

easier to understand, including answers to questions such as the following—(1) Is the discussion in the “Supplementary Information” section of the preamble helpful in understanding the proposal? (2) Does the proposal contain technical language or jargon that interferes with its clarity? (3) Does the format of the proposal (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? What else could we do to make the proposal easier to understand?

Required Determinations

Paperwork Reduction Act

This rule does not contain any information collection requirements for which Office of Management and Budget (OMB) approval under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), is required. Any information collection related to the rule pertaining to permits for endangered and threatened species has OMB approval and is assigned clearance number 1018–0094. This rule does not alter that information collection requirement. For additional information concerning permit and associated requirements for threatened species, see 50 CFR 17.32.

Executive Order 13211

On May 18, 2001, the President issued Executive Order 13211 on regulations that significantly affect energy supply, distribution, and use. Executive Order

13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. This rule is not expected to significantly affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action, and no Statement of Energy Effects is required.

National Environmental Policy Act

We have determined that an Environmental Assessment and Environmental Impact Statement, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act as amended. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

Government-to-Government Relationship With Tribes

In accordance with the President’s memorandum of April 29, 1994, “Government-to-Government Relations with Native American Tribal Governments” (59 FR 22951) and 512 DM 2, we readily acknowledge our responsibility to communicate meaningfully with recognized Federal Tribes on a government-to-government basis. We will discuss this proposal with potentially affected Tribes before we make a final listing determination.

References Cited

A complete list of all references cited in this rulemaking is available upon request from the Sacramento Fish and Wildlife Office (see **ADDRESSES**).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Proposed Regulation Promulgation

For the reasons given in the preamble, we hereby propose to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

Authority: 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500; unless otherwise noted.

2. Amend § 17.11(h) by revising the entry for “Salamander, California tiger” under AMPHIBIANS in the List of Endangered and Threatened Wildlife as follows:

§ 17.11 Endangered and threatened wildlife.

* * * * *

(h) * * *

Species		Historic range	Vertebrate population where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
AMPHIBIAN							
Salamander, California tiger.	<i>Ambystoma californiense</i> .	U.S.A. (CA)	U.S.A. (CA—Central California except for Sonoma County and Santa Barbara County).	T		NA	§ 17.43(c)
Do .....	.....do .....	.....do	U.S.A. (CA—Santa Barbara County).	T	677E, 702	NA	§ 17.43(c)
Do .....	.....do .....	.....do	U.S.A. (CA—Sonoma County).	T	729E, 734	NA	§ 17.43(c)
*	*	*	*	*	*		*

3. Amend § 17.43 by adding a new paragraph (c) to read as follows:

§ 17.43 Special rules—amphibians.

* * * * *

(c) California tiger salamander (*Ambystoma californiense*).

(1) Which populations of the California tiger salamander is covered by this special rule? All three distinct population segments (DPSs) of the

California tiger salamander (*Ambystoma californiense*) listed in § 17.11 (the Central California DPS, the Santa Barbara County DPS, and the Sonoma County DPS).

(2) What activities are prohibited? Except as noted in paragraph (c)(3) of this section, all prohibitions of § 17.31 will apply to all three population segments of the California tiger salamander.

(3) What activities are allowed on private or Tribal land? Incidental take of the California tiger salamander will not be a violation of section 9 of the Act, if the incidental take results from existing routine ranching activities located on private or Tribal lands. “Existing” is defined as any date on or before the effective date of the final rule to list the Central California tiger salamander. Existing routine ranching activities