

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing that the information collection request for 30 CFR part 702, Exemption for Coal Extraction Incidental to the Extraction of Other Minerals, has been submitted to the Office of Management and Budget (OMB) for review and approval. The information collection request describes the nature of the information collection and its expected burden and cost.

DATES: Comments must be submitted on or before May 10, 2010, to be assured of consideration.

ADDRESSES: Comments may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Department of the Interior Desk Officer, via e-mail at OIRA_Docket@omb.eop.gov, or by facsimile to (202) 395-5806. Also, please send a copy of your comments to John Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., Room 202—SIB, Washington, DC 20240, or electronically to jtrelease@osmre.gov. Please reference 1029-0089 in your correspondence.

FOR FURTHER INFORMATION CONTACT: To receive a copy of the information collection request, contact John Trelease at (202) 208-2783. You may also contact Mr. Trelease by e-mail at jtrelease@osmre.gov.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8(d)]. OSM has submitted a request to OMB to renew its approval for the collection of information found at 30 CFR part 702, Exemption for Coal Extraction Incidental to the Extraction of Other Minerals.

OSM is requesting a 3-year term of approval for this collection. This collection is required to obtain or retain a benefit.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this collection of information is 1029-0089 and is displayed at 30 CFR 702.10.

As required under 5 CFR 1320.8(d), a **Federal Register** notice soliciting comments on this collection of information was published on December 17, 2009 (74 FR 66989). No comments were received. This notice provides the public with an additional 30 days in which to comment on the following information collection activity:

Title: 30 CFR part 702—Exemption for Coal Extraction Incidental to the Extraction of Other Minerals.

OMB Control Number: 1029-0089.

Summary: This part implements the requirement in Section 701 (28) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA), which grants an exemption from the requirements of SMCPA to operators extracting not more than 16⅔ percentage tonnage of coal incidental to the extraction of other minerals. This information will be used by the regulatory authorities to make that determination.

Bureau Form Number: None.

Frequency of Collection: Once and annually thereafter.

Description of Respondents: Producers of coal and other minerals, and State regulatory authorities.

Total Annual Responses: 120.

Total Annual Burden Hours: 586.

Total Non-wage Costs: \$1,200.

Send comments on the need for the collection of information for the performance of the functions of the agency; the accuracy of the agency's burden estimates; ways to enhance the quality, utility and clarity of the information collection; and ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information, to the offices listed in the Addresses section. Please refer to the appropriate OMB control number in all correspondence.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment-including your personal identifying information-may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: March 31, 2010.

John R. Craynon,
Chief, Division of Regulatory Support.

[FR Doc. 2010-7750 Filed 4-7-10; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R1-ES-2010-N030; 10120-1113-0000-C4]

Endangered and Threatened Wildlife and Plants; 5-Year Status Reviews of 69 Species in Idaho, Washington, Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of initiation of review/reviews; request for information.

SUMMARY: We, the U.S. Fish and Wildlife Service, are initiating 5-year reviews for 69 species in Idaho, Washington, Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands under the Endangered Species Act of 1973, as amended (Act). We request any new information on these species that may have a bearing on their classification as endangered or threatened. Based on the results of our 5-year reviews we will determine whether these species are properly classified under the Act.

DATES: To ensure consideration in our reviews, we are requesting submission of new information no later than June 7, 2010. However, we will continue to accept new information about any listed species at any time.

ADDRESSES: For the 66 species under review in Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands (see Table 1 below), submit information to: Field Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3-122, Box 50088, Honolulu, HI 96850. Information can also be submitted by e-mail to: pifwo-5yr-review@fws.gov.

For the Kootenai River white sturgeon and northern Idaho ground squirrel, submit information to: State Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Idaho Fish and Wildlife Office, 1387 S. Vinnell Way, Room 368, Boise, ID 83709. Information can also be submitted by e-mail to: FW1SRBOcomment@fws.gov.

For the Columbia Basin pygmy rabbit, submit information to: Field Supervisor, Attention: 5-Year Review, U.S. Fish and Wildlife Service, Washington Fish and Wildlife Office, 510 Desmond Dr. SE., Suite 102, Lacey, WA 98503. Information can also be submitted by e-mail to: FW1CBPRabbit@fws.gov.

FOR FURTHER INFORMATION CONTACT: Marilet Zablan, U.S. Fish and Wildlife

Service, Pacific Islands Fish and Wildlife Office (*see ADDRESSES*), 808–792–9400 (for species in Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands); Steve Duke, U.S. Fish and Wildlife Service, Idaho Fish and Wildlife Office, 208–378–5243 (for Kootenai River white sturgeon and northern Idaho ground squirrel); or Jodi Bush, U.S. Fish and Wildlife Service, Washington Fish and Wildlife Office, 360–753–9440 (for Columbia Basin pygmy rabbit). Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at (800) 877–8337 for TTY assistance.

SUPPLEMENTARY INFORMATION:

I. Why Do We Conduct 5-Year Reviews?

Under the Act (16 U.S.C. 1531 *et seq.*), we maintain Lists of Endangered and Threatened Wildlife and Plants (which we collectively refer to as the List) in the Code of Federal Regulations (CFR) at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the Act

requires us to review each listed species' status at least once every 5 years. Then, under section 4(c)(2)(B), we determine whether to remove any species from the List (delist), to reclassify it from endangered to threatened, or to reclassify it from threatened to endangered, or to conclude that the current listing is appropriate. Any change in Federal classification requires a separate rulemaking process.

We use the following definitions, from 50 CFR 424.02, in our analysis of classification status:

(A) *Species* includes any species or subspecies of fish, wildlife, or plant, and any distinct population segment of any species of vertebrate, that interbreeds when mature;

(B) *Endangered species* means any species that is in danger of extinction throughout all or a significant portion of its range; and

(C) *Threatened species* means any species that is likely to become an

endangered species within the foreseeable future throughout all or a significant portion of its range.

We must support a delisting action with the best scientific and commercial data available, and only consider delisting if data substantiate that the species is neither endangered nor threatened for one or more of the following reasons (50 CFR 424.11(d)):

(A) The species is considered extinct;

(B) The species is considered to be recovered; or

(C) The original data available when the species was listed, or the interpretation of data, were in error.

Our regulations at 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing the species we are reviewing.

II. What Species Are Under Review?

This notice announces our active review of the 69 species listed in Table 1.

TABLE 1—SPECIES FOR WHICH WE ARE INITIATING A STATUS REVIEW TO DETERMINE IF THEY ARE APPROPRIATELY LISTED UNDER THE U.S. ENDANGERED SPECIES ACT

Common name	Scientific name	Status	Where listed	Final listing rule
ANIMALS				
Pomace fly, [Unnamed]	<i>Drosophila aglaia</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila differens</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila hemipeza</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila heteroneura</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila montgomeryi</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila mulli</i>	T	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila musaphila</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila neoclavisetae</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila obatai</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila ochrobasis</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila substenoptera</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Pomace fly, [Unnamed]	<i>Drosophila tarphytrichia</i>	E	U.S.A. (HI)	71 FR 26835; 5/9/2006.
Rabbit, Pygmy	<i>Brachylagus idahoensis</i>	E	U.S.A. (WA—Douglas, Grant, Lincoln, Adams, Benton Counties).	66 FR 59734; 11/30/2001.
Squirrel, Northern Idaho Ground.	<i>Spermophilus brunneus brunneus</i> .	T	U.S.A. (ID)	65 FR 17779; 4/5/2000.
Sturgeon, White	<i>Acipenser transmontanus</i>	E	U.S.A. (ID, MT), Canada (B.C.) (Kootenai R. system).	59 FR 45989; 9/6/1994.
PLANTS				
No common name	<i>Alsinidendron obovatum</i>	E	U.S.A. (HI)	56 FR 55770; 10/29/1991.
No common name	<i>Amaranthus brownii</i>	E	U.S.A. (HI)	61 FR 43178; 8/21/1996.
'Ahinahina	<i>Argyroxiphium sandwicense</i> ssp. <i>sandwicense</i> .	E	U.S.A. (HI)	51 FR 9814; 3/21/1986.
No common name	<i>Asplenium fragile insulare</i>	E	U.S.A. (HI)	59 FR 49025; 9/26/1994.
'Akoko	<i>Chamaesyce celastroides</i> var. <i>kaenana</i> .	E	U.S.A. (HI)	56 FR 55770; 10/29/1991.
'Akoko	<i>Chamaesyce deppeana</i>	E	U.S.A. (HI)	59 FR 14482; 3/28/1994.
'Akoko	<i>Chamaesyce herbstii</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
'Akoko, Ewa Plains	<i>Chamaesyce skottsbergii</i> var. <i>kalaeloana</i> .	E	U.S.A. (HI)	47 FR 36846; 8/24/1982.
'Oha wai	<i>Clermontia drepanomorpha</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
'Oha wai	<i>Clermontia pyralaria</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Haha	<i>Cyanea copelandii</i> ssp. <i>copelandii</i> .	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Haha	<i>Cyanea grimesiana</i> ssp. <i>obatae</i> .	E	U.S.A. (HI)	59 FR 32932; 6/27/1994.

TABLE 1—SPECIES FOR WHICH WE ARE INITIATING A STATUS REVIEW TO DETERMINE IF THEY ARE APPROPRIATELY LISTED UNDER THE U.S. ENDANGERED SPECIES ACT—Continued

Common name	Scientific name	Status	Where listed	Final listing rule
Haha	<i>Cyanea pinnatifida</i>	E	U.S.A. (HI)	56 FR 55770; 10/29/1991.
Haha	<i>Cyanea platyphylla</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
Haha	<i>Cyanea st.-johnii</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
Haha	<i>Cyanea stictophylla</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Haha	<i>Cyanea superba</i>	E	U.S.A. (HI)	56 FR 46235; 9/11/1991.
Haha	<i>Cyanea truncata</i>	E	U.S.A. (HI)	59 FR 14482; 3/28/1994.
Ha'iwale	<i>Cyrtandra dentata</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
Ha'iwale	<i>Cyrtandra giffardii</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Ha'iwale	<i>Cyrtandra tintinnabula</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
No common name	<i>Delissea undulata</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
No common name	<i>Gahnia lanaiensis</i>	E	U.S.A. (HI)	56 FR 47686; 9/20/1991.
No common name	<i>Gouania vitifolia</i>	E	U.S.A. (HI)	59 FR 32932; 6/27/1994.
No common name	<i>Hedyotis degeneri</i>	E	U.S.A. (HI)	56 FR 55770; 10/29/1991.
Pilo	<i>Hedyotis mannii</i>	E	U.S.A. (HI)	57 FR 46325; 10/8/1992.
Hau kuahiwi	<i>Hibiscadelphus woodii</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
Aupaka	<i>Isodendron hosakae</i>	E	U.S.A. (HI)	56 FR 1454; 1/14/1991.
Kamakahala	<i>Labordia tinifolia</i> var. <i>lanaiensis</i>	E	U.S.A. (HI)	64 FR 48307; 9/3/1999.
Nehe	<i>Lipochaeta micrantha</i>	E	U.S.A. (HI)	59 FR 9304; 2/25/1994.
No common name	<i>Lipochaeta venosa</i>	E	U.S.A. (HI)	44 FR 62468; 10/30/1979.
No common name	<i>Mariscus fauriei</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Alani	<i>Melicope munroi</i>	E	U.S.A. (HI)	64 FR 48307; 9/3/1999.
No common name	<i>Neraudia sericea</i>	E	U.S.A. (HI)	59 FR 56333; 11/10/1994.
No common name	<i>Nesogenes rotensis</i>	E	Western Pacific Ocean: U.S.A. (Commonwealth of the Northern Mariana Islands).	69 FR 18499; 4/8/2004.
'Aiea	<i>Nothocestrum breviflorum</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Holei	<i>Ochrosia kilaueaensis</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
No common name	<i>Osmoxylon mariannense</i>	E	Western Pacific Ocean: U.S.A. (Commonwealth of the Northern Mariana Islands).	69 FR 18499; 4/8/2004.
Makou	<i>Peucedanum sandwicense</i>	T	U.S.A. (HI)	59 FR 9304; 2/25/1994.
No common name	<i>Phyllostegia glabra</i> var. <i>lanaiensis</i>	E	U.S.A. (HI)	56 FR 47686; 9/20/1991.
Kiponapona	<i>Phyllostegia racemosa</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
No common name	<i>Phyllostegia velutina</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
No common name	<i>Phyllostegia warshaueri</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
Kuahiwi laukahi	<i>Plantago hawaiiensis</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Hala pepe	<i>Pleomele hawaiiensis</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
Po'e	<i>Portulaca sclerocarpa</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Lo'ulu	<i>Pritchardia affinis</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Lagu, Hayun	<i>Serianthes nelsonii</i>	E	Western Pacific Ocean: U.S.A. (Guam, Rota).	52 FR 4907; 2/18/1987.
'Anunu	<i>Sicyos alba</i>	E	U.S.A. (HI)	61 FR 53089; 10/10/1996.
No common name	<i>Stenogyne angustifolia</i> var. <i>angustifolia</i>	E	U.S.A. (HI)	44 FR 62468; 10/30/1979.
No common name	<i>Tetramolopium arenarium</i>	E	U.S.A. (HI)	59 FR 10305; 3/4/1994.
Pamakani	<i>Tetramolopium capillare</i>	E	U.S.A. (HI)	59 FR 49860; 9/30/1994.
Vetch, Hawaiian	<i>Vicia menziesii</i>	E	U.S.A. (HI)	43 FR 17910; 4/26/1978.
No common name	<i>Viola lanaiensis</i>	E	U.S.A. (HI)	56 FR 47686; 9/20/1991.

III. What Information Do We Consider in the Review?

A 5-year review considers all new information available at the time of the review. In conducting these reviews, we consider the best scientific and commercial data that has become available since the listing determination or most recent status review, such as:

(A) Species biology including, but not limited to, population trends, distribution, abundance, demographics, and genetics;

(B) Habitat conditions including, but not limited to, amount, distribution, and suitability;

(C) Conservation measures that have been implemented that benefit the species;

(D) Threat status and trends (see five factors under heading "How Do We Determine Whether a Species is Endangered or Threatened?"); and

(E) Other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

IV. How Do We Determine Whether a Species is Endangered or Threatened?

Section 4(a)(1) of the Act requires that we determine whether a species is endangered or threatened based on one or more of the five following factors:

(A) The present or threatened destruction, modification, or curtailment of its habitat or range;

(B) Overutilization for commercial, recreational, scientific, or educational purposes;

(C) Disease or predation;

(D) The inadequacy of existing regulatory mechanisms; or

(E) Other natural or manmade factors affecting its continued existence.

Under section 4(b)(1) of the Act, we must base our assessment of these factors solely on the best scientific and commercial data available.

V. What Could Happen as a Result of This Review?

For each species under review, if we find new information that indicates a change in classification may be warranted, we may propose a new rule that could do one of the following:

(A) Reclassify the species from threatened to endangered (uplist);

(B) Reclassify the species from endangered to threatened (downlist); or

(C) Remove the species from the List (delist).

If we determine that a change in classification is not warranted, then the species remains on the List under its current status.

VI. Request for New Information

To ensure that a 5-year review is complete and based on the best available scientific and commercial information, we request new information from all sources. See "What Information Do We Consider in Our Review?" for specific criteria. If you submit information, please support it with documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources.

If you wish to provide information for any species included in these 5-year reviews, please submit your comments and materials to the Field Supervisor of the appropriate Fish and Wildlife Office (see **ADDRESSES** section).

VII. Public Availability of Comments

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Comments and materials received will be available for public inspection, by appointment, during normal business hours at the offices where the comments are submitted.

VIII. Completed and Active Reviews

A list of all completed and currently active 5-year reviews addressing species

for which the Pacific Region of the Service has lead responsibility is available at: <http://www.fws.gov/pacific/ecoservices/endangered/recovery/5year.html>.

IX. Authority

This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: March 15, 2010.

David J. Wesley,

Acting Regional Director, Region 1 Fish and Wildlife Service.

[FR Doc. 2010-7915 Filed 4-7-10; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLORV00000.16100000.DO0000
.LXSS072H0000 HAG10-0083]

Notice of Intent To Prepare Amendments to the Southeastern Oregon Resource Management Plan (RMP), Malheur County, OR, and the Lakeview RMP, Lake County, OR, and Associated Environmental Impact Statements.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Intent.

SUMMARY: In compliance with the National Environmental Policy Act of 1969, as amended, (NEPA) and the Federal Land Policy and Management Act of 1976, as amended, (FLPMA) the Bureau of Land Management (BLM) Vale District (Jordan Resource Area and Malheur Resource Area) and Lakeview District (Lakeview Resource Area) in southeastern Oregon intend to prepare Environmental Impact Statements (EISs) to amend the Southeastern Oregon RMP (September 2002), Vale, Oregon, and the Lakeview RMP (January 2003), Lakeview, Oregon, and by this notice are announcing the beginning of the scoping process to solicit public comments and identify issues.

DATES: This notice initiates the public scoping process for the two RMP amendments with associated EISs. Comments on issues may be submitted in writing until July 7, 2010. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local media, newspapers and the BLM Web sites at: <http://www.blm.gov/or/districts/vale/plans/valermpp.php> and <http://www.blm.gov/or/districts/lakeview/plans/lakeviewrmp.php>. In order to be included in the Draft EISs, all comments

must be received prior to the close of the 90-day scoping period or within 30 days after the last public meeting, whichever is later. We will provide additional opportunities for public participation upon publication of both Draft EISs.

ADDRESSES: You may submit comments on issues related to the Southeastern Oregon RMP Amendment/EIS by any of the following methods:

- Web site: <http://www.blm.gov/or/districts/vale/plans/valermpp.php>.
- E-mail: SEORMP@blm.gov.
- Fax: 541-473-3144.
- Mail: Bureau of Land Management, Vale District Office, 100 Oregon St., Vale, Oregon 97918.

You may submit comments on issues and planning criteria related to the Lakeview RMP Amendment/EIS by any of the following methods:

- E-mail: paul_whitman@blm.gov.
- Fax: 541-947-6399.
- Mail: Bureau of Land Management, Lakeview District Office, 1301 South G Street, Lakeview, Oregon 97630.

Documents pertinent to these proposals may be examined at the Vale and Lakeview District Offices.

FOR FURTHER INFORMATION CONTACT: For further information and/or to have your name added to our mailing lists, contact Jill Silvey, Southeastern Oregon and Lakeview RMP Project Manager, telephone (541) 473-3144; address 100 Oregon Street, Vale, Oregon 97918; e-mail SEORMP@blm.gov, or Paul Whitman, Lakeview District Planner, telephone (541) 947-6110; address, 1301 South G Street, Lakeview, Oregon 97630; e-mail paul_whitman@blm.gov.

SUPPLEMENTARY INFORMATION: This document provides notice that the BLM Vale and Lakeview District Offices intend to prepare RMP Amendments with associated EISs for the Southeastern Oregon and Lakeview planning areas. The two planning areas are located in Malheur, Lake, Harney, and Grant Counties in Oregon and encompass approximately 4.6 million acres of public land in the Southeastern Oregon planning area and approximately 3.2 million acres of public land in the Lakeview planning area. After the BLM completed the Southeastern Oregon RMP and the Lakeview RMP in 2002 and 2003, respectively, separate lawsuits were filed challenging each RMP. On July 14, 2008, the Ninth Circuit ruled on the Southeastern Oregon RMP in *Oregon Natural Desert Association v. Bureau of Land Management*, 531 F.3d 1114 (9th Cir. 2008). Soon thereafter, the BLM filed a petition for panel rehearing of the Court's remedy (vacatur of the Record of