2008

Timetable:

Action	Date	FR Cite
Final Action	08/04/2004	69 FR 47329
NPRM Comment Period Reopened	07/27/2007	72 FR 41258
NPRM Comment Period End	09/25/2007	72 FR 41258
Final Action	02/00/2008	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 1018-AI77

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV11

Title: Authorization of Take of Eagles Under the Bald and Golden Eagle Protection Act

Abstract: This rule would establish a permit category to authorize take of eagles under the Bald and Golden Eagle Protection Act where the take is associated with an otherwise lawful activity.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 13.11; 50 CFR 13.12; 50 CFR 22.3; 50 CFR 22.26 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 668-668d

Legal Deadline: Settlement agreement.

Action	Source	Date
NPRM	Judicial	04/30/2007

Timetable:

Action	Date	FR Cite
NPRM	06/05/2007	72 FR 31141
NPRM Comment Period End	09/04/2007	72 FR 31141
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Local; State; Tribal

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV19**Title:** Endangered and Threatened Wildlife and Plants; Listing the Polar Bear (*Ursus Maritimus*) as Threatened Throughout Its Range**Abstract:** After review of all available scientific and commercial information, we propose to list the polar bear as threatened throughout its range pursuant to the Act. This proposed rule, if made final, would extend the Act's protections to this species. Critical habitat for the polar bear is not determinable at this time. The Service seeks data and comments from the public on this proposed listing rule.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	12/27/2006
Other	Statutory	01/15/2008

Timetable:

Action	Date	FR Cite
NPRM	01/09/2007	72 FR 1063
Supplemental NPRM	02/15/2007	72 FR 7381
Second NPRM COMment Period End	04/09/2007	72 FR 7381
Final Action	01/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV37**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for San Diego Fairy Shrimp**Abstract:** We proposed to designate critical habitat for the endangered San Diego fairy shrimp, a freshwater crustacean found in southern California.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	11/02/2007

Timetable:

Action	Date	FR Cite
NPRM	04/22/2003	68 FR 19888
NPRM COmment Period Reopened	04/08/2004	69 FR 18516
NPRM COmment Period Reopened	04/03/2007	72 FR 15857
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1018-AI71**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV38**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the California Gnatcatcher**Abstract:** We plan to finalize critical habitat for the Coastal California gnatcatcher, a threatened bird found in southern California.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** Court order.

Action	Source	Date
NPRM	Judicial	04/11/2003
Other	Judicial	11/02/2007

Timetable:

Action	Date	FR Cite
NPRM	04/24/2003	68 FR 20228
NPRM COmment Period Reopened	04/08/2004	69 FR 18516
NPRM COmment Period Reopened	04/03/2007	72 FR 15857
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1018-AI72**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV39**Title:** Endangered and Threatened Wildlife and Plants; Special Regulation for Central Idaho and Yellowstone Area Nonessential Experimental Population of Gray Wolves in the Northern Rocky Mountains**Abstract:** We plan to make a final determination on the proposed revision to an existing Endangered Species Act section 10 (j) rule for the Central Idaho and Yellowstone area nonessential experimental population of gray wolves (*Canis lupus*) in the Northern Rocky Mountains. We would modify the definition of "unacceptable impacts to wild unregulated populations" and to allow citizens in States or tribal lands with approved management plans to take wolves that are in the act of attacking stock animals or dogs.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17.84(n) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1361 to 1407; 16 USC 1531 to 1544; 16 USC 4201 to 4245; PL 99-625, 10 Stat 3500**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/06/2007	72 FR 36942
NPRM Comment Period End	08/06/2007	72 FR 36942
Final Action	02/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV63**Title:** Migratory Bird Permits; Regional Migratory Bird Permit Office Addresses for Eagle and Migratory Bird Permit Applications**Abstract:** We plan to revise our regulations to correct omissions in our list of Regional Migratory Bird Permit Office addresses that the public can use to obtain or submit permit applications for bald and golden eagle and migratory bird activities.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 13.11 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 668a, 704, 712, 742j to l, 1374(g), 1382, 1538(d), 1539, 1540(f), 3374, 4901 to 4916; 18 USC 42; 19 USC 1202; 31 USC 9701**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dr. George T. Allen

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT49**Title:** Adding Bighead Carp to the List of Injurious Wildlife**Abstract:** We will review biological and economic information on bighead carp (*Hypophthalmichthys nobilis*) for possible addition to the list of injurious wildlife under the Lacey Act. An injurious wildlife listing would prohibit importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 50 CFR 16 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 18 USC 42**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
ANPRM	09/17/2003	68 FR 54409
ANPRM Comment Period End	11/17/2003	68 FR 54409

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined**RIN Information URL:** www.fws.gov/contaminants/ANS/ANSSpecies.cfm

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT56

Title: Endangered and Threatened Wildlife and Plants; Special Rule Reclassifying Argentinian Broad-Snouted Caiman Population From Endangered to Threatened

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

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

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

RIN: 1018-AU47

Title: Endangered and Threatened Wildlife and Plants; Revision of Critical Habitat Designation for the Kootenai River White Sturgeon

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

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1533 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	02/01/2006

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/08/2006	71 FR 6383
Public Hearing	03/16/2006	71 FR 6383
Interim Final Rule Effective	03/10/2006	71 FR 6383
Interim Final Rule Comment Period End	04/10/2006	71 FR 6383
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV41**Title:** Injurious Wildlife Evaluation: Venomous Snakes With No Anti-Venom

Abstract: We will review biological and economic information on venomous snakes for which there is no anti-venom (or anti-venin) for possible addition to the list of injurious wildlife under the Lacey Act. An injurious wildlife listing would prohibit the importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means, except by permit for zoological, educational, medical, or scientific purposes.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 50 CFR 16 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 18 USC 42**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Kari Duncan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AD87**Title:** Convention on International Trade in Endangered Species (CITES)

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

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 10; 50 CFR 13; 50 CFR 17; 50 CFR 23 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/08/2000	65 FR 26663
Correction	06/29/2000	65 FR 40167
NPRM Comment Period End	08/07/2000	65 FR 26663
Second NPRM	04/19/2006	71 FR 20168
Correction	05/02/2006	71 FR 25894
Second NPRM Comment Period End	06/19/2006	71 FR 20168
NPRM Comment Period Reopened	06/28/2006	71 FR 36742
Second NPRM Comment Period End	07/28/2006	71 FR 36742
Final Action	08/23/2007	72 FR 48402
Final Action Effective	09/24/2007	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Business; Organizations

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Government Levels Affected: Federal; State

Federalism: No

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AF21

Title: Endangered and Threatened Wildlife and Plants; Removing of the Bald Eagle in the Lower 48 States From the List of Endangered and Threatened Wildlife

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	06/29/2007

Timetable:

Action	Date	FR Cite
NPRM	07/06/1999	64 FR 36454
NPRM Comment Period End	10/05/1999	
NPRM COmment Period Reopened	02/16/2006	71 FR 8238
NPRM Comment Period Extended	05/16/2006	71 FR 28293
NPRM Comment Period End	05/17/2006	71 FR 8238
Second NPRM COmment Period End	06/19/2006	71 FR 28293
Final Action	07/09/2007	72 FR 37346
Final Action Effective	08/08/2007	72 FR 37346

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 1018-AT94

Agency Contact: Michelle Morgan

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AG70

Title: Addition of Black Carp to the List of Injurious Wildlife

Abstract: FWS plans to publish a final determination for the black carp injurious wildlife evaluation under the Lacey Act. An injurious wildlife listing would prohibit importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 16 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 18 USC 42

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	06/02/2000	65 FR 35314
ANPRM Comment Period End	08/01/2000	65 FR 35314
NPRM	07/30/2002	67 FR 49280
NPRM Comment Period End	09/20/2002	67 FR 49280
NPRM Comment Period Reopened	06/04/2003	68 FR 33431
NPRM Comment Period End	08/04/2003	68 FR 33431
NPRM Comment Period Reopened	08/30/2005	70 FR 51326
NPRM Comment Period Extended	10/27/2005	70 FR 61933
NPRM Comment Period End	12/16/2005	70 FR 61933
Final Action	10/18/2007	72 FR 59020
Final Action Effective	11/19/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.fws.gov/contaminants/ANS/ANSSpecies.cfm

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

RIN: 1018-AI67

Title: Endangered and Threatened Wildlife and Plants; Policy for Enhancement-Of-Survival Permits for Foreign Species Listed Under the Endangered Species Act

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

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Notice	08/18/2003	68 FR 49512
Comment Period End	10/17/2003	68 FR 49512
Withdrawn	08/02/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Timothy J. Van Norman

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AT29

Title: Adding Silver Carp to the List of Injurious Wildlife

Abstract: We reviewed biological and economic information on the silver carp and large-scale silver carp. Based on that review, we added these fish to the list of injurious wildlife under the Lacey Act. An injurious wildlife listing prohibits importation into, or transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever, except by permit for zoological, educational, medical, or scientific purposes.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 16 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 18 USC 42

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	07/23/2003	68 FR 43482
ANPRM Comment Period End	09/22/2003	68 FR 43482
NPRM	09/05/2006	71 FR 52305
Final Action	07/10/2007	72 FR 37459
Final Action Effective	08/09/2007	72 FR 37459

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: www.fws.gov/contaminants/ANS/ANSSpecies.cfm

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Department of the Interior (DOI)
United States Fish and Wildlife Service (FWS)
RIN: 1018-AT69

Title: Regulations To Implement the Captive Wildlife Safety Act

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

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 18 USC 42

Legal Deadline:

Action	Source	Date
Other	Statutory	06/19/2004

Timetable:

Action	Date	FR Cite
NPRM	01/31/2006	71 FR 5041
NPRM	02/22/2006	71 FR 9080
NPRM Comment Period End	03/02/2006	71 FR 5041
NPRM Comment Period End	03/02/2006	71 FR 5041
Final Action	08/16/2007	72 FR 45938
Final Action Effective	09/17/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AT94

Title: Protection of Bald Eagles; Definition of "Disturb"

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

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 22.3 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 668a

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/16/2006	71 FR 8265
NPRM Comment Period Extended	05/16/2006	71 FR 28294
NPRM Comment Period End	05/17/2006	71 FR 8265
Second NPRM Comment Period End	06/19/2006	71 FR 28294
Supplemental NPRM	12/12/2006	71 FR 74483
Supplemental NPRM	01/11/2007	
Final Action	06/05/2007	72 FR 31132
Notice	06/05/2007	72 FR 31156
Final Action Effective	07/05/2007	72 FR 31132

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Local; State; Tribal

Small Entities Affected: No

Federalism: No

RIN Information URL: migratorybirds.fws.gov

Related RINs: Previously Reported as 1018-AH74; Related to 1018-AF21

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AT99**Title:** Subsistence Management Regulations for Public Lands in Alaska, Subpart C--Nonrural Determinations**Abstract:** This rule would revise the rural/nonrural determinations based on 2000 Federal census data. This review/revision is called for in 50 CFR 100.15 and 36 CFR 242.15.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 100; 36 CFR 242 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 3124**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/14/2006	71 FR 46416
NPRM Comment Period End	10/27/2006	71 FR 46416
Final Action	05/07/2007	72 FR 25688

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

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU01**Title:** Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population for 15 Freshwater Mussels, One Freshwater Snail, and Five Fishes in Tennessee**Abstract:** The Service plans to make a final determination on our proposal to establish a nonessential experimental population for 15 freshwater mussels, 1 freshwater snail, and 5 fishes in the Lower French Broad River and in the Lower Holston River, Tennessee.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/13/2006	71 FR 34195
NPRM	07/28/2006	71 FR 34195
NPRM Comment Period End	08/14/2006	71 FR 34195
Final Action	09/13/2007	72 FR 52434
Final Action Effective	10/15/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Michelle Morgan

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU34

Title: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Yadon's Piperia

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

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1533 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	10/05/2006
Other	Judicial	10/05/2007

Timetable:

Action	Date	FR Cite
NPRM	10/18/2006	71 FR 61546
NPRM Comment Period End	12/18/2006	71 FR 61546
NPRM Comment Period End	08/07/2007	72 FR 44069
NPRM Comment Period End	09/06/2007	
Final Action	10/24/2007	72 FR 60410
Final Action Effective	11/23/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

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

RIN: 1018-AU65

Title: Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Black-footed Ferrets in Eastern Wyoming

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	07/23/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU66

Title: Endangered and Threatened Wildlife and Plants; Removal of the Idaho Springsnail From the List of Endangered and Threatened Wildlife

Abstract: The Service plans to make a final determination on our proposal to delist the Idaho springsnail. This action is based on a 12-month status review that indicates the currently listed entity is no longer a valid species under the Endangered Species Act.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/28/2006	71 FR 56938
Hearing	11/13/2006	71 FR 56938
NPRM Comment Period End	11/27/2006	71 FR 56938
Final Action	08/06/2007	72 FR 43560

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michelle Morgan

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU72**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for *Astragalus Desereticus* (Deseret Milk Vetch)**Abstract:** In accordance with a court settlement, we reconsidered whether designating critical habitat for *Astragalus desereticus* (Deseret milk vetch) would be prudent based on the species's current status. We determined that such a designation is not prudent.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	01/19/2007
Other	Judicial	01/18/2008

Timetable:

Action	Date	FR Cite
Final Action	01/25/2007	72 FR 3379

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

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU73

Title: Endangered and Threatened Wildlife and Plants; Listing of the Fluvial Arctic Grayling

Abstract: We issued a 12-month finding on a petition to list the fluvial Arctic grayling, a fish in Montana, under the Endangered Species Act.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	04/16/2007

Timetable:

Action	Date	FR Cite
Final Action Effective	04/24/2007	72 FR 20305
Final Action	04/24/2007	72 FR 20305

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU74

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for the Hine's Emerald Dragonfly

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	07/07/2006
Other	Judicial	08/23/2007

Timetable:

Action	Date	FR Cite
NPRM	07/26/2006	71 FR 42441
NPRM Comment Period End	09/25/2006	71 FR 42441
NPRM COmment Period Reopened	03/20/2007	72 FR 13061
Second NPRM COmment Period End	04/03/2007	72 FR 13061
Final Action	09/05/2007	72 FR 51101

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU75

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat for Comal Springs Dryopid Beetle, Comal Springs Riffle Beetle, and Peck's Cave Amphipod

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

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	06/29/2006
Other	Judicial	06/29/2007

Timetable:

Action	Date	FR Cite
NPRM	07/17/2006	71 FR 40588
NPRM	08/31/2006	71 FR 40588
NPRM Comment Period End	09/15/2006	71 FR 40588
NPRM COmment Period Reopened	03/16/2007	72 FR 12585
Second NPRM COmment Period End	04/16/2007	72 FR 12585
Final Action	07/17/2007	72 FR 39247
Final Action Effective	08/16/2007	72 FR 39247

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU76**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for *Catesbaea Melanocarpa***Abstract:** We proposed to designate critical habitat for *Catesbaea melanocarpa* (no common name), an endangered plant, on St. Croix (U.S. Virgin Islands).**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	08/15/2006
Other	Judicial	08/15/2007

Timetable:

Action	Date	FR Cite
NPRM	08/22/2006	71 FR 48883
NPRM Comment Period End	10/23/2006	71 FR 48883
NPRM COmment Period Reopened	03/14/2007	72 FR 11819
Second NPRM COmment Period End	04/13/2007	72 FR 11819
Final Action	08/28/2007	72 FR 49212

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AU77

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Vail Lake Ceanothus and Mexican Flannelbush

Abstract: We proposed critical habitat for the federally threatened Vail Lake ceanothus (*Ceanothus ophiochilus*), a plant in California. We also proposed critical habitat for the federally endangered Mexican flannelbush (*Fremontodendron mexicanum*), a plant in California.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	09/20/2006
Other	Judicial	09/20/2007

Timetable:

Action	Date	FR Cite
NPRM	10/03/2006	71 FR 58340
NPRM Comment Period End	12/04/2006	71 FR 58340
NPRM COmment Period Reopened	04/05/2007	72 FR 16756
NPRM Comment Period End	05/07/2007	72 FR 16756
Final Action	09/27/2007	72 FR 54983

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AU78

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Guajon

Abstract: We proposed critical habitat for the guajon (*Eleutherodactylus cooki*), a threatened frog in Puerto Rico.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
NPRM	Judicial	09/30/2006
Other	Judicial	09/30/2007

Timetable:

Action	Date	FR Cite
NPRM	10/05/2006	71 FR 58954
NPRM Comment Period End	12/04/2006	71 FR 58954
NPRM Comment Period Reopened	06/19/2007	72 FR 33715
NPRM Comment Period End	07/19/2007	72 FR 33715
Final Action	10/23/2007	72 FR 60068
Final Action Effective	11/23/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AU79**Title:** Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Cape Sable Seaside Sparrow**Abstract:** We propose a revision to existing critical habitat for the Cape Sable seaside sparrow, an endangered bird, from South Florida.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1531 et seq**Legal Deadline:**

Action	Source	Date
NPRM	Judicial	10/24/2006
Other	Judicial	10/24/2007

Timetable:

Action	Date	FR Cite
NPRM	10/31/2006	71 FR 63980
Hearing	12/15/2006	
NPRM Comment Period End	01/02/2007	
NPRM Comment Period End	08/17/2007	72 FR 46189
Public Hearing	08/29/2007	72 FR 46189
NPRM Comment Period End	09/17/2007	72 FR 46189
Final Action	11/06/2007	72 FR 62735
Final Action Effective	12/06/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Douglas Krofta

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Department of the Interior (DOI)**United States Fish and Wildlife Service (FWS)****RIN:** 1018-AV10**Title:** Migratory Bird Permits; Removal of Migratory Birds From Buildings**Abstract:** We plan to finalize our proposal to allow property owners to remove migratory birds (other than Federally listed endangered or threatened species) from buildings without a Federal permit if the birds may pose a threat to either public health and safety or commercial interests.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 50 CFR 13.51 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/26/2007	72 FR 14066
NPRM Comment Period End	05/25/2007	72 FR 14066
Final Action	10/05/2007	72 FR 56926

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV12

Title: Migratory Bird Hunting; 2007 to 2008 Migratory Game Bird Hunting Regulations

Abstract: We promulgate annual hunting regulations for certain migratory game birds for the 2007-2008 hunting season. We annually prescribe outside limits (frameworks), within which States may select hunting seasons. We also request proposals from Indian tribes that wish to establish special migratory bird hunting regulations on Federal Indian reservations and ceded lands, and proposals for the 2007-2008 spring/summer migratory bird subsistence season in Alaska. Migratory game bird hunting seasons provide hunting opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory bird population status and habitat conditions.

Priority: Economically Significant

Agenda Stage of Rulemaking: Completed Action

Major: Yes

Unfunded Mandates: No

CFR Citation: 50 CFR 20 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/11/2007	72 FR 18328
NPRM Comment Period End	05/15/2007	72 FR 18328
Supplemental NPRM	06/08/2007	72 FR 31789
Supplemental NPRM	07/23/2007	72 FR 40193
Final Action Effective	08/28/2007	72 FR 49622
Final Action	08/28/2007	72 FR 49622
NPRM	08/31/2007	72 FR 50614
NPRM	08/31/2007	72 FR 50596
Final Action	08/30/2007	72 FR 50164
Final Action Effective	09/01/2007	72 FR 50164
NPRM Comment Period End	09/10/2007	72 FR 50614
NPRM Comment Period End	09/10/2007	72 FR 50596
Final Action Effective	09/21/2007	72 FR 54158
Final Action	09/21/2007	72 FR 54158
Final Action Effective	09/20/2007	72 FR 53882
Final Action	09/20/2007	72 FR 53882
Final Action Effective	10/15/2007	72 FR 58452
Final Action	10/15/2007	72 FR 58452

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Business

Energy Affected: Yes

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Government Levels Affected: Federal; State; Tribal

Federalism: No

Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV15

Title: Migratory Bird Permits; Regulations for Managing Resident Canada Goose Populations

Abstract: In August 2006, we published final regulations (1018-AI32) 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 was to allow State wildlife management agencies sufficient flexibility to deal with problems caused by resident Canada geese and to guide and direct Canada goose population growth and management activities in the conterminous United States. We now plan to clarify and slightly modify several program requirements regarding eligibility, definitions, methodologies, and dates.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 21 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/22/2007	72 FR 13459
NPRM Comment Period End	04/23/2007	72 FR 13459
Final Action	08/20/2007	72 FR 46403

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Related to 1018-AI32

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Department of the Interior (DOI)

United States Fish and Wildlife Service (FWS)

RIN: 1018-AV18

Title: Endangered and Threatened Wildlife and Plants; Critical Habitat Designation for Four Vernal Pool Crustaceans and Eleven Vernal Pool Plants

Abstract: On November 1, 2006, the U.S. District Court for the Eastern District of California issued an opinion regarding limited deficiencies in the critical habitat designation for 15 vernal pool plant and invertebrate species. The opinion requires us to articulate our rationale for economic exclusions and consider the recovery standard, pursuant to the Gifford Pinchot decision.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1531 et seq

Legal Deadline:

Action	Source	Date
Other	Judicial	05/24/2007

Timetable:

Action	Date	FR Cite
Final Action	05/31/2007	72 FR 30279

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1018-AV36

Title: 2007 to 2008 Upper Mississippi River National Wildlife and Fish Refuge Hunting and Sport Fishing Regulations

Abstract: We proposed to amend our regulations for Upper Mississippi River National Wildlife and Fish Refuge (Illinois) to reflect changes to hunting (migratory game bird, upland, and big game) and sport fishing for the 2007-2008 season. These changes stem from decisions outlined in our recently prepared environmental impact statement and comprehensive conservation plan pertaining to hunting and fishing on the refuge. We operate hunting/fishing programs on refuges in furtherance of the implementation of the National Wildlife Refuge System Improvement Act of 1997 directives to facilitate compatible priority wildlife-dependent recreational opportunities.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 50 CFR 32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301; 16 USC 664; 16 USC 668dd to 668ee; 16 USC 715(i)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/28/2007	72 FR 35380
NPRM Comment Period End	07/30/2007	72 FR 35380
Final Action	09/07/2007	72 FR 51533

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: Business

Federalism: No

Energy Affected: No

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

RIN: 1024-AD31

Title: Disposition of Culturally Identifiable Human Remains

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 10.11 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 3001 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD46

Title: Fire Island National Seashore--Off-Road Driving Regulations

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7.20 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD48

Title: Leasehold Surrender Interest Provisions

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 51 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD50

Title: Grand Canyon National Park

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7.4 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD51

Title: Big South Fork National River and Recreation Area--Off-Road Vehicle Use

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)
National Park Service (NPS)
RIN: 1024-AD53**Title:** Golden Gate National Recreation Area--Special Regulations

Abstract: This rule would ensure continued protection of special status species in Golden Gate National Recreation Area by regularizing recently adopted emergency regulatory provisions to require all pets to be on leash in designated portions of Crissy Field and Ocean Beach for protection of the Western Snowy Plover. While the areas listed in this proposed rule have been previously restricted or closed to pets and, in some cases, park visitors, those closures and restrictions were not published as rules.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 36 CFR 7**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

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

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Department of the Interior (DOI)
National Park Service (NPS)
RIN: 1024-AD54**Title:** Canaveral National Seashore--Nudity

Abstract: This rule would close all areas within Canaveral National Seashore to public nudity. The number of nudists and confrontations with non-nudists has increased significantly over the past 15 years. Public nudity is forcing those user groups not wishing to be exposed to nudists from over 25 percent of the seashore. Visual contact with nudity offends individuals and restricts the park from offering educational programs, organized shoreline cleanup, walks, and other organized family activities in these areas. Public nudity also attracts individuals that participate in lewd and lascivious acts. This type of criminal activity is increasing annually. Attempts have been made to establish areas for nudists where contact and conflicts with other visitors is minimal and have proven unsuccessful. Brevard County has passed an anti-nudity ordinance, putting the National Park Service in conflict with a county law.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD56

Title: Voyageurs National Park--Special Regulations

Abstract: Before establishment of Voyageurs National Park and continuing through today the use of motorized boats has been allowed on a limited number of interior lakes (approx. 6) that are not road accessible. Snowmobile use on these same lakes is permitted through special regulations. Current regulations prohibit motorboat use on lakes not accessible by a road and therefore a special regulation is needed to allow motorboat use to continue. Motorized watercraft was allowed before the establishment of the park in 1975 and is currently allowed by policy.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1024-AD37**Agency Contact:** Jerry L. Case

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Department of the Interior (DOI)**National Park Service (NPS)****RIN:** 1024-AD57**Title:** Big Cypress National Preserve--Off-Road Vehicle Use**Abstract:** This rule would implement the 2000 Final Recreational Vehicle Off-Road Vehicle Management Plan and Record of Decision for the Supplemental Environmental Impact Statement. Rulemaking is necessary to comply with 16 U.S.C. 698, several Executive Orders, and 36 CFR 4.10(b). This rule will designate trails where off-road vehicles may be used within the preserve.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 7.86 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 698**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jerry L. Case

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Department of the Interior (DOI)**National Park Service (NPS)****RIN:** 1024-AD58**Title:** Delaware Water Gap NRA--Bicycle Trails

Abstract: This rule would revise 36 CFR 7.71 to designate two trails for bicycle use. A detailed environmental assessment has identified appropriate bicycle trails, and current regulations require designation by special regulation. One trail, the Joseph McDade Recreational Trail, was funded and designated a multiple-use trail by the 105th Congress in 1999, and the second, the Blue Mountain Lakes Trail, would occupy abandoned roadways in what was once an area subdivided for housing.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 79 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1; 16 USC 3

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD59

Title: Disposition of Archeological Materials

Abstract: This rule is necessary because some archeological materials subject to 36 CFR part 79 need not be preserved and maintained under Federal ownership if they are determined not to be or are no longer of archeological interest. This determination may ultimately reduce management costs of federal archeological materials and constraints on storage space. This rule defines a process by which disposition of archeological materials may occur. The proposed rule focuses on disposal methods other than just discard and lays out a reasonable process for disposal that meets professional museum practices and standards.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 79 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 1996; 42 USC 1996a

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD60

Title: Cape Cod National Seashore--Special Regulations

Abstract: This rule would prohibit lewd conduct at park restrooms, parking areas, hiking trails, beaches, and public use areas. The rule is needed because the existing rule is not specific enough in describing what constitutes lewd behavior.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD61

Title: Big Cypress National Preserve--Designated Bicycle Routes

Abstract: This rule would designate trails where bicycles may be used within Big Cypress National Preserve.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7.86 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD62

Title: Collection of Natural Products by American Indians and Alaska Natives for Traditional Cultural Purposes

Abstract: This rule would permit collection of limited quantities of plant and mineral resources in the National Park System by American Indians and Alaska Natives for traditional cultural purposes. Current regulations prohibit these collections and have negatively affected relations with Indian tribes and Alaska natives and Native Hawaiians.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 2 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD63

Title: Olympic National Park Special Regulations

Abstract: This rule would update the fishing regulations, regulations relating to protection of forest lands, and address closures and public use permits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7.28 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD64

Title: Resource Protection, Public Use, and Recreation.

Abstract: This rule would provide guidance and controls for public use and recreation (e.g., camping, fishing, and winter activities) in NPS-administered areas. The proposed revisions will eliminate unnecessary requirements and replace rules that are ineffective or outdated.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 2 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD67

Title: Big South Fork National River and Recreation Area--Designated Bicycle Routes

Abstract: This rule would designate trails where bicycles may be used within Big South Fork National River and Recreation Area.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 36 CFR 7.86 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD68

Title: Native American Graves Protection and Repatriation Act Regulations--Disposition of Culturally Unidentifiable Human Remains

Abstract: The proposed rule specifies procedures for the disposition of culturally unidentifiable human remains in the possession or control of museums or Federal agencies, thus implementing the Native American Graves Protection and Repatriation Act of 1990.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 10 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 3001 et seq

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

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

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Department of the Interior (DOI)**National Park Service (NPS)****RIN:** 1024-AD30**Title:** Making Pictures, Television Productions, or Sound Tracks

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

Priority: Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 25 USC 2; 5 USC 301**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	08/20/2007	72 FR 46426
NPRM Comment Period End	10/19/2007	
Final Action	10/00/2008	

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

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Department of the Interior (DOI)
National Park Service (NPS)
RIN: 1024-AD40**Title:** National Capitol Region--Parking

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/21/2007	72 FR 13224
NPRM Comment Period End	05/21/2007	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Jerry L. Case

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Department of the Interior (DOI)
National Park Service (NPS)
RIN: 1024-AD41**Title:** Gateway National Recreation Area, Jamaica Bay Unit, Personal Watercraft Use

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 460(q); 16 USC 9a**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/24/2006	71 FR 9495
NPRM Comment Period End	04/25/2006	
Final Rule	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD42

Title: Gateway National Recreation Area, Sandy Hook Unit, Personal Watercraft Use

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

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/24/2006	71 FR 9488
NPRM Comment Period End	04/25/2006	
Final Rule	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1024-AD49

Title: Shenandoah National Park--Backcountry Camping

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 7.15 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jennifer Lee Department of the Interior

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

RIN: 1024-AD52

Title: Disposition of Abandoned or Unclaimed Property

Abstract: This rule would correct current regulations to reflect requirements for disposition of abandoned and unclaimed property found in the Federal Management Regulations at 41 CFR part 102-36 and part 101-48. Current National Park Service (NPS) regulations require unclaimed property to be held for 60 days and allow the finder to claim ownership of unclaimed (found) property. This is contrary to current Federal Management Regulations and GSA and NPS policy. Current regulations require an agency to hold abandoned or unclaimed property for 30 days, and if not claimed by the rightful owner, then the property vests with the United States and not the finder.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 2.22 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 1**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

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

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

RIN: 1024-AD55

Title: Yellowstone and Grand Teton National Parks and Rockefeller Parkway--Snowmobile Use

Abstract: This rule would implement the preferred alternative in the Winter Use Plans/Draft Environmental Impact Statement for Yellowstone and Grand Teton national parks and the John D. Rockefeller, Jr. Memorial Parkway. The current regulations were intended to guide winter use management of the parks for an interim 3-year period while the long-term plan was being prepared. Within the existing rules, the provisions that authorize use of snowmobiles and snowcoaches expire at the end of the 2006-2007 winter season. Without a new rule, beginning with the 2007-2008 winter season, visitors would be unable to visit the parks on either snowmobiles or snowcoaches.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	05/16/2007	72 FR 27499
NPRM Comment Period End	07/16/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

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

RIN: 1024-AD66

Title: National Park System Units in Alaska

Abstract: The special regulations for Alaska, 36 CFR part 13, were first adopted in 1981 as interim guidance. While individual sections of part 13 have been amended and new sections added since 1981, there had been no comprehensive effort to revise the general and park-specific part 13 regulations until a final rule was published on January 3, 2005. That was Phase I of a comprehensive revision, and this proposed rule is Phase II of the process. Phase II covers subsistence use of timber, seaweed collection, river management issues, fishing closure, camping, trail use, wildlife-viewing distances, and other issues. NPS has committed to seek special regulations in areas where they would be appropriate for the effective management of park areas.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 13 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 1 USC 16

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/27/2006	71 FR 77657
NPRM Comment Period End	02/24/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 1024-AD38

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Department of the Interior (DOI)

National Park Service (NPS)

RIN: 1024-AD65

Title: Historic Preservation Certifications for Federal Income Tax Purposes

Abstract: This rule would rationalize applicable review fees by removing specific amounts from the regulations and allowing amounts to be established via Federal Register notices, clarifying applicability of the Secretary's "standard for rehabilitation," and changing the definition of "certified historic structure" to comply with the Pension Protection Act of 2006.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 36 CFR 67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 1

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No**Federalism:** No**Energy Affected:** No

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Department of the Interior (DOI)**National Park Service (NPS)****RIN:** 1024-AD07**Title:** Boating and Water Use Activities

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

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 16 USC 3**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/26/2003	68 FR 51207
NPRM Comment Period End	12/24/2003	
Final Action	03/23/2007	72 FR 13694

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

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Department of the Interior (DOI)**National Park Service (NPS)****RIN:** 1024-AD45**Title:** Dry Tortugas National Park--Special Regulations

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

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 36 CFR 7.27 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 16 USC 410 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/07/2006	71 FR 17777
NPRM Comment Period End	06/06/2006	
Final Action	12/20/2006	71 FR 76154

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jerry L. Case

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Department of the Interior (DOI)**Office of Surface Mining Reclamation and Enforcement (OSMRE)****RIN:** 1029-AC04**Title:** Placement of Excess Spoil

Abstract: This rule will establish permit application requirements and review procedures for applications that propose to place excess spoil or coal mine waste from surface coal mining operations into waters of the United States. Among other things, it will require that mine operators minimize the creation of excess spoil and the adverse environmental impacts resulting from the construction of excess spoil fills. In addition, it will apply the buffer requirement to all waters of the United States, not just perennial and intermittent streams, clearly specify the activities to which that requirement does and does not apply, and revise the findings required for a variance from the buffer requirement to more closely track the underlying statutory provisions.

Priority: Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 30 CFR 780; 30 CFR 784; 30 CFR 816; 30 CFR 817 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 30 USC 1201 et seq**Legal Deadline:** None**Regulatory Plan:**

Statement of Need: This rule will provide long-term regulatory stability by clearly specifying the activities to which the buffer requirement does and does not apply and describing the relationship between our rules and the Clean Water Act. It also will promote environmental protection by requiring that mining operations be designed to minimize both the creation of excess spoil and adverse environmental impacts resulting from the disposal of excess spoil and coal mine waste.

Legal Basis: General rulemaking authority: Section 201(c)(2) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), 30 U.S.C. 1211(c)(2), directs the Secretary of the Interior (the Secretary), acting through OSM, to publish and promulgate such rules and regulations as may be necessary to carry out the purposes and provisions of SMCRA. Legal basis under SMCRA: Sections 515(b)(10)(B)(i) and 516(b)(9)(B) of SMCRA, 30 U.S.C. 1265(b)(10)(B)(i) and 1266(b)(9)(B), require that surface coal mining operations be conducted so as to prevent the contribution of additional suspended solids to streamflow or runoff outside the permit area to the extent possible using the best technology currently available. Sections 515(b)(24) and 516(b)(11) of SMCRA, 30 U.S.C. 1265(b)(24) and 1266(b)(11), require that surface coal mining and reclamation operations be conducted to minimize disturbances to and adverse impacts on fish, wildlife, and related environmental values "to the extent possible using the best technology currently available." These statutory provisions form the basis for the new rules concerning excess spoil, coal mine waste, and buffer zones for waters of the United States.

Alternatives: Alternatives considered in the Environmental Impact Statement include: A. Alternative 1 – Changing the Excess Spoil and Stream Buffer Zone Regulations (OSM's Preferred Alternative and Most Environmentally Protective Alternative): OSM would revise the regulations applicable to excess spoil generation and placement to further lessen the adverse environmental effects stemming from excess spoil fill construction. OSM would require the applicant for a surface coal mining permit to demonstrate that (1) the operation has been designed to minimize the creation of excess spoil and (2) excess spoil fills have been designed to be no larger than needed to accommodate the anticipated volume of excess spoil that the operation will generate. Finally, OSM would require the applicant to consider various alternative spoil disposal plans in which the size, numbers, and locations of the excess spoil fills vary, and to submit an analysis showing that the preferred excess spoil disposal plan would result in the least adverse environmental impact. Similarly, OSM would revise its coal mine waste disposal regulations to require permit applicants to describe the steps to be taken to minimize adverse environmental impacts and identify and analyze the environmental impacts associated with alternative disposal methods and potential locations. OSM would revise the stream buffer zone regulation to clarify which kinds of coal mining activities are subject to the rule. Surface mining and reclamation activities occurring adjacent to, but not in, waters of the United States would be subject to the rule. Stream crossings, sedimentation ponds, excess spoil fills, mining through waters of the United States, and coal mine waste disposal facilities would not be subject to the prohibition on disturbance of the buffer zone. OSM would also revise the criteria for authorizing variances from the 100-foot buffer zone to more accurately reflect the statutory basis for the rule. The stream buffer zone is principally based on two SMCRA provisions: Sections 515(b)(10)(B)(i) and 515(b)(24). The first provision requires, among other things, that surface coal mining operations be conducted so as to prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow or runoff outside the permit area. The second provision, Section 515(b)(24), requires that to the extent possible using the best technology currently available, surface coal mining and reclamation operations must minimize disturbances and adverse impacts of the operation on fish, wildlife, and related environmental values, and achieve enhancement of such resources where practicable. Variances to use of a 100-foot buffer as BTCA could be authorized if equally or more effective alternative means to achieve the performance standards of sections 515(b)(10)(B)(i) and (24) would be used. Finally, OSM would also extend the requirement of a 100-foot buffer zone to other water bodies in addition to streams, so as to apply the rule to lakes, ponds, and adjacent wetlands (to the extent those water bodies constitute "waters of the United States" under the Clean Water Act). As a variant of this alternative, OSM is also considering largely retaining the existing buffer zone rule language at 30 CFR 816.57(a) and 817.57(a), but modifying the criteria for allowing a variance from the 100-foot buffer requirement: The first modification would retain the current criterion that requires that the regulatory authority find that the "mining activities will not cause or contribute to the violation of applicable State or Federal water quality standards, and will not adversely affect the water quantity and quality or other environmental resources of the stream." This variant would explicitly note that the appropriate Federal and State Clean Water Act agencies in accordance with sections 401, 402, or 404 would make this determination. The second modification would replace the phrase "adversely affect" with "significantly degrade." B. Alternative 2 – January 7, 2004 Proposed Rule OSM would change the excess spoil regulations essentially as described in Alternative 1 but would change the stream buffer zone regulations at 30 CFR 816.56 and 817.57 as described in the January 7, 2004 Federal Register notice of the previous proposed stream buffer zone rule [69 FR 1036]. OSM would retain the prohibition on disturbance of land within 100 feet of a perennial or intermittent stream for surface coal mining operations but allow the regulatory authority to grant a variance to this requirement if the regulatory authority finds in writing that the activities would, to the extent possible, use the best technology currently available: (1) Prevent additional contributions of suspended solids to the section of stream within 100 feet downstream of the mining activities, and outside the area affected by mining activities; and (2) Minimize disturbances and

adverse impacts on fish, wildlife, and other related environmental values of the stream. C. Alternative 3 – Change Only the Excess Spoil Regulations OSM would change the excess spoil regulations as described in Alternative 1. No changes would be made to the stream buffer zone regulations. D. Alternative 4 – Change Only the Stream Buffer Zone Regulations OSM would change the stream buffer zone regulations as described in Alternative 1. No changes would be made to the excess spoil regulations. E. Alternative 5 – No Action Alternative: OSM would not adopt any new rules. The current regulations applicable to excess spoil generation and fill construction and the stream buffer zone would remain unchanged.

Costs and Benefits: It is anticipated that some of the regulatory changes will result in an increase in the costs and burdens placed on coal operators and on some primacy States. We estimate that the total annual increase for operators would be approximately \$240,500, and for the primacy States the total annual increase is estimated at approximately \$24,200. These increases are a result of the requirement to document the analyses and findings required by the regulatory changes. This estimated increase in costs would likely only affect those coal operators and States (Kentucky, Virginia, and West Virginia) located in the steep slope terrain of the central Appalachian coalfields, where the bulk of excess spoil is generated. Because all of the regulatory agencies in the Appalachian coalfields have implemented policies to minimize the volume of excess spoil, no significant additional costs of implementing these regulatory changes are anticipated other than those required to document the strengthened requirements to consider all alternative excess spoil construction and disposal sites. One of the primary benefits of the rule is an expected reduction in the placement of excess spoil with resulting positive environmental consequences. The rule is also expected to clarify mining requirements for steep slope and mountaintop mining operations in Appalachia and thereby establish regulatory certainty for the coal industry, which has been hesitant to expend large sums of money on this type of mining operations because of legal uncertainty.

Risks: If the proposed rule is not adopted, the controversy and uncertainty concerning the meaning of the existing stream buffer zone rule may continue to exist. That uncertainty creates the risk of additional litigation concerning the existing rule, which could result in regulatory instability and a reluctance on the part of coal mining companies to invest in new mining projects. There is also the risk that not all of the environmental benefits of the excess spoil minimization rules would be achieved. Finally, failure to adopt this rule would result in the retention of legally and technically obsolete provisions of the existing rules.

Timetable:

Action	Date	FR Cite
NPRM	01/07/2004	69 FR 1036
NPRM Comment Period End	03/08/2004	
Second NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

RIN: 1029-AC54

Title: Placement of Coal Combustion Byproducts in Active and Abandoned Mines

Abstract: This rule would establish requirements and standards that apply when coal combustion byproducts are used during reclamation at a coal mining operation permitted under the Surface Mining Control and Reclamation Act (SMCRA) or used during reclamation at an abandoned coal mining site. This rule would be based on existing authorities in SMCRA and existing permanent program regulations.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 773; 30 CFR 779 to 780; 30 CFR 783 to 784; 30 CFR 800; 30 CFR 816 to 817; 30 CFR 874 to 875 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	03/14/2007	72 FR 12026
ANPRM Comment Period End	06/13/2007	
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Small Entities Affected: No

Federalism: No

Energy Affected: No

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RIN: 1029-AC56

Title: Abandoned Mine Land

Abstract: This rule would implement provisions of the Surface Mining Control and Reclamation Act Amendments of 2006 that revised and extended the abandoned mine land program.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 30 CFR 773; 30 CFR 785; 30 CFR 816; 30 CFR 817; 30 CFR 870; 30 CFR 882 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State; Tribal

Federalism: No

Energy Affected: No

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

RIN: 1029-AC57

Title: Remining Incentives

Abstract: This rule would implement section 415 of the Surface Mining Control and Reclamation Act, which authorizes the Secretary to adopt remining incentives such as abandoned mine land (AML) fee waivers of the use of AML funds to provide bond guarantees. In each instance in which an incentive is used, the Secretary must determine, with the concurrence of the State regulatory authority, that the eligible land would not be likely to be remined and reclaimed without the incentive.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 800; 30 CFR 870 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Federalism: No

Energy Affected: No

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

RIN: 1029-AC58

Title: Tribal Primacy

Abstract: This rule would establish standards governing submission and approval of a tribal regulation program submitted by an Indian tribe. Approval of a tribal program would allow the tribe to regulate surface coal mining and reclamation operations on reservation lands under the tribe's jurisdiction.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 750 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Tribal

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

RIN: 1029-AB70

Title: Abandoned Coal Refuse Sites

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.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 30 CFR 786; 30 CFR 829; 30 CFR 701 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/17/2007	72 FR 2136
NPRM Comment Period End	03/28/2007	
Final Action	04/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: No

Energy Affected: Undetermined

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Department of the Interior (DOI)**Office of Surface Mining Reclamation and Enforcement (OSMRE)****RIN:** 1029-AC51**Title:** Permit Application Packages

Abstract: The Office of Surface Mining (OSM) is proposing revisions to its regulations governing the number of copies of a permit application that must be submitted to OSM. The number is being reduced to one original and two copies in order to conform to Office of Management and Budget regulations at 5 CFR 1320.5(d)(2)(iii). Since our submission requirements are found in our regulations, rulemaking is required to make the change.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 30 CFR 740; 30 CFR, 942; 30 CFR 947 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/14/2007	72 FR 45597
NPRM Comment Period End	10/15/2007	
Final Action	10/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Fred Sherfy

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Department of the Interior (DOI)**Office of Surface Mining Reclamation and Enforcement (OSMRE)****RIN:** 1029-AC52**Title:** Ownership, Control, and Transfer, Assignment, or Sale of Permit Rights

Abstract: This rule would amend the definitions pertaining to ownership, control, and transfer, assignment, or sale of permit rights and revise OSM's regulatory provisions governing permit eligibility determinations; improvidently issued permits; ownership or control challenges; post-permit issuance actions and requirements; transfer, assignment or sale of permit rights; application and permit information; and alternative enforcement.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843; 30 CFR 847 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/10/2006	71 FR 59592
NPRM Comment Period End	12/11/2006	
Final Action	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; State

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

RIN: 1029-AC55

Title: Fees, Liens, and Miscellaneous Provisions

Abstract: This rule would implement provisions of the Surface Mining Control and Reclamation Act Amendments of 2006 that require expedited implementation because of the statutory time frames. The 2006 amendments revised and extended the abandoned mine land program and its fee rate.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 30 CFR 773; 30 CFR 785; 30 CFR 816; 30 CFR 817; 30 CFR 870; 30 CFR 882 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq

Legal Deadline:

Action	Source	Date
Other	Statutory	10/01/2007

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)**Office of Surface Mining Reclamation and Enforcement (OSMRE)****RIN:** 1029-AC53**Title:** Indian Lands

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.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 30 CFR 700; 30 CFR 740; 30 CFR 750 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 30 USC 1201 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/19/1999	64 FR 8464
NPRM Comment Period End	06/21/1999	64 FR 18585
Final Action	04/25/2007	72 FR 2067

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1029-AB83**Agency Contact:** Vermell Davis

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E-Mail: gvdavis@osmre.gov**Department of the Interior (DOI)****Bureau of Indian Affairs (BIA)****RIN:** 1076-AE57**Title:** Grazing Permits

Abstract: This rule will amend the procedures the BIA uses to approve, grant, and administer permits for grazing on tribal land, individually owned Indian land, and Government land.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 25 CFR 166 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

RIN: 1076-AE62

Title: Land Acquisition

Abstract: This rule would address the procedures for and criteria against which the Secretary will accept acquisitions of land into trust or restricted status on behalf of an individual Indian or tribe.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 151 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301; RS 161

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	02/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

RIN: 1076-AE65

Title: Trust Fund Accounting and Appeals

Abstract: This rule would define the administrative review and appeal process for any issues arising from quarterly statements of performance or historical statements of account.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 116 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 116 Stat 79; 25 USC 9; 5 USC 553; PL 103-412; PL 107-153**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michele Singer

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE67**Title:** Law and Order on Indian Reservations**Abstract:** This rule would update the listing of Courts of Indian Offenses (CFR Courts) and add provisions for drug abuse, child abuse, and family violence.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 11 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 25 USC 13; 25 USC 2; 25 USC 200; 25 USC 9; 28 Stat 586; 42 Stat 208; 5 USC 301; RS 463; RS 465**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Joseph Wittle Department of the Interior

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE73

Title: Leases and Permits

Abstract: This rule will establish procedures for entering into business leases on Indian and Government lands.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 162 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

RIN: 1076-AE76

Title: Preference in Employment

Abstract: The Bureau of Indian Affairs is proposing to revise the preference in employment regulations by clarifying the application of Indian preference within the Bureau of Indian Affairs and other organizations within the Department of the Interior. This revision will be consistent with the regulation for the application of Indian preference for the Indian Health Service found at 43 CFR 136.41.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 43; 25 USC 44; 5 USC 8336

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1076-AE77

Title: Revision of the Membership Roll of the Eastern Band of Cherokee of North Carolina

Abstract: The Eastern Band of Cherokee Indians has asked that the regulations in part 75 be removed because the Federal Government is not involved in the tribe's enrollment process. The enrollment applications are filed with the Tribal Enrollment Office, the Tribal Enrollment Committee determines an applicant's eligibility, and the Tribal Council decides any appeals concerning adverse determinations made by the Tribal Enrollment Committee.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 75 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 71 Stat 374, sec 2

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	03/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1076-AE79

Title: Oil and Gas, Geothermal, and Solid Minerals Agreements

Abstract: This rule will be a technical, administrative change to clarify the entire subchapter regarding energy and minerals.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 225 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 2; 25 USC 2101 to 2108; 25 USC 9

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

RIN: 1076-AE83

Title: Loan Guaranty, Insurance, and Interest Subsidy

Abstract: This rule would implement amendments to the Indian Financing Act, Public Law 109-221, by adding new provisions. The provisions concern allowing loans to nonprofit businesses, allowing community development financial institutions as approved lenders, guaranteeing bonds, and compensating a fiscal transfer agent for controlling the sale of guaranteed and insured loans in the secondary market.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 1002 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: PL 109-221; 120 Stat 336

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

RIN: 1076-AE84

Title: Tribal Revenue Allocation Plans

Abstract: The Secretary of the Interior is responsible for reviewing tribal plans for allocating revenues from gaming activities. The Secretary must determine whether each proposed allocation plan 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 making this determination.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 290 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 1076-AE24

Agency Contact: George Skibine

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Department of the Interior

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Washington , DC 20240

Phone: 202 219-4066

Department of the Interior (DOI)

Bureau of Indian Affairs (BIA)

RIN: 1076-AE85

Title: Class III Gaming Procedures

Abstract: This rule would clarify language in the existing rule dealing with Indian gaming compact negotiations between States and tribes when tribes have exhausted Federal judicial remedies. The rule applies where a tribe asserts that the State is not negotiating in good faith, files suit against the State in Federal court, but cannot proceed in Federal court because the State refuses to waive its sovereign immunity from suit. In cases where a State chooses not to assert a sovereign immunity defense, this proposed rule would not apply.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 291 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 2710

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

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

RIN: 1076-AE87

Title: Indian Reservation Roads Program

Abstract: This rule: (1) Corrects errors and omissions made in the initial publication; (2) makes revisions required by Public Law 109-59 (SAFETEA-LU); and (3) codifies recommendations made by a tribal advisory group established under regulations. The changes are in compliance with established statutes and based on public input (tribal coordination).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 25 CFR 170 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-59

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: LeRoy Gishi
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Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)

RIN: 1076-AE88

Title: Job Training and Placement Program

Abstract: This rule will simplify and incorporate two sets of regulations into one set to enhance understanding and make provisions more comprehensive. The rule will also add new provisions to address audit concerns. The rule will reduce paperwork burden for tribal contractors, enabling them to integrate vocational training with other tribal goals, e.g., welfare reform.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: Undetermined

Unfunded Mandates: No

CFR Citation: 25 CFR 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Lynn Forcia

Office of Economic Development

Department of the Interior

Bureau of Indian Affairs

MS 4640 MIB 1849 C Street NW.

Washington , DC 20240

Phone: 202 219-5270

Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE89**Title:** Indian Child Welfare Act**Abstract:** The proposed rule would eliminate the duplication of ICWA notices by establishing a centralized location for all ICWA notices to be processed and forwarded to respective tribes.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 23 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ruth Bajema Department of the Interior

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AD44**Title:** Irrigation Projects and Systems**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule

Major: No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 171 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 25 USC 385**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/05/1996	61 FR 35167
NPRM Comment Period End	09/03/1996	
Second NPRM	07/17/2006	71 FR 40450
NPRM Comment Period End	11/14/2006	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** John Anevski

Civil Engineer

Department of the Interior

Bureau of Indian Affairs

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Washington , DC 20240

Phone: 202 208-5480

Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE51**Title:** Home-Living Programs and School Closure and Consolidation

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

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 36; 25 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** PL 107-110**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/12/2004	69 FR 41770
NPRM Comment Period End	11/09/2004	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Federalism:** No**Energy Affected:** Undetermined

Agency Contact: Gai Lei King Department of the Interior
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Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)

RIN: 1076-AE59

Title: Indian Trust Management Reform Regulations

Abstract: This rule addresses probate of Indian estates, tribal probate codes, in land title and records, conveyances of trust and restricted land, removal of trust and restricted status, life estates and future interests, Department hearings and appeals, and Indian probate hearings.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 15; 25 CFR 18; 25 CFR 152; 25 CFR 179 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 36 Stat 856, as amended; secs 1, 2, 36 Stat 855, as amended

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	08/08/2006	71 FR 45174
NPRM Comment Period End	10/10/2006	
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Related RINs: Previously Reported as 1076-AE61; Previously Reported as 1076-AE71

Agency Contact: Michele Singer
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Department of the Interior (DOI)
Bureau of Indian Affairs (BIA)

RIN: 1076-AE80

Title: Tribal Energy Resource Agreements

Abstract: This rule would implement title V, section 503 (Indian Energy), of the Energy Policy Act of 2005, which requires the Secretary to establish and implement an Indian Energy Resource Development Program.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 224 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 109-58**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/21/2006	71 FR 48626
NPRM Comment Period End	09/20/2006	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Darryl Francois

Office of Indian Energy and Economic Development

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE81**Title:** Gaming on Trust Lands Acquired After October 17, 1988**Abstract:** This rule would establish procedures that the Secretary will use to review tribal applications for trust acquisition of land for gaming purposes.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 292 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 2719**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/05/2006	71 FR 58769
NPRM Comment Period Extended	12/04/2006	71 FR 70335
NPRM Comment Period End	12/04/2006	
NPRM Comment Period End	02/01/2007	
Final Action	11/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** George Skibine

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE86**Title:** Board of Contract Appeals, Change of Name and Address**Abstract:** The rule revises 25 CFR part 900 to reflect a change in address for the Civilian Board of Contract Appeals. It is necessary because the Interior Board of Contract Appeals no longer exists, as it was consolidated under the Civilian Board of Contract Appeals pursuant to the National Defense Authorization Act (Pub. L. 109-163).**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 900 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ed Mouss Department of the Interior

Bureau of Indian Affairs

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE45**Title:** Standards for Approving Tribal Per Capita Distributions**Abstract:** This rule will provide standards for the review and approval of tribal requests for the authority to make per capita distributions from tribal funds held in trust by the Secretary of the Interior under Public Law 98-164, 25 U.S.C. 117a and 117b.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 111 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 25 USC 117c**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/01/2007	

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

Agency Contact: Daisy West

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

RIN: 1076-AE55

Title: Unclaimed Moneys/Whereabouts Unknown

Abstract: This rule will create one account in the Department to hold Individual Indian Moneys funds of any account holders who cannot be located. It will explain the actions the Department will take to determine the current address of an account holder whose whereabouts are unknown. It will set forth an account holder's duty to inform the Department of a current address. It will authorize the holder of an IIM account whose funds have been transferred to the Unknown Moneys account to make a claim for the transferred funds at any time.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 116 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/01/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Michele Singer

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

RIN: 1076-AE61

Title: Tribal Probate Codes

Abstract: This rule will establish procedures for a tribe to obtain the Secretary's approval for a tribal probate code.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 18 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 25 USC 2201 to 2211**Legal Deadline:** None

Timetable:

Action	Date	FR Cite
NPRM	08/08/2006	71 FR 45174
NPRM Comment Period End	10/10/2006	
Merged with	08/01/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Merge with 1076-AE59**Agency Contact:** Michele Singer

Director, Office of Regulatory Management

Department of the Interior

Bureau of Indian Affairs

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Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE66**Title:** Fee for Service**Abstract:** This rule will amend procedures to acquire leases, establish rent and royalty rates, ensure environmentally sound operations, and remove restrictions against alienation on Indian lands.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 25 CFR 213 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 35 Stat 312**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/01/2007	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Federalism:** No**Energy Affected:** No**Agency Contact:** Michele Singer

Director, Office of Regulatory Management

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Phone: 202 273-4680

Department of the Interior (DOI)**Bureau of Indian Affairs (BIA)****RIN:** 1076-AE82

Title: General Forestry Regulations

Abstract: BIA is revising this rule to make provisions concerning the collection of forest management deductions consistent with statutory authority.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 25 CFR 163 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 406; 25 USC 407; 25 USC 413; 25 USC 415; 25 USC 466

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Withdrawn	08/01/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal; Tribal

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: William Downes

Chief, Division of Forestry

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Department of the Interior (DOI)

Assistant Secretary for Policy, Management and Budget (ASPMB)

RIN: 1090-AA95

Title: Implementation of the National Environmental Policy Act of 1969

Abstract: The Department of the Interior proposes to amend its regulations by adding a new part to codify its NEPA procedures currently in the Departmental Manual (DM). The proposed regulations contain Departmental policies and procedures for compliance with NEPA, Executive Order 11514, and the Council on Environmental Quality's regulations. By converting the Departmental NEPA procedures from the DM to new regulations the Department intends to promote greater transparency and accountability to the public.

Priority: Other Significant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 46 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 42 USC 4321 et seq

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Willie R. Taylor
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 Department of the Interior
 Assistant Secretary for Policy, Management and Budget
 MIB 1849 C Street NW.
 Washington , DC 20240
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Department of the Interior (DOI)
Assistant Secretary for Policy, Management and Budget (ASPMB)
RIN: 1090-AA96

Title: Implementation of OMB Guidance on Nonprocurement, Debarment, and Suspension

Abstract: The Department of the Interior proposes to remove its regulations implementing the Governmentwide common rule on nonprocurement, debarment, and suspension, and to adopt in their place the Office of Management and Budget's guidance. This regulatory action would implement OMB's initiative to streamline and consolidate all Federal regulations on nonprocurement, debarment, and suspension into one part of the CFR. The Department does not intend to modify any of its current policy.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Proposed Rule

Major: No

Unfunded Mandates: No

CFR Citation: 2 CFR 1400; 43 CFR 12; 43 CFR 42 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: PL 103-355

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Melodee Stith Department of the Interior
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Department of the Interior (DOI)
Assistant Secretary for Policy, Management and Budget (ASPMB)
RIN: 1090-AA91

Title: Procedures for Hydropower Licensing Hearings and Alternative Conditions and Prescriptions

Abstract: This rule establishes procedures for trial-type hearings on disputed issues of material fact with respect to conditions and prescriptions developed for inclusion in hydropower licenses issued by the Federal Energy Regulatory Commission. It also establishes procedures for the submission and consideration of alternative conditions and prescriptions.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 25 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 16 USC 3; 16 USC 668dd(d)(1); 25 USC 2; 25 USC 9; 43 USC 1201; 43 USC 1740; 5 USC 301

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	09/09/2004	69 FR 54602
NPRM Comment Period End	11/08/2004	
Final Action	12/00/2007	

Additional Information: Replaces 1094-AA51.

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Robert More

Director, Office of Hearings and Appeals

Department of the Interior

Assistant Secretary for Policy, Management and Budget

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Department of the Interior (DOI)
Assistant Secretary for Policy, Management and Budget (ASPMB)
RIN: 1090-AA94

Title: Revision of Privacy Act Regulations

Abstract: This action adds new Department of the Interior Privacy Act exempt systems of records to the listing of exempt Privacy Act Systems in 43 CFR 2.79. Under 5 U.S.C. 552a (j) & (k), exempt systems must be identified in rulemaking before their Privacy Act system of records notices can be published in the Federal Register. The four Privacy Act systems that will be added are: (1) Incident Management Analysis and Reporting System; (2) Indian Arts and Crafts Board Inquiries and Complaints File; (3) Investigative Files System; and (4) Reclamation Law Enforcement Information Management System. Minor changes to addresses will also be made.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 43 CFR 2 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 5 USC 552a

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	12/00/2007	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

Agency Contact: Marilyn Legnini

Privacy Act Officer

Department of the Interior

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Department of the Interior (DOI)**Assistant Secretary for Policy, Management and Budget (ASPMB)****RIN:** 1090-AA29**Title:** Natural Resource Damage Assessments: Type B Procedures

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

Priority: Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 11 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 42 USC 9651(c)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	07/16/1996	61 FR 37031
ANPRM Comment Period End	09/16/1996	61 FR 37031
Withdrawn	08/01/2007	

Additional Information: Will be published in the future.**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** Undetermined**Agency Contact:** Frank DeLuise

Assessment Program

Department of the Interior

Assistant Secretary for Policy, Management and Budget

Room 4449, 1849 C Street NW.

Washington , DC 20240

Phone: 202 208-4143

Department of the Interior (DOI)**Office of Hearings and Appeals (OHA)****RIN:** 1094-AA52**Title:** Procedures Applicable in Adjudications Before the Hearings Division

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.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#) .)**Legal Authority:** 5 USC 301; 43 USC 1201**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

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

Agency Contact: Robert More
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 Office of Hearings and Appeals
 801 North Quincy Street Suite 300
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 Phone: 703 235-3810

Department of the Interior (DOI)**Office of Hearings and Appeals (OHA)****RIN:** 1094-AA53**Title:** Special Procedures for Public Lands and Surface Mining Cases

Abstract: This rule would (1) state how to request reconsideration of a decision; (2) limit the number of pleadings that may be filed by parties in appeals to IBLA; (3) update addresses for serving-copies of notices of appeal; (4) state when IBLA may refer a case for a hearing before an administrative law judge; and (5) specify a period for filing an appeal of a judge's order. It will also (1) state when IBLA may consolidate appeals; (2) establish standards for granting extensions for filing pleadings; (3) prescribe procedures for motions in appeals; and (4) state when a person may intervene in an appeal.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 43 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 43 USC 1201; 43 USC 315a**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/08/2007	72 FR 10454
NPRM Comment Period End	05/07/2007	
Final Action	02/00/2008	

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

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