

Department of the Interior
 Report on Status of Retrospective Review Efforts
 July 14, 2014

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
BIA	1076- AF18	Federal Acknowledgement of Indian Tribes	This rule will reform the process and criteria by which the Secretary acknowledges an Indian tribe to allow for faster decisions, reduce the documentary burden, and ensure transparency and predictability through objective standards.	Final rule anticipated in 2015.	Anticipated information collection burden reduction of 8,510 hours.	Proposed rule was published in May 2014. Public hearings and tribal consultations are being held in July 2014.

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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 April 2014.	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. The rule was sent to OMB on 5/6/2014 for review under EO 12866.

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NPS	Federal Register Notice	Commercial Filming and Similar Projects and Still Photography Activities – Location Fee Schedule	The location fee schedule implements Public law 106-206 and will be used by DOI bureaus and the U.S. Forest Service to provide a fair return to the United States for the use of Federal lands for permitted commercial filming, similar projects, and still photography activities.	Publication of the Federal Register notice to implement the fee schedule is anticipated in late September 2014.	The fee schedule will provide a fair return for use of Federal land and will provide the commercial filming industry with consistent predictable fees for their activities.	The related final rule to manage commercial filming, similar activities, and still photography published August 22, 2013 (78 FR 52087). This rule referenced the proposed location fee schedule that was published for public comment on the same date.

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Office of the Secretary	1090-AA91	Resource Agency Hearings and Alternatives Development Procedures in Hydropower Licenses	Revising the procedures established in November 2005 for expedited trial-type hearings and alternatives development required by the Energy Policy Act of 2005 (EPAAct).	Not yet determined.	Anticipated cost and/or information savings cannot be determined at this time. The Rule will increase efficiencies in the trial-type hearing and alternatives development process.	DOI submitted the Revised Interim Final Rule to OMB on March 7, 2012 on behalf of DOI, and the Departments of Agriculture in Commerce. The Rule is currently waiting OMB clearance and publication in the Federal Register.

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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.	Publication of the final rule is scheduled for September 2014.	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	Proposed rule submitted to the Federal Register on August 29, 2013. The public comment period closed on November 4, 2013. Approximately 70 comment submissions were received. We anticipate publishing the final rule in September 2014.

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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).	Target publication date for final rule is June 2015.	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).	Proposed rule published in the Federal Register May 12, 2014. The Services will accept comments through October 9, 2014. We anticipate publishing the final rule in June 2015

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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).	Target publication date for final rule is June 2015.	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).	Proposed policy published in the Federal Register May 12, 2014 The Services will accept comments through October 9, 2014. We anticipate publishing the final rule in June 2015

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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).	Target publication date for final rule is June 2015.	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	Proposed published in the Federal Register May 12, 2014. The Services will accept comments through October 9, 2014. We anticipate publishing the final rule in June 2015.

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FWS	1018- BA53	Revised Petitions Regulations	The ESA and implementing regulations sets forth standards for identifying what constitutes a petition to list, delist or reclassify a species under the ESA and the procedures for processing a petition. The Services are proposing to change the regulations at 50 CFR 424.14 pertaining to the petition process to provide greater clarity to the public on the petition submission process, including coordination with the affected States, and expanded content requirements and guideline which will assist petitioners in providing complete petitions.	Anticipated publication of the proposed rule in the Federal Register is late fall 2014.	The public will have better instructions on how to submit a petition and include necessary information; the Services will gain efficiency in processing petitions and producing 90-day findings as a result of the higher quality and completeness of petitions received; coordination with State partners will be improved.	Draft regulation and preamble developed and reviewed by DOI and NMFS solicitors.

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FWS	1018-AZ71	50 CFR Part 14- Importation, exportation, and transportation of wildlife.	Revision of port structure and declaration processes to accommodate changes under the International Trade Data System (ITDS). To be incorporated in planned updates of Part 14 [Subpart A (definitions), Subpart B (ports), Subpart E (inspection and clearance of wildlife), Subpart F (declarations), Subpart H (marking), Subpart I (licenses and fees), Subpart J (humane transport)].	Proposed Rule: 05/2015 Final Rule: 12/2016	Information collection burden and costs savings cannot be determined at this time since the FWS data message process is yet to be determined and programmed in ITDS. An economic analysis and information collection analysis have not been completed for the other anticipated updates to Part 14.	Once completed, electronic collection through ITDS promises to provide the trade with a coordinated government response on admissibility of a shipment or allowance for export. We anticipate these rule changes will simplify the wildlife inspection process and resolve current areas of confusion.

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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 December 2014.
USGS	OMB control number 1028- 0082	Bird banding	Create new streamlined online bird banding permit and reporting website.	December 2016	6,898 hours	The BANDIT system was completed in July 2012. The target completion date for the electronic permitting system is expected in July 2015.
NPS	1024- 0022	Electronic Backcountry Use Reservation System	Develop an automated reservation system for Backcountry Use Permits.	9/2016	5,938 hours	Still in planning stage. The NPS does not have the resources available to automate the system prior to September 2016.

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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.	Complete.	5,833 hours	Completed. Burden will be reflected in next renewal of 1018- 0109 and 1018- 0147.

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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.	12/2015	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 the end of 2014, we will add one additional form forfor Migratory Birds. Delays have been experienced due to staff shortages and budget cuts. We are currently exploring two options for forms development to get as close to the projected target date as possible.

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FWS	1018-0022	Falconry permits	Eliminate requirement for a Federal permit if State permit regulations are sufficient.	Complete.	888 hours. \$70,400 nonhour burden costs.	Completed. Burden reduction was reflected in the renewal of 1018-0022
BSEE	1014-0018	Modify eWell for use in all regions	Expand current electronic reporting and submittal system to include Alaska and Pacific regions.	Actual completion date: 6/1/2014	1,405 hours	Complete. The BSEE eWell reporting system was deployed to all regions on June 1, 2014.