

**Pt. 37**

(b) *Yukon-Charley Rivers National Preserve*. (1) Any application filed by Doyon, Limited, for a right-of-way to provide access in a southerly direction across the Yukon River from its landholdings in the watersheds of the Kandik and Nation Rivers shall be processed in accordance with this part.

(2) No right-of-way shall be granted which would cross the Charley River or which would involve any lands within the watershed of the Charley River.

(3) An application shall be approved by the appropriate Federal agency if it is determined that there exists no economically feasible or otherwise reasonably available alternate route.

(c) *Oil and Gas Pipelines—Arctic Slope Regional Corporation*. (1) Upon the filing by Arctic Slope Regional Corporation for an oil and gas TUS across lands identified in section 1431(j) of ANILCA, the appropriate Federal agency shall review the filing, determine the alignment and location of facilities across/on Federal lands, and issue such authorizations as are necessary with respect to the establishment of the TUS.

(2) No environmental document pursuant to NEPA shall be required.

(3) Investigations as to the proper final alignment of the pipeline and location of related facilities are at the discretion of the Federal agency and the costs associated with such investigations are not recoverable under §36.6.

(d) *Forty Mile Component of National Wild and Scenic Rivers System*. The classification of segments of the Forty Mile Components as Wild Rivers shall not preclude access across those river segments where the appropriate Federal agency determines such access is necessary to permit commercial development of asbestos deposits in the North Fork drainage.

[51 FR 31629, Sept. 4, 1986; 51 FR 36011, Oct. 8, 1986]

**PART 37—CAVE MANAGEMENT**

**Subpart A—Cave Management—General**

- Sec.
- 37.1 Purpose.
- 37.2 Policy.
- 37.3 Authority.
- 37.4 Definitions.
- 37.5 Collection of information.

**43 CFR Subtitle A (10–1–10 Edition)**

**Subpart B—Cave Designation**

37.11 Nomination, evaluation, and designation of significant caves.

37.12 Confidentiality of cave location information.

AUTHORITY: 16 U.S.C. 4301–4309; 43 U.S.C. 1740.

SOURCE: 58 FR 51554, Oct. 1, 1993, unless otherwise noted.

**Subpart A—Cave Management—General**

**§ 37.1 Purpose.**

The purpose of this part is to provide the basis for identifying and managing significant caves on Federal lands administered by the Secretary of the Interior.

**§ 37.2 Policy.**

It is the policy of the Secretary that Federal lands be managed in a manner which, to the extent practical, protects and maintains significant caves and cave resources. The type and degree of protection will be determined through the agency resource management planning process with full public participation.

**§ 37.3 Authority.**

Section 4 of the Federal Cave Resources Protection Act of 1988 (102 Stat. 4546; 16 U.S.C. 4301) authorizes the Secretary to issue regulations providing for the identification of significant caves. Section 5 authorizes the Secretary to withhold information concerning the location of significant caves under certain circumstances.

**§ 37.4 Definitions.**

(a) *Authorized officer* means the agency employee delegated the authority to perform the duties described in this part.

(b) *Cave* means any naturally occurring void, cavity, recess, or system of interconnected passages beneath the surface of the earth or within a cliff or ledge, including any cave resource therein, and which is large enough to permit a person to enter, whether the entrance is excavated or naturally formed. Such term shall include any natural pit, sinkhole, or other feature