DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

50 CFR Part 424
Docket No. NOAA–120606146–2146–01:
4500030114]
RIN 1018–AY62; 0648–BC24

Endangered and Threatened Wildlife
and Plants; Revisions to the
Regulations for Impact Analyses
of Critical Habitat

AGENCY: U.S. Fish and Wildlife Service,
Interior; National Marine Fisheries
Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA),
Commerce.

ACTION: Proposed rule, reopening of
comment period.

SUMMARY: We, the U.S. Fish and
Wildlife Service (FWS) and the National
Marine Fisheries Service (NMFS) (collectively referred to as the
“Services” or “we”), announce the
reopening of the public comment period on our August 24, 2012, proposed rule to
revise our regulations pertaining to
impact analyses conducted for
designations of critical habitat under the
Endangered Species Act of 1973, as
amended (the Act). We are reopening
the comment period to allow all
interested parties additional time to
review and comment on our proposed
rule. Comments previously submitted
need not be resubmitted, as they will be
fully considered in preparation of the
final rule.

DATES: We will accept comments from
all interested parties until February 6,
2013. Please note that if you are using
the Federal eRulemaking Portal (see
ADDRESSES below), the deadline for
submitting an electronic comment is
11:59 p.m. Eastern Standard Time on
this date.

ADDRESSES: You may submit comments
by one of the following methods:
• Federal eRulemaking Portal: http://
www.regulations.gov. Search for FWS–
R9–ES–2011–0073, which is the docket
number for this rulemaking.
• U.S. Mail or Hand Delivery: Public
Comments Processing, Attn: FWS–R9–
ES–2011–0073; Division of Policy and
Directives Management; U.S. Fish and
Wildlife Service; 4401 N. Fairfax Drive,
PDM–2042; Arlington, VA 22203.
We will post all comments on
http://www.regulations.gov. This
generally means that we will post any
personal information you provide us
(see the Request for Information section
below for more information).

FOR FURTHER INFORMATION CONTACT:
 Douglas Krofta, U.S. Fish and Wildlife
Service, Division of Conservation and
Classification, 4401 N. Fairfax Drive,
Suite 420, Arlington, VA, 22203,
telephone 703/358–2171; facsimile 703/
358–1735; or Marta Nammack, National
Marine Fisheries Service, Office of
Protected Resources, 1315 East-West
Highway, Silver Spring, MD 20910,
telephone 301/713–1401; facsimile 301/
713–0376. If you use a
telecommunications device for the deaf
(TDD), call the Federal Information
Relay Service (FIRS) at 800–877–8339.

SUPPLEMENTARY INFORMATION:

Background

On August 24, 2012, we published a
proposed rule to amend our
implementing regulations at 50 CFR
424.19 to clarify the instructions for
making information available to the
public, considering the impacts of
critical habitat designations, and
considering exclusions from critical
habitat. These changes are being
proposed as directed by the President's
February 28, 2012, memorandum,
which directed the Secretary of the
Interior to revise the regulations
implementing the Endangered Species
Act to provide that a draft economic
analysis be completed and made
available for public comment at the
time of publication of a proposed rule to
designate critical habitat.

Request for Information

We will accept written comments and
information during this reopened
comment period on our proposed rule to
revise our regulations pertaining to
impact analyses conducted for
designations of critical habitat that was
published in the Federal Register on
August 24, 2012 (77 FR 51503). We will
consider information and
recommendations from all interested
parties. We intend that any final
regulation resulting from this proposal
be as accurate as possible and based on
the best available scientific and
commercial data.

If you previously submitted
comments or information on the
proposed rule, please do not resubmit
them. We have incorporated them into
the public record, and we will fully
consider them in the preparation of our
final determination. Any final
regulation based on this proposal will
consider information and
recommendations timely submitted
from all interested parties. We solicit
comments, information, and
recommendations from governmental
agencies, Native American tribes, the
scientific community, industry groups,
environmental interest groups, and any
other interested parties on this proposed
regulation. All comments and materials
received by the date listed in DATES
above will be considered prior to the
approval of a final document.

You may submit your comments and
materials concerning the proposed rule
by one of the methods listed in
ADDRESSES. We request that you send
comments only by the methods
described in ADDRESSES. If you submit
information via http://www.regulations.
gov, your entire submission—including
any personal identifying information—
will be posted on the Web site. If your
submission is made via a hardcopy that
includes personal identifying
information, you may request at the top
of your document that we withhold this
personal identifying information from
public review. However, we cannot
guarantee that we will be able to do so.
We will post all hardcopy submissions

Information and supporting
documentation that we receive in
response to this proposed rule will be
available for you to review at http://
www.regulations.gov, or by
appointment, during normal business
hours, at the U.S. Fish and Wildlife
Service, Division of Conservation and
Classification (see FOR FURTHER
INFORMATION CONTACT).

Dated: November 1, 2012.

Rachel Jacobson,
Principal Deputy Assistant Secretary for Fish
and Wildlife and Parks, U.S. Department of
the Interior.


Paul Doremus,
Deputy Assistant Administrator for
Operations, National Marine Fisheries
Service.

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