

§ 10.21

Coccothraustes coccothraustes, Hawfinch
Subfamily DREPANIDINAE
Telespiza cantans, Laysan Finch
Telespiza ultima, Nihoa Finch
Psittirostra psittacea, Ou
Loxioides bailleui, Palila
Pseudonestor xanthophrys, Maui Parrotbill
Hemignathus virens, Hawaii Amakihi
Hemignathus flavus, Oahu Amakihi
Hemignathus kauaiensis, Kauai Amakihi
Hemignathus ellisianus, Greater Akiakio
Hemignathus lucidus, Nukupuu
Hemignathus munroi, Akiapolaau
Magnumma parva, Anianiau
Oreomystis bairdi, Akiakiki
Oreomystis mana, Hawaii Creeper
Paroreomyza maculata, Oahu Alauahio
Paroreomyza flammea, Kakawahie
Paroreomyza montana, Maui Alauahio
Loxops caeruleirostris, Akekee
Loxops coccineus, Akepa
Vestiaria coccinea, Iiwi
Palmeria dolei, Akohekohe
Himatione sanguinea, Apapane
Melamprosops phaeosoma, Poo-uli

[75 FR 9299, Mar. 1, 2010]

Subpart C—Addresses

§ 10.21 Director.

(a) Mail forwarded to the Director for law enforcement purposes should be addressed: Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service, P.O. Box 3247, Arlington, VA 22203–3247.

(b) Mail sent to the Director regarding permits for the Convention on International Trade in Endangered Species of Wild Fauna and Fauna (CITES), injurious wildlife, Wild Bird Conservation Act species, international movement of all ESA-listed endangered or threatened species, and scientific research on, exhibition of, or interstate commerce in nonnative ESA-listed endangered and threatened species should be addressed to: Director, U.S. Fish and Wildlife Service, (Attention: Office of Management Authority), 4401 N. Fairfax Drive, Room 700, Arlington, VA 22203. Address mail for the following permits to the Regional Director. In the address include one of the following: for import/export licenses and exception to designated port permits (Attention: Import/export license); for native endangered and threatened species (Attention: Endangered/threatened species permit); and for migratory birds and eagles (Attention: Migratory bird permit office). You can find ad-

50 CFR Ch. I (10–1–10 Edition)

resses for regional offices at 50 CFR 2.2.

[55 FR 48851, Nov. 23, 1990, as amended at 63 FR 52633, Oct. 1, 1998]

§ 10.22 Law enforcement offices.

Service law enforcement offices and their areas of responsibility follow. Mail should be addressed: “Assistant Regional Director, Division of Law Enforcement, U.S. Fish and Wildlife Service, (appropriate address below)”:

AREAS OF RESPONSIBILITY AND OFFICE ADDRESSES

California, Hawaii, Idaho, Nevada, Oregon, Washington, American Samoa, Guam, the Marshall Islands, Northern Mariana Islands, and the Trust Territory of the Pacific Islands (District 1):
Eastside Federal Complex, 911 N.E. 11th Avenue, Portland, OR 97232–4181, Telephone: 503–231–6125.

Arizona, New Mexico, Oklahoma, and Texas (District 2):

P.O. Box 329, Albuquerque, NM 87103, Telephone: 505–766–2091

Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin (District 3):

P.O. Box 45—Federal Building, Ft. Snelling, Twin Cities, MN 55111, Telephone: 612–725–3530.

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the Virgin Islands (District 4):

P.O. Box 4839, Atlanta, GA 30302, Telephone: 404–331–5872

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia (District 5):

P.O. Box 129, New Town Branch, Boston, MA 02258, Telephone: 617–965–2298

Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming (District 6):

P.O. Box 25486, Denver Federal Center, Denver, CO 80225, Telephone: 303–236–7540

Alaska (District 7):

P.O. Box 92597, Anchorage, AK 99509–2597, Telephone: 907–786–3311

Any foreign country (Washington Office):

P.O. Box 3247, Arlington, VA 22203–3247, Telephone: 703–358–1949.

(Pub. L. 97–79, 95 Stat. 1072; 16 U.S.C. 3371–3378)

[48 FR 1313, Jan. 12, 1983; 48 FR 37040, Aug. 16, 1983, as amended at 49 FR 31291, Aug. 6, 1984; 51 FR 23551, June 30, 1986; 53 FR 6649, Mar. 2, 1988; 55 FR 48851, Nov. 23, 1990]

U.S. Fish and Wildlife Serv., Interior

§ 11.11

PART 11—CIVIL PROCEDURES

Subpart A—Introduction

- Sec.
- 11.1 Purpose of regulations.
- 11.2 Scope of regulations.
- 11.3 Filing of documents.

Subpart B—Assessment Procedure

- 11.11 Notice of violation.
- 11.12 Petition for relief.
- 11.13 Decision by the Director.
- 11.14 Notice of assessment.
- 11.15 Request for a hearing.
- 11.16 Final administrative decision.
- 11.17 Payment of final assessment.

Subpart C—Hearing and Appeal Procedures

- 11.21 Commencement of hearing procedures.
- 11.22 Appearance and practice.
- 11.23 Hearings.
- 11.24 Final administrative action.
- 11.25 Appeal.
- 11.26 Reporting service.

AUTHORITY: Lacey Act, 83 Stat. 279-281, 18 U.S.C. 42-44; Lacey Act Amendments of 1981, 95 Stat. 1073-1080, 16 U.S.C. 3371 *et seq.*; Bald Eagle Protection Act, sec. 2, 54 Stat. 251, 16 U.S.C. 668a; Endangered Species Act of 1973, sec. 11(f), 87 Stat. 884, 16 U.S.C. 1540(f); Marine Mammal Protection Act of 1972, sec. 112(a), 86 Stat. 1042, 16 U.S.C. 1382.

SOURCE: 39 FR 1159, Jan. 4, 1974, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 11 appear at 67 FR 38208, June 3, 2002.

Subpart A—Introduction

§ 11.1 Purpose of regulations.

The regulations contained in this part provide uniform rules and procedures for the assessment of civil penalties in connection with violations of certain laws and regulations enforced by the Service.

§ 11.2 Scope of regulations.

The regulations contained in this part apply only to actions arising under the following laws and regulations issued thereunder:

- Lacey Act, 18 U.S.C. 43;
- Lacey Act Amendments of 1981, 16 U.S.C. 3371 *et seq.*;
- Bald Eagle Protection Act, 16 U.S.C. 668-668d;
- Endangered Species Act of 1973, 87 Stat. 884, 16 U.S.C. 1531 *et seq.*; and Marine Mammal

Protection Act of 1972, 16 U.S.C. 1361-1384 and 1401-1407.

[47 FR 56860, Dec. 21, 1982]

§ 11.3 Filing of documents.

(a) Whenever a document or other paper is required to be filed under this part within a certain time, such document or paper will be considered filed as of the date of the postmark if mailed, or the date actually delivered to the office where filing is required. The time periods set forth in this part shall begin to run as of the day following the date of the document or other paper.

(b) If an oral or written application is made to the Director up to 10 calendar days after the expiration of a time period established in this part for the required filing of documents or other papers, the Director may permit a late filing within a fixed period where reasonable grounds are found for an inability or failure to file within the time period required. All such extensions shall be in writing. Except as provided in this subsection, no other requests for an extension of time may be granted.

Subpart B—Assessment Procedure

§ 11.11 Notice of violation.

(a) A notice of violation (hereinafter "notice"), shall be issued by the Director and served personally or by registered or certified mail, return receipt requested, upon the person believed to be subject to a civil penalty (the respondent). The notice shall contain: (1) A concise statement of the facts believed to show a violation, (2) a specific reference to the provisions of the statute or regulation allegedly violated, and (3) the amount of penalty proposed to be assessed. The notice may also contain an initial proposal for compromise or settlement of the case. The notice shall also advise the respondent of his right to file a petition for relief pursuant to §11.12, or to await the Director's notice of assessment.

(b) The respondent shall have 45 days from the date of the notice of violation in which to respond. During this time he may:

- (1) Undertake informal discussions with the Director;