

Department of the Interior  
 Report on Status of Retrospective Review Efforts  
 July 8, 2013

Agency/ Sub-Agency	RIN/OMB Control Number	Title	Brief Description	Actual or Target Completion Date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits	Progress updates and anticipated accomplishments
BLM	1004- AE24	Solar/ Wind Competitive Process	The BLM determined that a comprehensive, long-term wind and solar energy development program on public lands requires a robust, regulatory framework that establishes a competitive process for awarding right-of-way leases under current FLPMA authority.	BLM has targeted publication of proposed rule in August 2013.	Not yet determined	ANPRM published in the <i>Federal Register</i> on December 29, 2011 at 76 FR 81906. Public comment period for the ANPRM closed February 27, 2012.
BLM	1004- AE25	Land Classification Regulations	Removal of obsolete land classification regulations and consolidation of updated regulations with the existing planning regulations.	BLM has established a target date for a final rule of May 2014.	Anticipated cost savings to the Government of \$27,000 to \$40,500 annually, due to the elimination of redundant procedures.	Proposed rule is being drafted.

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NPS	1024- AD30	Commercial Filming and Similar Projects and Still Photography Activities	The regulation implements Public Law 106-206 and establishes a common procedure for the issuance of commercial filming and still photography permits by certain agencies of the Department of the Interior	Final rule targeted to publish by September 2013.	Final rule will improve efficiency in the application process for commercial filming companies applying to DOI agencies for a permit.  Final rule will lead to unified location fee schedule used by both DOI agencies and the U.S. Forest Service and will provide the commercial filming industry with predictable fee for their activities.	The proposed rule published in the <b>Federal Register</b> on August 20, 2007.  The final rule is on track to publish in early August 2013.

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FWS	1018- AX85	ESA Section 7 Consultation Regulations; Incidental Take Statements	Court decisions rendered over the last decade regarding the adequacy of incidental take statements have prompted us, along with the National Marine Fisheries Service (NOAA, Commerce), to consider clarifying our regulations concerning two aspects of issuance of incidental take statements during section 7 consultation under the Endangered Species Act. The proposed regulatory changes would specifically address the use of surrogates to express the limit of exempted take and how to determine when deferral of an incidental take exemption is appropriate.	The proposed rule is scheduled for July 2013.	Increased clarity, consistency, and certainty associated with how the Services issue incidental take statements during interagency consultation would reduce the transaction costs incurred by Federal agencies and non-federal applicants and reduce the potential for further litigation that can have financial impacts on the Services as well as Federal and non-federal applicants	Submitted to OMB for interagency review in March 2013. Expect proposed rule to publish in early August.

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FWS	1018- AX86	Implementing Changes to the Regulations for Designating Critical Habitat	This proposed rule would amend existing regulations governing the designation of critical habitat under section 4 of the Endangered Species Act. A number of factors, including litigation and the Services' experience over the years in interpreting and applying the statutory definition of critical habitat, have highlighted the need to clarify or revise the current regulations. This is a joint rule between the Fish and Wildlife Service and the National Marine Fisheries Service (NOAA, Commerce).	The proposed rule is scheduled for July 2013.	Increased clarity, consistency, and certainty associated with how the Services designate critical habitat would reduce the transaction costs incurred by the regulated community (e.g., Federal agencies, States, Tribes, local governments, industry, private landowners).	Submitted to OMB in April 2013 for interagency review. Expect proposed rule to publish in early August.

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FWS	1018- AX87	Policy for the Designation of Critical Habitat Under Section 4 of the Endangered Species Act	This proposed policy would articulate the purpose of critical habitat, provide a clear interpretation of the statutory definition of "critical habitat," and describe a comprehensive approach for designating critical habitat under section 4 of the Endangered Species Act. This policy will help provide clarity and consistency in the designation of critical habitat in an effort to ensure that the purposes of the Endangered Species Act are fully met. We will seek public review and comment on the proposed policy. This is a joint policy with the National Marine Fisheries Service (NOAA, Commerce).	The proposed rule is scheduled for July 2013.	Increased clarity, consistency, and certainty associated with how the Services designate critical habitat would reduce the transaction costs incurred by the regulated community (e.g., Federal agencies, States, Tribes, local governments, industry, private landowners).	Submitted to OMB in April 2013 for interagency review. Expect rule to publish in early August.

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FWS	1018- AX88	Definition of "Destruction or Adverse Modification" of Critical Habitat	The proposed rule would amend the existing regulations governing section 7 consultation under the Endangered Species Act to revise the definition of "destruction or adverse modification" of critical habitat. The current regulatory definition has been invalidated by the courts for being inconsistent with the language of the Endangered Species Act. We therefore need to propose a revised definition and seek public review and comment. This is a joint rulemaking with the National Marine Fisheries Service (NOAA, Commerce).	The proposed rule is scheduled for July 2013.	Increased clarity, consistency, and certainty associated with how the Services define "destruction or adverse modification" of critical habitat would reduce the transaction costs incurred by Federal agencies and non-federal applicants and reduce the potential for further litigation that can have financial impacts on the Services as well as Federal and non-federal applicants	Submitted to OMB in April 2013 for interagency review. Expect proposed rule to publish in early August.

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OCIO		Enterprise forms System (EFS)	Consolidate all DOI forms electronically in a way that they can be pre-populated and completed online.	1/2015	30,000 hours	Top 30 forms should be electronic by October 2013.
USGS	OMB control number 1028-0082	Bird banding	Create new streamlined online bird banding permit and reporting website.		6,898 hours	Upgrade to permitting system in development.
NPS	1024-0022	Electronic Backcountry Use Reservation System	Develop an automated reservation system for Backcountry Use Permits.	9/2016	5,938 hours	In planning stage.
FWS	1018-0109 and 1018-0147	Wildlife Tracking and Reporting Actions for the Conservation of the Species (TRACS)	Create a new electronic system for managing financial assistance programs in the Wildlife and Sport Fish Restoration Program, with reduced information requirements.	1/2014	5,833 hours	60-day notice issued on 8/10/12. Preparing supporting statement and other documents for ICR submission.

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NPS	1024-0026	Short form for special park use applications	Create a short form with fewer information requirements than on the standard form for a subset of special park use applications.	9/2016	3,802 hours	The form has been developed and submitted to OMB for approval; The 30 day notice was published in the Federal Register on 6/20/2013 (78 FR 37235).

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FWS	1018-0022, 1018-002, 1018-0093, and 1018-0094	Electronic submission of permit applications and reports	Upgrade the Service Permit Issuance and Tracking System (SPITS) to incorporate the e-Permits online website for submission of application forms and annual reports.	12/2014	9,100 hours	The E-Permits system was launched on January 23, 2013, with one approved application form for the Division of Management Authority (DMA). By August 2013, we will add four additional forms for DMA and one for Migratory Birds.
FWS	1018-0022	Falconry permits	Eliminate requirement for a Federal permit if State permit regulations are sufficient.	1/2014	888	As of 1/2013, 32 States have assumed responsibility for issuing falconry permits.

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BSEE	1014- 0018	Modify eWell for use in all regions	Expand current electronic reporting and submittal system to include Alaska and Pacific regions.	10/2013	1,405 hours	The regional eWell is expected to be implemented by October 2013.

Performance based regulations

In examining its current regulatory requirements, DOI has also taken a hybrid regulatory approach, incorporating flexible, performance based standards with existing regulatory requirements where possible to strengthen safety and environmental protection across the onshore and offshore oil and natural gas industry while minimizing additional burdens on the economy. The Department routinely meets with stakeholders to solicit feedback and gather input on how to incorporate performance based standards. For example, in September, DOI personnel participated with staff from the Environmental Protection Agency, the U.S. Coast Guard, and the Department of Transportation in a stakeholder meeting sponsored by the Occupational Health and Safety Administration specifically to receive input on the inclusion of performance based standards as a regulatory approach. DOI has received helpful public input through this process and will continue to participate in this effort with relevant interagency partners as part of its retrospective regulatory review.