7.5 Identification of Duplication, Overlap, and Conflict With Other Rules

TSA has no knowledge of any duplicative, overlapping, or conflicting Federal rules.

7.6 Preliminary Conclusion

Based on this preliminary analysis, TSA has not determined if the rulemaking would have a significant economic impact on a substantial number of small entities under section 605(b) of the RFA (5 U.S.C. 601 et seq.). The agency requests comment on all aspects of this analysis. TSA will publish a Final Regulatory Flexibility Analysis for the Final Rule.

Issued in Arlington, Virginia, on February 12, 2007.
Mardi Ruth Thompson,
Deputy Chief Counsel for Regulations.

[FR Doc. 07–715 Filed 2–13–07; 10:44 am]
BILLING CODE 9110–05–P

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

50 CFR Part 17
RIN 1018–AV19
Endangered and Threatened Wildlife
and Plants; 12-Month Petition Finding
and Proposed Rule To List the Polar
Bear (Ursus maritimus) as Threatened
Throughout Its Range

AGENCY: Fish and Wildlife Service, Interior.
ACTION: Proposed rule; notice of public
informational meetings and public
hearings.
SUMMARY: We, the U.S. Fish and
Wildlife Service (Service), announce the
locations and times of combined public
meetings that have been scheduled to:
(1) Provide information on the 12-month
petition finding and proposed rule to
list the polar bear (Ursus maritimus) as
threatened throughout its range, and (2)
Receive verbal public comments on that
proposal.
DATES: The meeting dates are:
1. March 1, 2007, 7 to 10 p.m.,
   Anchorage, AK.
2. March 5, 2007, 6 to 9 p.m.,
   Washington, DC.
3. March 7, 2007, 5 to 10 p.m.,
   Barrow, AK.
We will accept written comments
until April 9, 2007. If you wish to
submit written comments, follow the
directions in our January 9, 2007,
proposed regulation (72 FR 1064).
ADDRESSES: The meeting locations are:
1. Anchorage—Wilda Marston
   Theatre, Z.J. Loussac Library, 3600
   Denali Street, Anchorage, AK 99503.
2. Washington, DC—Department of
   the Interior (Sidney Yates Auditorium),
   1849 C St., NW., Washington, DC 20240.
3. Barrow—Inupiat Heritage Center
   (Multipurpose Room), Barrow, AK
   99723.
FOR FURTHER INFORMATION CONTACT:
Cathy Rezabek, Regional Outreach
Coordinator, 1011 East Tudor Rd., MS–
101, Anchorage, AK 99503 (telephone
907/786–3351). Persons who use a
telecommunications device for the deaf
(TDD) may call the Federal Information
Relay Service (FIRS) at 1–800–877–
8339, 24 hours a day, 7 days a week. For
information concerning the Washington,
D.C., meeting, please contact Valerie
Fellows, Public Affairs Specialist, U.S.
Fish and Wildlife Service, 1849 C Street,
NW., Washington, DC 20240 (telephone
202/208–5634).
SUPPLEMENTARY INFORMATION: We
will hold a combined public informational
meeting and public hearing at the
following locations: Anchorage, Alaska;
Barrow, Alaska; and Washington, DC. In
each location, the public informational
meeting will precede the public hearing.
All meetings will include a 30-minute
presentation on the Service’s status
review of the polar bear followed by a
30-minute question and answer period
on the status review. We invite the
public to provide oral testimony during
the public hearing.

Background

On January 9, 2007, we published a
proposed rule (72 FR 1064) to list the
polar bear as threatened on the Federal
List of Endangered and Threatened
Wildlife in 50 CFR 17.11(h). Because of
the wide geographic scope of the
proposal and heightened public interest,
we have scheduled public informational
meetings and public hearings at three
locations.

Our purpose for holding these public
informational meetings is to provide
additional opportunities for the public
to gain information and ask questions
about our proposal. These informational
sessions should assist interested parties
in preparing substantive comments,
which we will accept until close of
business (5 p.m.) Alaska Local Time on
April 9, 2007. The public hearings will
be the only method for the public to
verbally present comments and data for
entry into the public record of this
rulemaking and for our consideration
during our final decision. Anyone
wishing to make an oral comment or
statement for the record at a public
hearing listed above is encouraged (but
not required) to also provide a written
copy of the statement and present it to
us at the hearing. Oral and written
statements receive equal consideration.
In the event there is a large attendance,
the time allotted for oral statements may
be limited.

Comments and data can also be
submitted in writing or electronically,
as described in the January 9, 2007,
proposal, and at: http://alaska.fws.gov/
fisheries/mmm/polarbear/issues.htm.

Public Comments Solicited

We intend that any final action
resulting from the proposed rule will be

FIGURE 8.—AVERAGE FIRST-YEAR COMPLIANCE COSTS AS A PERCENT OF REVENUE

<table>
<thead>
<tr>
<th>Type</th>
<th>Average first-year cost</th>
<th>Average revenue</th>
<th>Cost as a percent of revenue (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional</td>
<td>$5,761</td>
<td>$45,483,871</td>
<td>0.01</td>
</tr>
<tr>
<td>Local</td>
<td>767</td>
<td>3,121,019</td>
<td>0.02</td>
</tr>
<tr>
<td>S &amp; T</td>
<td>769</td>
<td>3,137,255</td>
<td>0.02</td>
</tr>
<tr>
<td>Small Transit</td>
<td>245</td>
<td>590,000</td>
<td>0.04</td>
</tr>
<tr>
<td>Chemical Manufacturer, 10–19 FTE</td>
<td>71,693</td>
<td>18,637,676</td>
<td>0.38</td>
</tr>
<tr>
<td>Chemical Wholesaler, 10–19 FTE</td>
<td>71,693</td>
<td>6,184,695</td>
<td>1.16</td>
</tr>
<tr>
<td>Agricultural Wholesaler, 10–19 FTE</td>
<td>71,693</td>
<td>6,062,925</td>
<td>1.18</td>
</tr>
</tbody>
</table>

Source: TSA Calculations.
as accurate and as effective as possible. Therefore, we request comments or information from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning the proposed rule. We particularly seek comments concerning:

(1) Information on taxonomy, distribution, habitat selection (especially denning habitat), food habits, population density and trends, habitat trends, and effects of management on polar bears;

(2) Information on the effects of sea ice change on the distribution and abundance of polar bears and their principal prey over the short and long term;

(3) Information on the effects of other potential listing factors, including oil and gas development, contaminants, ecotourism, hunting, and poaching, on the distribution and abundance of polar bears and their principal prey over the short and long term;

(4) Information on regulatory mechanisms and management programs for polar bear conservation, including mitigation measures related to oil and gas exploration and development, hunting conservation programs, anti-poaching programs, and any other private, tribal, or governmental conservation programs that benefit polar bears;

(5) The specific physical and biological features to consider, and specific areas that may meet the definition of critical habitat and that should or should not be considered for a proposed critical habitat designation as provided by section 4 of the Endangered Species Act;

(6) Information relevant to whether any populations of the species may qualify as distinct population segments; and

(7) The data and studies referred to within the proposal.

Author

The author of this notice is Charles S. Hamilton, U.S. Fish and Wildlife Service, Anchorage, Alaska.

Authority

The authority for this notice is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).


Mamie A. Parker,
Acting Director, U.S. Fish and Wildlife Service.

[FR Doc. 07-723 Filed 2-13-07; 11:21 am]

BILLING CODE 4310-65-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 223

[DOcket No. 070122014–7014–01; I.D. 011907A]

RIN 0648–AV04

Endangered and Threatened Wildlife; Sea Turtle Conservation Requirements

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Advance notice of proposed rulemaking; request for comments.

SUMMARY: NMFS issues this advance notice of proposed rulemaking to announce that it is considering amendments to the regulatory requirements for turtle excluder devices (TEDs). Specific changes NMFS is considering include increasing the size of the TED escape opening currently required in the summer flounder fishery; requiring the use of TEDs in the flynet, whelk, calico scallop, and Mid-Atlantic sea scallop trawl fisheries; and moving the current northern boundary of the Summer Flounder Fishery-Sea Turtle Protection Area off Cape Charles, Virginia, to a point farther north. The objective of the proposed measures would be to effectively protect all life stages and species of sea turtle in Atlantic trawl fisheries where they are vulnerable to incidental capture and mortality. NMFS is seeking public comment on these potential amendments to the TED regulations. NMFS is also soliciting public comment on the need for, and development and implementation of, other methods to reduce bycatch of sea turtles in any commercial or recreational fishery in the Atlantic and Gulf of Mexico where sea turtle conservation measures do not currently exist.

DATES: Comments will be accepted through March 19, 2007.

ADDRESSES: Written comments on this action and requests for literature cited should be addressed to Michael Barnette, Southeast Regional Office, Office of Protected Resources, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701. Comments may also be sent via fax to 727–824–5309, via email to 0648–AV04@noaa.gov, or to the Federal eRulemaking portal: http://www.regulations.gov (follow instructions for submitting comments).


SUPPLEMENTARY INFORMATION:

Background

All sea turtles that occur in U.S. waters are listed as either endangered or threatened under the Endangered Species Act of 1973 (ESA). The Kemp’s ridley (Lepidochelys kempii), leatherback ( Dermochelys coriacea), and hawksbill (Eretmochelys imbricata) are listed as endangered. Loggerhead (Caretta caretta) and green (Chelonia mydas) turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific coast of Mexico, which are listed as endangered. Incidental capture of sea turtles in fisheries (bycatch) is a primary factor hampering the recovery of sea turtles in the Atlantic Ocean and the Gulf of Mexico.

To address this factor comprehensively, NMFS has initiated a Strategy for Sea Turtle Conservation and Recovery in Relation to Atlantic Ocean and Gulf of Mexico Fisheries (Strategy). The Strategy is a gear-based approach to addressing sea turtle bycatch. Certain types of fishing gear are more prone to the incidental capture of sea turtles than others, depending on the design of the gear, the way the gear is fished, and/or the time and area within which it is fished. An evaluation of sea turtle interactions by gear type provides a more comprehensive assessment of fishery impacts across fishing sectors as well as across state, federal, and regional boundaries. Through this strategy, NMFS seeks to address sea turtle bycatch across jurisdictional boundaries and fisheries for gear types that have the greatest impact on sea turtle populations.

Through the Strategy and based on documented sea turtle-fishery interactions, NMFS has identified trawl gear as a priority for reducing sea turtle bycatch. Trawling is a method of fishing that involves actively towing a net through the water behind one or more boats. Because trawl gear is towed, it has the capability to incidentally capture sea turtles and other species that are not the intended target of the fishery. The likelihood of incidental capture is inherent in the basic design of trawls, regardless of the specific fishery. Trawls fishery with documented observer coverage or