

bids will receive further evaluation in Phase 2 according to the traditional bid adequacy procedures. Phase 2 utilizes an independent Government evaluation and the traditional bid adequacy rules based upon the Mean of the Range of Values (MSOV), Discounted Mean of the Range of Values (DMSOV), and Geometric Average Valuation of the Tract (GAEOT) (a tract being a block or bidding unit).

Phase 1

Phase 1 is composed of criteria designed to partition blocks or bidding units receiving bids into three general categories:

- * Those receiving bids which WMS has identified as being non-prospective blocks;
- * Those where opportunities for strategic underbidding, information asymmetry, collusion, and other noncompetitive practices might most likely occur and where the Government has the most detailed and reliable data; and
- * Those where the competitive market forces can be relied upon to assure fair market value.

It has been determined that the following four Phase 1 criteria will be applied:

1. High bids on all blocks or bidding units classified by WMS as being either development or drainage will be referred directly for further evaluation using the traditional criteria.
2. All legal high bids for blocks or bidding units judged by WMS to be not located on a viable prospect will be accepted.
3. After screening for anomalously low bids through application of the "one-eighth rule,"^{1/} legal high bids will be accepted for prospective wildcat and proven blocks or bidding units receiving three or more bids and more than the average number of bids for prospective blocks or bidding units bid upon in the offering, i.e., whichever is more.
4. After adjusting for anomalously low bids through application of the "one-eighth rule," all legal high bids will be accepted for prospective wildcat and proven blocks or bidding units where the geometric average bonus bid for the block or bidding unit is in the upper 30th percentile for prospective wildcat and proven blocks or bidding units receiving bids.

^{1/} Anomalously low bids will not be included in the bid number; e.g., if the lowest bid on a block or bidding unit is less than 1/8th of the next lowest bid, the lowest bid will not be included in the number of bids. This rule can exclude no more than one bid for a given block or bidding unit.

Phase 1 will be conducted block-by-block or bidding unit-by-bidding unit, and it is expected that Phase 1 should be completed within three days of the Bid Opening.

Phase 2

All prospective wildcat and proven blocks or bidding units which are not accepted as a result of the application of the Phase 1 criteria and all drainage and development blocks or bidding units will receive further evaluation based upon the traditional bid adequacy procedures currently in effect, i.e., high bids will be compared to the MSOV, DMSOV, and GAEOT. While it is expected that most analyses would be undertaken based upon data available at the time of the offering, additional geological and geophysical analyses, including additional mapping, can be undertaken post-offering at the discretion of the Regional Manager.

The bid adequacy recommendations developed in Phase 2 should be completed within three weeks of the offering.

Since the inception of the OCS leasing program, the Department has continually sought to improve upon techniques which determine bid adequacy. Much of the best information regarding the fair market value of a block or bidding unit is that which is available through observing the market for leases. The above procedures are designed to make better use of that information.

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Part VI

Department of Transportation

Federal Highway Administration

**Truck Size Policy Statement;
Modifications of Certain Interim
Designated Highways**

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Ch. 1

[FHWA Docket No. 83-4, Notice No. 9]

Truck Size Policy Statement;
Modifications of Certain Interim
Designated HighwaysAGENCY: Federal Highway
Administration (FHWA), DOT.ACTION: Modification of policy
statement.

SUMMARY: The FHWA made an interim designation of each State's Federal-aid primary system highways on April 5, 1983. These roads were to be made available to certain size trucks from April 6 until issuance of the final regulation pursuant to the requirements of the Surface Transportation Assistance Act (STAA) of 1982. By this notice, the FHWA provides modifications to the interim designated highway networks for the States of California, Colorado, Idaho, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, North Carolina, Oregon, Puerto Rico, Rhode Island, Tennessee, Virginia, West Virginia, and Wisconsin. This Notice provides the interim system for all States, and no further modifications are foreseen pending publication of the Notice of Proposed Rulemaking (NPRM) for the final system.

EFFECTIVE DATE: The modifications are effective July 8, 1983 and will expire upon designation of the final network.

FOR FURTHER INFORMATION CONTACT: Mr. Sheldon G. Strickland, Office of Highway Planning, (202) 426-0153, or Mr. David C. Oliver, Office of the Chief Counsel, (202) 426-0825, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are 7:30 a.m. to 4:00 p.m. EDT, Monday through Friday, except legal holidays.

SUPPLEMENTARY INFORMATION: On April 5, 1983, FHWA issued a policy statement (48 FR 14844) that provided an interim designation of primary system highways on which commercial motor vehicles with dimensions authorized by Sections 411 and 416 of the STAA of 1982 (Pub. L. 97-424, as amended by Pub. L. 98-17) may be permitted to operate from April 6, 1983, until issuance of final regulations. The policy statement also provided that modifications to the interim designated network would be made under certain circumstances.

The designated routes in the Appendix to this notice supersede those routes designated in the April 5, 1983, policy statement. On May 3, 1983 (48 FR 20022), May 12, 1983 (48 FR 21317), and June 2, 1983 (48 FR 24852) modifications were made to 24 States. At this time the FHWA is announcing modifications to the interim designations in eight additional States, and additional modifications to the designations of 12 States previously modified. The FHWA has made modifications to a total of 32 States and does not propose any further changes to the interim system. The current interim system for the 50 States, the District of Columbia and Puerto Rico, is included in the Appendix. Highlights of the 20 State-by-State modifications follow.

- California—Routes CA 46/41, US 97, and portions of US 101 and US 395 have been removed from the interim system.
- Colorado—Routes CO 65, CO 114, CO 131, and CO 83 have been removed from the interim system. Portions of CO 88 and CO 470 have been added to the system.
- Idaho—Portions of US 95 and US 2 have been added to the interim system.
- Kentucky—Several corrections and additions have been made.
- Maryland—Routes MD 46, US 29, MD 43, US 219, US 220, US 1, US 219, US 522, and MD 2 have been removed from the interim system. Portions of MD 295, US 15, and US 50 have been deleted, and portions of MD 3, MD 201, and MD 695 have been added to the interim system.
- Massachusetts—Routes US 7, MA 146, MA 128, MA 25, MA 3 and MA 28 have been removed from the interim system. Portions of routes MA 2, US 1, and MA 24 have been removed from the interim system.
- Michigan—Several corrections and additions have been made.
- Minnesota—Several corrections and additions have been made.
- Missouri—A portion of US 60 has been added to the interim designated system.
- Montana—Several corrections and additions have been made.
- New Hampshire—Route NH 16 and a portion of Route NH 9 have been deleted from the interim system.
- New Jersey—Several corrections and deletions have been made.
- North Carolina—Route NC 54 has been deleted and portions of US 64, US 70 and US 15 have been removed from the interim system. Several other additions have been made.

- Oregon—Minor route adjustments to US 97, US 101, OR 39, US 199, have been made and portions of US 395 and US 95 have been added.
- Puerto Rico—Portions of PR 3 and PR 1 have been deleted from the interim system. Routes PR 52, PR 18, and portions of PR 22 and PR 26 have been added to the interim system.
- Rhode Island—Routes RI 78, RI 4, RI 24 and US 1 have been deleted from the interim system, and a portion of RI 146 has been deleted.
- Tennessee—Several corrections and additions have been made.
- Virginia—The permit system initiated in the May 12, 1983, policy statement (48 FR 21317) is hereby cancelled and is replaced by the designated interim system in the Appendix.
- West Virginia—Routes US 22, US 119, US 219, US 220, WV 2, US 522, US 340, and US 52 have been removed from the interim system.
- Wisconsin—Several corrections and deletions have been made.

In the April 5, 1983, policy statement we indicated that a Notice of Proposed Rulemaking (NPRM) for the final system would be published. The NPRM will be published in the near future in anticipation of a final system being designated by October 3, 1983. Because the NPRM is close to publication, the interim systems, as amended, for Pennsylvania, Georgia, Vermont, Florida, and Alabama will remain in effect. The NPRM will establish a proposed final system for these States as well as for all other States.

Issued on: July 5, 1983.

R. A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

Appendix—List of Other Qualified
Routes

Posted route No.	Route description	
Alabama		
AL 152 (North Bypass).	In the City of Montgomery from I-65 northeasterly to Jackson Ferry Road.	
Posted route No.	From	To
Alaska		
AK 1	Anchorage	Palmer.
AK 2	Fairbanks	Delta Jct.
AK 3	Palmer at Jct. AK 1	Fairbanks at Jct. AK 2.
Arizona		
AZ 360	I-10 Phoenix	AZ 87 Mesa.
US 60	I-10 Brenda	I-17 Phoenix.
US 80	AZ 87 Mesa	Globe.
AZ 69	US 89 Prescott	I-17.

Posted route No.	From	To
US 70	US 60 Globe	New Mexico St. Line.
US 80	AZ 92 Bisbee	New Mexico St. Line.
AZ 84	I-10 Picocho	AZ 87.
AZ 85	I-8 Gila Bend	I-10.
AZ 85	I-10 Avondale	I-17.
AZ 87	AZ 84 Picocho	AZ 387.
AZ 87	AZ 93 Chandler	US 60.
AZ 93	I-10	AZ 87 Chandler.
AZ 187	I-10	AZ 387.
AZ 267	AZ 87 Coolidge	US 89 Florence.
AZ 387	AZ 187	AZ 87.
US 89	I-10 Tucson	US 60.
US 89	AZ 69 Prescott	I-40.
US 89	I-40	Utah St. Line.
AZ 90	I-10	AZ 92 Sierra Vista.
AZ 92	AZ 90 Sierra Vista	US 80 Bisbee.
US 95	Mexican Border	I-8 Yuma.
US 160	US 89 Tuba City	New Mexico St. Line.
AZ 169	AZ 69 Dewey	I-17.
AZ 169	Mexican Border	I-19 Nogales.
AZ 504	US 160	New Mexico St. Line.
US 666	I-10	US 70 Safford.
US 666	US 60	I-40.
US 8-666	Mexican Border	US 80 Douglas.
US 183	US 160 Kayenta	Utah St. Line.
AZ 77	US 60	I-40.
US 60	Show Low	New Mexico St. Line.

Arkansas

US 49	Mississippi St. Line	US 62 Near Piggott.
US 61	I-55 Gamore	I-55 Blytheville.
US 62	Oklahoma St. Line	Missouri St. Line.
US 63	I-55 Near Memphis	Missouri St. Line.
US 64	I-540 Ft. Smith	I-40 Lamar.
US 64	I-40 Near Conway	US 67 Near Beebe.
US 65	Louisiana St. Line	I-40 Little Rock.
US 65	I-40 Conway	Missouri St. Line.
US 64	US 67 Bald Knob	I-55 West Memphis.
US 67	US 82 Texarkana	I-30 Benton.
US 67	I-40 Little Rock	US 62.
US 67	US 62 Corning	Missouri St. Line.
US 70	Oklahoma St. Line	US 71 De Queen.
US 70	US 71 Provo	I-30 Benton.
US 71	Louisiana St. Line	I-540 Fort Smith.
US 71	I-40 Alma	US 62 Fayetteville.
US 71	US 62 Rogers	Missouri St. Line.
US 79	Louisiana St. Line	I-40 Shafterville.
US 82	US 71 Texarkana	Mississippi St. Line.
US 70	I-440 Little Rock	I-40 Hicks Station.
US 412	US 67 Walnut Ridge	US 49 Paragould.
US 167	US 67 Bald Knob	US 62 Ash Flat.
US 167	Louisiana St. Line	US 65 Near Little Rock.
US 165	Louisiana St. Line	US 65 Dermott.
US 270	Oklahoma St. Line	US 71 Acorn.
US 270	US 71 "Y" City	US 65 Pine Bluff.

All other primary and secondary highways in Arkansas (with the following exceptions) are "qualifying" highways, but may have weight and speed limit restrictions.

AR 88	Mena AR 8	Oklahoma St. Line.
AR 22	I-540 Fort Smith	US 64.
AR 64	AR 255	AR 22.
AR 59	I-40 Van Buren	Main Street Van Buren.
US 71	US 271	AR 22.

California

CA 2	I-5.	I-210 in Los Angeles.
CA 7	I-405.	I-10.
I-10	US 101	I-5 in Los Angeles.
CA 11	I-10	US 101.
CA 15	I-5.	I-805 in San Diego.
CA 17	I-260 in San Jose	I-80 in Oakland.
CA 22	I-405 in Seal Beach	CA 55 in Orange.
CA 24	I-580 in Oakland.	I-680 in Walnut Creek.
CA 55	I-5.	I-805 in San Diego.
CA 52	I-405 in Costa Mesa	CA 91 in Anaheim.
CA 57	I-5 in Santa Ana	I-210 in Pomona.
CA 60	I-5/10 in Los Angeles.	I-10 in Beaumont.
CA 71	I-10.	CA 60 in Pomona.
CA 76	I-5 in Carlsbad	I-15 in Escondido.
Bus I-80	US 50/CA 99 in Sacramento.	I-80 Near Watt Ave.
CA 85	I-280.	CA 101 in San Jose.
CA 91	I-110 in Los Angeles	CA 60/I-215 in Riverside.
CA 92	I-280 Near San Mateo.	CA 17 in Hayward.

Posted route No.	From	To
CA 94	I-5.	CA 125 in San Diego.
CA 99	I-5 Near Wheeler Ridge.	US 50 in Sacramento.
US 101	I-5/10 in Los Angeles.	I-80 in San Francisco.
CA 117	I-5.	I-805 in San Diego.
CA 118	I-405 in Los Angeles.	I-210 in San Fernando.
CA 125	CA 94	I-8 in La Mesa.
CA 133	I-405.	I-5 Near El Toro.
CA 134	US 101 in Los Angeles.	I-210 in Pasadena.
CA 163	I-8.	I-15 in San Diego.
CA 170	US 101	I-5 in Los Angeles.
CA 215	I-15 Near Temecula	CA 60 Near Riverside.
CA 238	I-580 in Castro Valley.	CA 17 in San Leandro.
CA 14	I-5 Near San Fernando.	US 395 Near Ridgecrest.
CA 58	CA 99 in Bakersfield	I-15 in Barstow.
CA 198	I-5 Coalinga	CA 99 Visalia.
US 395	I-15 Near Victorville.	Nevada St. Line.
US 95	I-40 Near Needles.	Nevada St. Line.
US 8	US 395 Bishop	Nevada St. Line.
US 50	Sacramento	Sly Park Rd. Interchange.

Colorado

All US and State numbered routes are designated with the following exceptions:

CO 116	Jct. CO 89	Kansas St. Line.
CO 7	CO 72.	Jct. US 36.
CO 72	Jct. CO 7.	Jct. CO 119.
CO 119	Jct. US 6.	Jct. CO 7.
US 40	Jct. I-70 Near Empire	Winter Park.
CO 6	Jct. I-70 Near Dillon	Jct. I-70 Near Silver Plume.
CO 82	Aspen	Jct. US 24.
CO 113	Jct. CO 92 Hotchkiss	Jct. CO 82
CO 92	Jct. US 50 Sapinero	Carbondale.
CO 149	US 160 Near Fork	Jct. CO 133 Hotchkiss.
US 550	Jct. CO 110 Silverton.	Jct. CO 361 Ouray.
CO 470	Jct. US 85	Jct. I-25.
CO 65	Jct. CO 92	Jct. CO 330.
CO 114	Jct. US 50	Jct. US 265.
CO 131	Jct. CO 134 at Toponas.	Jct. US 6 at Wolcott.
CO 83	Jct. CO 85 at Franktown.	Jct. I-25 North of Colo. Spgs.

The designated routes in Colorado include most of the Federal-aid Primary Routes as well as other routes designated by the State.

Connecticut

CT 2	Columbus Blvd. Hartford.	Jct. I-290 Norwich.
CT 8	I-95 Bridgeport	Jct. I-84 Waterbury.
CT 9	I-95 Old Saybrook	Jct. I-91 Cromwell.
CT 20	Jct. CT 401 (Bradley) International Airport, Windsor Locks.	I-91 Windsor.
CT 52	I-95 East Lyme	Massachusetts St. Line, Thompson.
CT 401	Jct. CT 20 Windsor Locks.	Bradley International Airport Access Rd., Windsor Locks.

NOTE.—CT 52 was approved as part of the Interstate System on April 18, 1983.

Delaware

DE 141	I-95.	Jct. with DE 2.
US 13	Jct. with I-495 South of Wilmington.	Maryland St. Line.
US 301	US 13 near Tybouts Corner.	Maryland St. Line.
US 202	I-95 Wilmington	Pennsylvania St. Line.
DE Truck RT. 896.	US 301 Mt. Pleasant	US 13 Boyds Corner.

Posted route No.	From	To
District of Columbia		
Anacostia Freeway/Kenilworth Ave.	I-295.	Maryland St. Line.

Florida

FL 202, J. Turner Butler Blvd.	I-95 in Jacksonville	San Pablo Road.
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Posted route No.	Route description
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Georgia

GA14 Spur	Near Atlanta. From I-85/I-285 interchange east to Welcome All Road.
GA21	In Savannah, the W.F. Lynes Parkway from GA25 Spur southeasterly a distance of 6.2 miles.
GA316	From I-85 easterly toward Lawrenceville, a distance of 5.1 miles.
GA385	From I-85 northeasterly to Gainesville.
GA400	Near Atlanta, from I-285 north to GA369.
GA410	Stone Mountain Freeway from I-285 near Atlanta easterly to the Dekalb-Gwinnett County Line.
GA411	Near Columbus, the Linsey Creek Bypass from GA22 south to US 27/260.

Posted Route No.	From	To
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Hawaii

61	Vineyard Boulevard	Kiwaui Bridge in Kailua.
83	Nimitz Highway	Kaheki Highway (63).
64	Sand Island Park	Nimitz Highway (92).
72	Kailua-Waimanalo Junction (61).	Anakoa.
83	Weed Junction	Kalaniana'ole Highway (61).
92	Pearl Harbor-Main Gate.	Kalaheua Avenue.
93	Beginning of Route H-1.	Makaha Bridge.
95	Route H-1.	Campbell Harbor.
99	Pearl Harbor Interchange.	Weed Junction.
78	Route H-1 (H-2 H)	Kamehameha Highway (90) in Aiea.

Idaho

ID 16	ID 44.	Emmett.
ID 19	Wilder	Caldwell.
US 2	Sandpoint	Dover.
US 20	Oregon St. Line	I-84-Near Boise.
US 20	Mountain Home	Montana St. Line.
ID 22	ID 33	Dubois.
ID 24	Rupert	Shoshone.
ID 25	Jerome	I-84 Rupert.
US 26	Bliss	Blackfoot.
ID 27	Oakley	Paul.
ID 26	Mud Lake	Salmon.
US 30	US 95	I-84.
US 30	Nampa	I-84.
US 30	Bliss	Burley.
US 30	McCammon	Wyoming St. Line.
ID 33	US 20	Wyoming St. Line.
ID 34	Utah St. Line	Conda.
ID 39	American Falls	Blackfoot.
ID 40	I-15	Dorney.
ID 41	I-90	Newport.
ID 44	I-84	Boise.
ID 46	Wendell	US 20.
ID 48	Roberts	Rigby.
ID 50	US 30	ID 25.
ID 51	Nevada St. Line	Mountain Home.
ID 53	Washington St. Line	US 95.

Posted Route No.	From	To	Posted Route No.	From	To	Posted Route No.	From	To
ID 55	Marsing	Eagle	IA 3	Jct. US 75	Jct. IA 7	US 71	Missouri	West Jct. IA 2.
ID 64	Craigmont	Nez Perce	IA 3	East Jct. IA 17	West Jct. IA 13.	US 71	East Jct. IA 2	IA 196
ID 67	Mountain Home AFB	Mountain Home	IA 4	Jct. IA 3	East Jct. US 18.	US 71	North Jct. US 20	West Jct. IA 9.
ID 74	US 93	Twin Falls	IA 4	SCL Wallingford	Minnesota	US 71	East Jct. IA 9.	Minnesota
ID 75	Shoshone	Ketchum	IA 5	Missouri	ECL Cincinnati	US 75	North Jct. I-29	Minnesota
ID 77	Declo	I-84	IA 5	Jct. IA 2	Jct. I-35.	US 77	Nebraska	I-29
ID 78	Marsing	ID 51	US 6	Nebraska	Jct. I-80.	IA 77	IA 92	Keota
ID 81	Malta	Burley	US 6	Jct. IA 48	South Jct. US 71.	IA 78	IA 149	North Jct. US 218.
ID 79	Jerome	South	US 6	I-80 (Dexter)	I-80 (Altoona)	IA 78	South Jct. US 218	IA 249.
ID 87	US 20	Montana St. Line	US 6	IA 14	I-80 (Cedar Co.)	IA 78	WCL Morning Sun	US 61.
US 89	Utah St. Line	Montpelier	US 6	Jct. IA 130	Jct. I-74	IA 83	US 59	West Jct. US 6.
US 91	Utah St. Line	I-15	IA 7	Jct. IA 3	North Jct. US 71	IA 85	US 63	IA 21.
US 91	Pocatello	I-15 Bus.	IA 7	Barnum Road	US 20.	IA 86	US 71	IA 9.
US 93	Nevada St. Line	Shoshone	IA 8	US 63	US 218.	IA 87	US 69	I-35.
US 95	Homedale	Weiser	IA 9	IA 60	North Jct. US 69.	IA 92	Nebraska	IA 48.
US 95	Grangeville	Moscow	IA 9	South Jct. US 69	I-35.	IA 92	WCL Fontanelle	West Jct. IA 5.
US 95	Coeur d'Alene	Bonniers Ferry	IA 9	South Jct. US 69	I-35.	IA 92	East Jct. IA 5.	North Jct. IA 1.
I-15 Bus.	I-15	Idaho Falls	IA 9	East Jct. US 218	ECL Riceville	IA 92	South Jct. IA 1	Cottier
I-84 Bus.	I-84	Mountain Home	IA 9	US 63	Wisconsin	IA 93	WCL Sumner	IA 150.
US 93	Nevada St. Line	Montana Border	IA 10	East Jct. US 59	ECL Sutherland	IA 94	Palo	I-360.
US 12	Washington St. Line	Montana Border	IA 12	US 20	NCL Sioux City	IA 95	Carbon	IA 148.
US 20	US 93 Arco	I-15 Idaho Falls	IA 13	US 30	NCL Manchester	IA 96	Gladbrook	US 63.
US 20	I-84 Mountain Home	US 93 Carey	IA 13	West Jct. IA 3	US 52.	IA 99	Toolseboro	Wapello
US 30	I-15 McCammon	Wyoming St. Line	IA 14	IA 163	NCL Newton	IA 101	US 218	IA 150.
US 91	Utah Border	I-15 Virginia	IA 14	US 30	West Jct. IA 175.	IA 103	US 218	US 61.
US 91	Pocatello	Idaho Falls	IA 14	East Jct. IA 175	IA 57.	IA 105	US 65	US 218.
US 95	I-84	Canadian Border	IA 15	East Jct. US 18	West Jct. IA 9.	IA 107	SCL Thornton	US 18.
US 26	I-15	Wyoming St. Line	IA 16	NCL Eldon	North Jct. IA 1.	IA 110	US 20	IA 7.
US 26	US 20	I-15	IA 16	Denmark	US 61.	IA 111	US 18	Woden
US 2	Washington Border/	US 95	IA 17	IA 141	East Jct. US 20.	IA 117	IA 163	US 65.
ID 200	Sand Point/US 95	Montana St. Line	IA 17	West Jct. US 20	East Jct. IA 3.	IA 127	South Jct. IA 183	US 30.
US 20/191	I-75 Near Idaho Falls	Montana St. Line	US 18	WCL Rock Valley	North Jct. US 71.	IA 130	US 67	I-80.
ID 71	US 95 Cambridge	Oregon St. Line	US 18	South Jct. US 71	North Jct. US 218.	IA 133	US 30	Nevada
US 20/26	Oregon St. Line	Middleton	US 18	South Jct. US 63	ECL Bassett	US 136	East Jct. US 61	Mississippi River
US 95	Oregon St. Line	US 20/26	US 20	I-29	Wisconsin			Bridge.
			IA 21	SCL What Cheer	Illinois	IA 136	ECL Delmar	WCL Lost Nation.
			IA 21	East Jct. US 6	West Jct. US 6.	IA 136	SCL Worthington	IA 3.
			IA 21	West Jct. IA 8	East Jct. IA 8.	IA 137	IA 5	IA 23.
			IA 22	WCL Wellman	IA 412	IA 141	I-29	North Jct. US 30.
			IA 23	Jct. US 63	West Jct. IA 70.	IA 141	WCL Manning	West Jct. US 71.
			IA 25	IA 2	Jct. IA 137.	IA 141	East Jct. US 71	West Jct. IA 161.
			IA 25	West Jct. IA 925	IA 92.	IA 141	IA 141	US 169.
			IA 26	IA 9	IA 44.	IA 141	IA 210	I-35.
			IA 26	IA 92	Minnesota	IA 141	IA 141	NCL Dana.
			IA 28	West Jct. IA 5	East Jct. IA 5.	IA 145	I-35	ECL Thurman.
			US 30	Missouri River Bridge	US 6.	IA 146	US 63	Dunbar.
			IA 31	SCL Correctionville	Illinois	IA 148	West Jct. IA 2	US 34.
			US 34	Missouri River Bridge	US 59.	IA 148	IA 95	I-80.
			US 34	North Jct. IA 25.	South Jct. IA 25.	IA 149	US 63	IA 78.
			IA 37	WCL Earling	Illinois	IA 149	SCL Williamsburg	West Jct. US 6.
			IA 38	US 61	US 59.	IA 149	East Jct. US 6	US 30.
			IA 38	SCL Tipton	I-80.	IA 150	IA 151	IA 283.
			IA 39	US 59	East Jct. US 30.	IA 150	North Jct. US 20	South Jct. IA 3.
			IA 40	Begin Route	Deloit	IA 150	North Jct. IA 3	US 18.
			IA 44	US 71	IA 2.	US 151	US 30	South Jct. US 61.
			IA 46	IA 5	IA 141.	US 157	US 63	Lime Springs.
			IA 48	US 59	IA 163.	IA 160	IA 415	I-35.
			IA 48	US 34	NCL Essex.	IA 161	West Jct. IA 141	SCL Dedham.
			IA 49	SCL Lahox	US 6.	IA 163	US 65	IA 92.
			IA 51	US 18	US 34.	IA 169	Missouri	NCL Mt. Airy.
			US 52	North Jct. US 61	IA 9.	US 169	SCL Anispe	West Jct. US 34.
			US 52	West Jct. IA 3	North Jct. IA 366.	US 169	East Jct. US 34	South Jct. IA 92.
			US 52	ECL Calmar	East Jct. US 18.	US 169	SCL DeSoto	I-80.
			IA 55	Begin Route	Minnesota	US 169	US 6	IA 141.
			IA 57	IA 14	IA 2.	US 169	West Jct. US 30	IA 3.
			US 59	Missouri	US 20.	US 169	US 18	West Jct. IA 9.
			US 59	IA 92	IA 184.	IA 173	IA 83	I-80.
			US 59	IA 83	North Jct. US 6.	IA 175	Nebraska	ECL Onawa.
			US 59	West Jct. US 20	South Jct. US 30.	IA 175	South Jct. US 71	ECL Lake City.
			US 59	East Jct. IA 10	IA 3.	IA 175	Gowrie	West Jct. US 169.
			IA 60	US 75	East Jct. US 18.	IA 175	East Jct. US 169.	ECL Dayton.
			US 61	Des Moines River	Minnesota	IA 175	WCL Stratford	South Jct. IA 17.
				Bridge.	South Jct. IA 2.	IA 175	North Jct. IA 17	South Jct. US 69.
			US 61	East Jct. IA 2.	Wisconsin	IA 175	North Jct. US 69	ECL Radcliffe.
			US 61	US 61	US 52.	IA 175	North Jct. US 65	US 63.
			US 63	Missouri	West Jct. IA 2.	IA 181	Dallas	IA 5.
			US 63	East Jct. IA 2	East Jct. US 34.	IA 183	North Jct. IA 127	NCL Pisgah.
			US 63	West Jct. US 34	IA 148.	IA 184	WCL Randolph	US 59.
			US 63	I-80	East Jct. US 6.	IA 188	SCL Clarksville	US 63.
			US 63	West Jct. US 6.	Minnesota	IA 191	NCL Council Bluffs	NCL Neola.
			IA 64	US 151	US 61.	I-29	I-29	East Jct. US 6.
			US 65	North Jct. US 34	West Jct. US 6.	IA 192	West Jct. US 6.	I-29.
			US 65	I-80	IA 117.	IA 196	US 71	US 20.
			US 65	US 30	South Jct. US 20.	IA 205	US 65	Milo.
			US 65	North Jct. US 20	Sheffield.	IA 210	IA 141	NCL Woodward.
			US 65	SCL Mason City	Minnesota	IA 210	North Jct. IA 17	ECL Slater.
			US 67	Mississippi River	South Jct. US 30.	IA 214	IA 175	Wellsburg.
			US 67	East Jct. US 30.	4.64 miles North of	IA 215	Union	IA 175.
					Clinton.	US 218	US 136	South Jct. US 61.
					I-35.	US 218	North Jct. US 61	IA 92.
					Minnesota.	US 218	Rallocation IA 22	I-380.
					West Jct. IA 22.	US 218	I-80	East Jct. US 30.
						US 218	West Jct. US 30	IA 227.

Illinois

IL 5	I-80	US 30 Sterling
IL 6	I-74	IL 88 Peoria
US 20	I-90	East Dubuque
US 50	Indiana St. Line	I-64 East St. Louis
US 51	US 20	Anna IL 145
IL 53	I-90	IL 68
IL 53	I-290	Army Trail Road
IL 394	I-80	IL 1 Crete
IL 3	Cairo	East St. Louis
US 50	Missouri St. Line	IL 3
IL 13	Murphysboro	US 45 Harrisburg
IL 149	IL 3	Murphysboro
IL 146	Ware	I-57
US 45	I-24 at Vienna	I-70
US 67	Alton	Moline
IL 130	Grayville	Newton
IL 33	Newton	I-70
IL 29	Pana	Springfield
IL 125-97	Springfield	US 67 Beardstown
US 54	Missouri St. Line	US 36 near Pittsfield
US 36	Missouri St. Line	I-55
US 36	Decatur	Indiana St. Line
US 30	Iowa St. Line Clinton	IL 5 Sterling
US 24	Quincy	Indiana St. Line
US 34	Iowa St. Line near	IL 88
	Gulfport	
IL 68	US 12	I-94
IL 31	I-90	US 12
US 45	IL 173	Wisconsin St. Line
IL 173	US 45	I-94
US 34	Oswego	Illinois Toll Road
IL 88	US 34	I-80
IL 141	US 45 Gosssett	Indiana St. Line
US 12	IL 31	Wisconsin St. Line
IL 92	I-280	US 67 Rock Island

Indiana

Indiana intends to designate all public roads, except those routes prohibited by State or local jurisdiction.

Iowa

IA 1	North Jct. IA 16	West Jct. IA 78.
IA 1	North Jct. IA 92	IA 22.
IA 1	North Jct. US 6 & US 218	I-80.
IA 1	SCL Martelle	Jct. US 151.
IA 2	Missouri River Bridge	Jct. IA 25.
IA 2	Decatur Co. Line	Mississippi River
IA 3	South Dakota	North Jct. IA 12.

Posted Route No.	From	To	Posted Route No.	From	To	Posted Route No.	From	To
IA 220	US 6	IA 149.	KY 21	I-75 near Berea	US 25 in Berea (US 25 S.)	US 150	US 31E at Bardstown	US 27 N. City Limits of Standford (via Danville Bypass).
IA 221	I-35	Roland.	US 23	Ohio St. Line	US 119 N. of Pikeville.	US 79	Tennessee St. Line	US 68 Russellville.
IA 227	US 218	Stacyville.	US 23	US 119 near Jenkins.	Virginia St. Line.	KY 151	US 127 near Lawrenceburg.	I-64 near Graefenburg.
IA 236	IA 141.	Templeton.	US 23 Spur	Ohio River Bridge at Ashland.		KY 180	I-64 Interchange near Cannonsburg (MP 0.63).	Junction US 60 and KY 180 at Cannonsburg.
IA 244	I-80	IA 191.	US 25	US 421 S. of Richmond.	KY 676 in Richmond.	KY 192	I-75 S. of London.	Daniel Boone Pkwy E. of London.
IA 249	IA 78	Winfield.	US 25	KY 418	Nandino Blvd. in Lexington (via KY 4).	KY 205	Mountain Pkwy at Helechawa.	US 460 W. of Inde
IA 272	Elma	US 63.	US 25	US 42 in Florence.	Ohio St. Line.	KY 212	KY 20.	Greater Cincinnati Airport.
IA 273	WCL Drakesville	US 63.	US 25E	Virginia St. Line	I-75 N. of Corbin.	KY 227	KY 355 near Worthville.	KY 36 at Carrollton.
US 275	Missouri	NCL Hamburg.	US 27	Tennessee St. Line	Ohio St. Line (via KY 4 in Lexington).	US 231	US 60 Bypass in Owensboro.	Indiana St. Line.
IA 276	US 71	Minnesota.	US 31W	Tennessee St. Line	KY 255 at Park City (via US 31W Bypass in Bowling Green).	US 231	I-65	US 31W Bypass at Bowling Green.
IA 279	US 30	Atkins.	US 31W	US 31 W. Bypass in Elizabethtown.	I-264.	KY 236	KY 212	US 25 at Erlanger.
IA 281	WCL Fairbank	IA 150.	US 31W	Western Kentucky Pkwy.	US 31W in Elizabethtown.	KY 237	KY 18.	I-275 Boone County.
IA 283	Brandon	IA 150.	KY 32	I-64	US 60 at Morehead.	KY 245	I-65	US 62 at Bardstown.
IA 287	US 30	Newhall.	KY 35	US 127 at Bromley.	I-71.	KY 255	US 31W at Park City.	I-65.
IA 299	New Providence	IA 175.	KY 36	I-64	US 60 at Owingsville.	KY 259	Western Kentucky Pkwy	US 62 in Leitchfield.
IA 300	Modale	I-29.	KY 36	US 42 in Carrollton	KY 227	KY 341	US 421 near Midway.	I-64 near Midway.
IA 301	I-29	Little Sioux.	KY 36	US 68 (Main Street) Hopkinsville.	US 68 (McLean Ave.) Hopkinsville.	KY 348	Jackson Purchase Pkwy W. of Benton.	US 641 in Benton.
IA 316	IA 5	NCL Runnels.	US 41	Tennessee St. Line	Pennyrile Pkwy S. City Limits Hopkinsville.	KY 418	US 25 S. of Lexington.	I-75 S. of Lexington.
IA 325	Spilville	US 52.	US 41A	Tennessee St. Line	KY 281 and KY 1751 Madisonville.	KY 421	US 119	0.1 mile S. of Harlan
IA 330	US 65	US 30.	US 42	I-264	Oldham County Line.	US 421 & KY 80.	Daniel Boone Pkwy	Appalachian Regional Hospital
IA 363	IA 101	Urbana.	US 42	KY 55 at Carrollton.	KY 47 at Ghent.	US 421	KY 4 in Lexington	2nd Street in Manchester.
IA 383	US 69	Randall.	US 45	US 45 Bypass No. of Mayfield.	US 62 in Paducah.	US 421	US 460 in Frankfort	KY 341 near Midway
IA 386	South Jct. US 52	North Jct. US 52.	KY 52	KY 876 in Richmond.	KY 499 at Irvine.	US 431	US 60 Bypass in Owensboro.	Broadway at railroad bridge.
IA 394	Missouri	US 218.	KY 55	Cumberland Pkwy in Columbia.	US 150 at Springfield.	KY 446	US 31W NW of Bowling Green.	US 60 (4th Street) Owensboro.
IA 401	US 6	Johnston.	US 60	US 60 Bypass W. of Owensboro.	KY 69 Hawesville.	KY 448	KY 1051 at Brandenburg.	I-65.
IA 404	US 61	Montrose.	US 60	I-264	KY 1531 at Eastwood.	US 460	I-64	KY 144.
IA 405	Lone Tree	IA 22.	US 60	US 421 at Frankfort	I-75 near Lexington (via Versailles and KY 4 in Lexington).	US 460	Mountain Pkwy Extension.	KY 686 N. of Mt. Sterling.
IA 406	US 34	US 61.	US 60	Junction of KY 180 near Cannonsburg.	US 23 in Ashland.	US 460	US 150 at Springfield.	US 23 near Paintsville.
IA 412	US 63	US 218.	US 60	KY 144 in Meade County.	US 31W at Ft. Knox.	KY 555	US 127 in Frankfort	Bluegrass Pkwy.
IA 415	US 6	NCL Polk City.	US 60	US 60 W. of Owensboro.	US 60 E. of Owensboro.	US 641	KY 11 S. of Mt. Sterling.	KY 348 in Benton.
IA 427	IA 38	I-260.	KY 61	Tennessee St. Line	KY 90 at Burkesville.	KY 676	US 127 in Frankfort	US 60.
IA 428	West Jct. US 20.	East Jct. US 20.	US 62	I-24 at Paducah.	Western Kentucky Pkwy.	KY 686	KY 11 S. of Mt. Sterling.	US 460 N. of Mt. Sterling.
IA 430	US 30	Ames.	US 62	KY 245 at Bardstown.	US 150 at Bardstown.	KY 876	I-75 at Richmond.	KY 52 E. of Richmond.
IA 439	IA 150	IA 187	US 62	KY 353	US 27 at Cynthiana.	KY 922	KY 4 in Lexington	I-64 and I-75.
IA 464	IA 5	IA 975.	US 68	I-24 in Trigg County	Green River Pkwy at Bowling Green.	KY 1051	KY 448 S. of Brandenburg.	KY 79.
IA 467	US 20	Farley.	US 68	US 27 at Paris.	Ohio St. Line at Maysville (via Paris Bypass).	KY 1682	US 68 W. of Hopkinsville.	Pennyrile Pkwy N. City Limits of Hopkinsville.
IA 470	Monona Co	US 75.	US 68	US 27 at Paris.	Ohio St. Line at Maysville (via Paris Bypass).	KY 1958	KY 627 S. of Winchester.	I-64 at Winchester.
IA 475	IA 5	IA 964.	KY 69	US 60 at Hawesville.	Indiana St. Line.	KY 1998	US 27 at Cold Springs.	KY 9.
Kansas			KY 79	KY 1051 in Brandenburg.	Indiana St. Line.	Daniel Boone Pkwy.	US 25 N. of London.	KY 15 N. of Hazard
All US and State numbered routes are designated. This includes all Federal-aid primary routes as well as other routes designated by the State.			KY 80	US 27 at Somerset.	US 25 N. of London.	Mountain Pkwy Extension.	End of Mountain Pkwy at Campton.	US 460 at Salyersville.
Kentucky			KY 80	KY 15 at Hazard.	US 23 at Allen.			
Jackson Purchase Pkwy.	Tennessee St. Line W. of Fulton.	US 45 Bypass.	KY 90	I-65	Cumberland Pkwy at Glasgow.			
US 45B	Jackson Purchase Pkwy W. of Mayfield.	Jackson Purchase Pkwy N. of Mayfield.	KY 114	KY 61 at Burkesville.	US 27 at Burnside.	LA 1	US 71 in Alexandria	US 71 near Shreveport.
Jackson Purchase Pkwy.	US 45 Bypass.	I-24 in Marshall County.	KY 118	US 460 E. of Salyersville.	US 23-460 at Prestonsburg.	LA 7	I-20	US 79 in Minden.
Western Kentucky Pkwy.	I-24 S. of Eddyville.	US 31W in Hardin County.	US 119	KY 15 at Whitesburg.	US 421 and KY 80 NW of Hyden.	LA 8	Texas St. Line	LA 28 near Leesville.
Blue Grass Pkwy.	I-65	US 60 near Versailles.	US 119	US 25E S. of Pineville.	US 23 at Jenkins.	LA 10	Proposed I-49 near Beggs.	US 71 Lebeau.
Green River Pkwy.	I-65	US 60 Bypass in Owensboro.	US 119	US 23 at Pikeville.	KY 1441.	LA 14	US 90	I-210 in Lake Charles.
Mountain Pkwy.	I-64 E. of Winchester.	KY 15 N. of Campton.	US 127	Tennessee St. Line	US 60 in Frankfort (via Danville & Lawrenceburg Bypasses).	LA 15	US 65 Clayton	US 80 in Monroe.
KY 4	Entire Circle of Lexington US 41A S. City limits of Hopkinsville.	US 41 S. of Nortonville.	US 127	US 460 in Frankfort.	I-71.	LA 28	LA 8 near Leesville	US 84 near Archie.
Pennyrile Pkwy.	Pennyrile Pkwy near Western Kentucky Pkwy.	Pennyrile Pkwy at Madisonville.	US 127	US 127 S. of Danville.	US 127 N. of Danville.	US 65	Mississippi St. Line	LA 15 Clayton.
US 41	US 41 near N. City limits of Madisonville.	US 41 in Henderson.	US 127	US 127 S. of Lawrenceburg.	US 127 N. of Lawrenceburg.	US 65	I-20 in Tallulah Springs.	Arkansas St. Line.
Pennyrile Pkwy.	US 41 near N. City limits of Madisonville.	US 41 in Henderson.	KY 144	KY 448	US 60.	US 71	LA 1 near Shreveport.	Arkansas St. Line.
US 41	Pennyrile Pkwy near Western Kentucky Pkwy.	Pennyrile Pkwy at Madisonville.				US 79	LA 7 in Minden.	Arkansas St. Line.
Audubon Pkwy.	Pennyrile Pkwy in Henderson.	Indiana St. Line.				US 80	LA 15.	US 165 in Monroe.
Cumberland Pkwy.	I-65 at Warren County Line.	US 27 W. of Somerset.						
I-471	US 27	I-471.						
KY 841	Taylorville Rd. (KY 155).	US 42.						
KY 10	New Construction 4.21 miles E. of Bracken County line (MP 4.21).	US 62-68 at Maysville (MP 10.12).						
KY 11	KY 3170 at Lewisburg.	US 62 and US 68 in Maysville.						
KY 15	Mountain Pkwy at Campton.	US 119 in Whitesburg.						
KY 18	KY 338 at Burlington.	US 25 in Florence.						

Louisiana

Posted Route No.	From	To	Posted Route No.	From	To	Posted Route No.	From	To			
MN 24	I-94 at Clearwater	US 10 at Clear Lake	US 136	Nebraska St. Line	Exit 110 on I-29	MT 86	Bozeman	US 89			
MN 27	N. Jct. MN 29 at Alexandria	MN 127 at Osakis	US 54	South Junction US BR 54 at Lake Ozark	Illinois St. Line	MT 12	I-90 Garrison	Near I-90			
MN 27	US 71 at Long Prairie	US 10 at Little Falls	US 60	MO 37 Monett	US 63 Cabool	MT 69	Dillon	Near MT 15			
MN 28	MN 27 at Browns Valley	I-94 at Sauk Centre	US 24	I-435 Kansas City	US 65 Waverly	US 212	Wyoming St. Line	US 310			
MN 29	I-94 at Alexandria	N. Jct. MN 27 at Alexandria	MO 7	US 71 Harrisonville	MO 13 Clinton	MT 267	Ennis	Twin Bridges			
MN 33	I-35 near Cloquet	US 53 at Independence	MO 13	I-44 Springfield	US 24 Lexington	MT 19	MT 200 Grassrange	US 191 near Roy			
MN 36	I-35W at Roseville	MN 95 at Oak Park Heights	US 50	Exit 7 I-470 Kansas City	Exit 247 on I-44	MT 200S	Circle	Glendive			
MN 41	US 212 near Chaska	US 169 near Chaska	US 60	Oklahoma St. Line	US 71	US 10A	I-90	Drummond			
MN 43	I-90 at Wilson	US 61 at Winona	US 67	MO 367	Illinois St. Line	MT 40	I-94	Terry			
MN 51	MN 5 at St. Paul	I-694 at Arden Hills	US 412	Arkansas St. Line	Exit 19 on I-55	MT 79	I-94	Hysham			
US 52	US 63 at Rochester	MN 110 at Inver Grove Heights	MO 84	Arkansas St. Line	US 412 near Kennett	Nebraska					
US 53	I-35 at Duluth	S. Jct. US 169 at Virginia	MO 25	US 412 near Kennett	US 60 at Dexter	All U.S. and State numbered routes are designated, with the following exceptions:					
MN 55	MN 26 at Glenwood	7th St. N in Minneapolis	MO 5	Arkansas St. Line	US 60	● US 159 from the junction with US 73 in Falls City east to Missouri.					
MN 55	E. Jct. I-94 in Minneapolis	MN 3 at Inver Grove Heights	MO 47	US 50 at Union	MO 100 at Washington	● State Highway 2 from the junction with US 73/75 in Nebraska City east to Iowa.					
MN 56	US 52 at Inver Grove Heights	MN 3 at St. Paul	MO 100	MO 47 at Washington	I-44	● US 34 from the junction with L-13G in Plattsmouth east to Iowa.					
US 59	I-90 at Worthington	MN 30 at Slayton	MO 367	I-270	US 67	● US 30 from the east junction with US 73 in the City of Blair east to Iowa.					
US 59	I-94 at Fergus Falls	US 2 at Erskine	US 166	Kansas St. Line	I-44	Nevada					
MN 60	Iowa St. Line at Bigelow	N. Jct. US 169 at Mankato	MO 171	Kansas St. Line at KS 57	US 71 at Webb City	US 395	California St. Line	US 50 Stewart			
US 61	MN 16 at la Crescent	Wisconsin St. Line	US 60	2 mi. E. of MO 21	I-55/57 near Sikeston	US 395	US 50 Carson City	California St. Line			
US 61	I-90 at Dakota	MN 60 at Wabasha	US 24	US 61 Taylor	Illinois St. Line	US 50	California St. Line	Utah St. Line			
US 61	Jct. I-35 at Mesaba	Two Harbors Jct. CSAA 2	US 59	MO 76 Cassville	US 60 Monett	US 95	California St. Line	I-80			
US 63	MN 58 at Red Wing	Wisconsin St. Line	US 24	Kansas St. Line	I-229 St. Joseph	US 95	I-80	Oregon St. Line			
US 63	I-90	US 52 at Rochester	US 24	East Junction US 24 and US 36 in Marion County	South Junction of US 24 and US 61 west of Hannibal	US 6	California St. Line	US 95 Coaldale			
MN 65	MN 23 at Mora	I-694 at Fridley	Montana			US 6	US 95 Tonopah	US 50 Ely			
US 71	Iowa St. Line	I-90 at Jackson	US 2	Idaho St. Line	North Dakota St. Line	US 93	Buchanan Blvd.	US 95			
US 71	I-94 at Sauk Centre	MN 27 at Long Prairie	US 12	Idaho St. Line	North Dakota St. Line	US 93	I-15	US 50			
US 75	MN 7 near Odessa	I-94 at Moorhead	US 89	Canadian Border	Wyoming St. Line	US 93	US 50	Idaho St. Line			
US 77	I-35 E at Eagan	I-494 at Bloomington	US 310	Wyoming St. Line	Laurel	US 95 Alt	US 95 Schurz	I-80			
MN 100	I-494 at Bloomington	I-694 at Brooklyn Center	MT 200	Idaho St. Line	North Dakota St. Line	US 50 Alt	I-80	US 50			
MN 101	US 169 at Shakopee	MN 13 at Savage	US 93	Idaho St. Line	Canadian Border	US 93 Alt	US 93	I-80 Wendover			
MN 110	MN 55 at Mendota Heights	US 52 at Inver Grove Heights	US 267	Wyoming St. Line	Choteau	New Hampshire					
MN 127	MN 127 at Osakis	I-94 at Osakis	US 87	Wyoming St. Line	Havre	US 3	Massachusetts St. Line	101A Nashua			
US 169	N. Jct. MN 60 at Mankato	MN 101 at Shakopee	US 20	Targhee Pass	West Yellowstone	Everett	101A Nashua	I-293 Bedford			
US 169	MN 95 at Princeton	US 10 at Elk River	MT 87	Raynolds Pass	US 287	NH 101	West End Milford Bypass	I-293 Bedford			
US 169	MN 210 at Aitkin	S. Jct. US 53 at Virginia	MT 117	Fork Peck	Nashua	NH 9	Vermont St. Line	NE Junction of NH 9 & NH 10 Keene			
US 169	I-494 at Eden Prairie	MN 100 at Edina	MT 22	Miles City	Jordan	NH 9	West End Henniker Bypass	I-89 Hopkinton			
US 169	MN 100 at Robbinsdale	I-94 at Brooklyn Park	MT 15	Conrad	Conrad	NH 101	I-93 Manchester	NH 51 Exeter			
MN 210	US 75 at Breckenridge	MN 59 at Fergus Falls	MT 5	Scobey	North Dakota St. Line	NH 51	NH 101 Exeter	US 1 Hampton			
MN 210	US 10 at Moleky	US 169 at Aitkin	MT 59	Miles City	Wyoming St. Line	Spaulding	US 4 Dover	NH 16 Laskey Corner			
US 212	South Dakota St. Line	I-494 at Eden Prairie	MT 23	Sidney	North Dakota St. Line	US 4	Exit 6 Spaulding Turnpike	I-95 Portsmouth			
US 216	I-90 at Austin	US 14 E. of Owatonna	MT 7	Ekalaka	Wybaux	US 3	I-93 North Woodstock	Twin Mountain			
MN 371	US 10 at Little Falls	E. Jct. MN 210 at Brainerd	US 10	North Dakota St. Line	Idaho St. Line	NH 18	Vermont St. Line	I-93 Littleton			
MN 371	W. Jct. MN 210 Brainerd	US 2 at Cass Lake	MT 24	Canadian Border	MT 200	NOTE.—US 3 and NH 18 between completed sections of I-93 is the interstate traveled-way. For other purposes, these portions of US 3 and NH 18 are not on the Federal-aid primary system.					
Mississippi											
All U.S. and State numbered routes are available. This includes the Federal-Aid Primary System and other routes designated by the State.											
Missouri											
US 36	Kansas St. Line	Illinois St. Line	MT 37	Libby	Canadian Border	Atlantic City Expressway	Baltic Avenue in Atlantic City	NJ 42 Turnersville			
US 40	I-70 St. Charles County	I-55/70 St. Louis	MT 135	St. Regis	Idaho St. Line	NJ 42	Atlantic City Expressway at NJ 168 Washington	I-295 Bellmawr			
US 169	I-29 at Kansas City	MO 152 at Kansas City	MT 28	Plains	Circle	US 322	Pennsylvania St. Line	I-295 Logan Township			
MO 725	US 40 at St. Louis	St. Louis Co. Route D	US 212	Crow Agency	Libby	US 130	US 322 Bridgeport	I-295 Logan Township			
US 67	Arkansas St. Line	Exit 174 on I-55	MT 40	Whitefish	Eureka	US 130	NJ 44 West Deptford	I-295 West Deptford			
US 81	I-70 St. Charles County	Iowa St. Line	MT 39	Lame Deer	Paradise	New Jersey Turnpike	I-295 Deepwater	I-95 Exit 6 Mansfield			
US 83	Arkansas St. Line	Iowa St. Line	MT 141	Avon	Elmo	NJ 18	US 1 New Brunswick	Wayside Road, Tinton Falls			
US 85	Arkansas St. Line	Iowa St. Line	MT 44	US 89	US 15	US 1	Pennsylvania St. Line	I-267 Edison			
US 71	Arkansas St. Line	I-435 Kansas City	MT 43	West Yellowstone	Malta	NJ 440	I-95 Edison	New York St. Line at Outer Bridge			
US 71	Exit 53 on I-29	US 136 Maryville	MT 48	Idaho St. Line	US 15 Divide	US 22	Pennsylvania St. Line	I-78 Greenwich			
Alt. US 71	I-44	US 71 Carthage	MT 47	Anaconda	Warm Springs	NJ 495	I-95 Secaucus	I-495 Weehawken			
Nebraska											
All U.S. and State numbered routes are designated, with the following exceptions:											
● US 159 from the junction with US 73 in Falls City east to Missouri.											
● State Highway 2 from the junction with US 73/75 in Nebraska City east to Iowa.											
● US 34 from the junction with L-13G in Plattsmouth east to Iowa.											
● US 30 from the east junction with US 73 in the City of Blair east to Iowa.											
Nevada											
US 395	California St. Line	US 50 Stewart	MT 56	MT 200	Mountain Valley	US 2	Lavina	Whitehall			
US 395	US 50 Carson City	California St. Line	MT 64	Big Sky	US 191	US 2	Mountain Valley	Fork Belknap			
US 50	California St. Line	Utah St. Line	MT 66	US 191	US 2 in Shelby	MT 15	Boulder	Missoula			
US 95	California St. Line	I-80	MT 67	Whitehall	Whitehall	US 310	US 87	US 191			
US 95	I-80	Oregon St. Line	MT 69	Whitehall	Missoula	US 87	I-90	Wyola			
US 6	California St. Line	US 95 Coaldale	MT 90	I-90 Missoula	Missoula	Hot Springs	Columbus	Stanford			
US 6	US 95 Tonopah	US 50 Ely	MT 72	Wyoming St. Line	US 310	MT 80	Fort Benton	US 191			
US 93	Buchanan Blvd.	US 95	MT 73	I-90 Lodge Grass	US 87	MT 82	Somers	MT 35 Big Fork			
US 93	I-15	US 50	MT 74	I-90	I-90	MT 83	MT 200	MT 35 Big Fork			
US 93	US 50	Idaho St. Line	MT 78	Red Lodge	Stanford	US 191	I-90	Belgrade			
US 95 Alt	US 95 Schurz	I-80	MT 80	Fort Benton	Stanford	MT 35 Big Fork	Belgrade				
US 50 Alt	I-80	US 50	MT 81	Fort Benton	Stanford	MT 35 Big Fork	Belgrade				
US 93 Alt	US 93	I-80 Wendover	MT 82	Somers	MT 200	MT 35 Big Fork	Belgrade				
New Hampshire											
US 3	Massachusetts St. Line	101A Nashua	MT 85	US 191 I-90							
Everett	101A Nashua	I-293 Bedford									
NH 101	West End Milford Bypass	I-293 Bedford									
NH 9	Vermont St. Line	NE Junction of NH 9 & NH 10 Keene									
NH 9	West End Henniker Bypass	I-89 Hopkinton									
NH 101	I-93 Manchester	NH 51 Exeter									
NH 51	NH 101 Exeter	US 1 Hampton									
Spaulding	US 4 Dover	NH 16 Laskey Corner									
US 4	Exit 6 Spaulding Turnpike	I-95 Portsmouth									
US 3	I-93 North Woodstock	Twin Mountain									
NH 18	Vermont St. Line	I-93 Littleton									
NOTE.—US 3 and NH 18 between completed sections of I-93 is the interstate traveled-way. For other purposes, these portions of US 3 and NH 18 are not on the Federal-aid primary system.											
New Jersey											
Atlantic City Expressway	Baltic Avenue in Atlantic City	NJ 42 Turnersville									
NJ 42	Atlantic City Expressway at NJ 168 Washington	I-295 Bellmawr									
US 322	Pennsylvania St. Line	I-295 Logan Township									
US 130	US 322 Bridgeport	I-295 Logan Township									
US 130	NJ 44 West Deptford	I-295 West Deptford									
New Jersey Turnpike	I-295 Deepwater	I-95 Exit 6 Mansfield									
NJ 18	US 1 New Brunswick	Wayside Road, Tinton Falls									
US 1	Pennsylvania St. Line	I-267 Edison									
NJ 440	I-95 Edison	New York St. Line at Outer Bridge									
US 22	Pennsylvania St. Line	I-78 Greenwich									
NJ 495	I-95 Secaucus	I-495 Weehawken									
NJ 3	US 1 North Bergen	Sports Complex East Rutherford									

Posted Route No.	From	To	Posted Route No.	From	To	Posted Route No.	From	To
NJ 17	I-80 Hackensack	New York St. Line	US 9	Near NY 254 Glens Falls	Near County Road 34 Glens Falls	NC 24	US 70 Mansfield	US 701 Clinton
The following two sections of the New Jersey Turnpike are part of the Interstate System, but are unsigned. We are publishing this since the public may be unaware of this.			NY 7	I-890 Schenectady	West City Line of Watervliet	NC 24	I-95	Spout Springs
New Jersey Turnpike	Pennsylvania St. Line	Exit 6 Mansfield	NY 5	NY 7 Schenectady	North City Line of Albany	US 70	Beaufort	US 70A near Princeton
New Jersey Turnpike	Exit 6 Mansfield	Exit 10 Edison	Wolf Road	NY 5 at I-87 Colonie	I-87 at NY 155 Colonie	US 19	I-240 Asheville	Jct. US 18-23 near Mrs. Hill
NOTE—US 130 between US 322 Bridgeport and I-295 Logan Township is a Federal-aid Secondary route designated by the State in their March 15, 1983 submittal.			NY 440	New Jersey St. Line	I-278 Staten Island Expressway	US 25-70	US 19-23 at Weaverville	US 25-70 Bypass at Marshall
			NY 495	I-278 Brooklyn-Queens Expressway	I-678 Van Wyck Expressway	I-95 Bus	I-95 N. of Fayetteville	I-95 S. of Fayetteville
			NY 495	I-295 Clearview Expressway	NY 25 Riverhead Suffolk			
			NY 17	New Jersey St. Line	I-87 Suffern			

Posted Route No.	From	To
OK 39	OK 9 Tabler	OK 3W Asher.
OK 44	US 283 Greer Co.	9 Lone Wolf.
OK 53	OK 5 Walters	US 81 Comanche.
OK 56	OK 5 Tilton Co.	US 281 near Lawton.
OK 18	OK 51 Payne Co.	US 60 Osage Co.
OK 1	OK 7 Johnston Co.	US 270 Calvin.
OK 20	OK 11 Skiatook	US 75 Tulsa County.
OK 48	I-44 Bristol	US 64 Pawnee Co.
OK 51	I-35 Payne Co.	Muscogee Turnpike/ Tulsa County.
OK 51	Muscogee Turnpike Wagoner County.	US 62 Tahlequah.
OK 16	US 75 Preston	US 64 Jamesville.
OK 10	OK 2 Welch	US 59 Miami.
OK 2	US 60 Vinita	OK 10 Welch.
OK 2	US 271 Clayton	I-40 Warner.
OK 19	I-35 Paul's Valley	OK 3W Ada.
OK 99	US 70 Madill	OK 11 Osage Co.
OK 199	I-35 Ardmore	US 70 Oakland.
Cimarron Turnpike	I-35 Noble Co.	US 64 at OK 48.
Muscogee Turnpike	OK 51 Broken Arrow	I-40 Webers Falls.
US 271	Texas St. Line	US 70 Hugo.
Indian Nation Turnpike	US 70 Hugo	I-40 Henryetta.
Cimarron Turnpike Connection.	US 77 north of Stillwater N.E.	Cimarron Turnpike.

Oregon

OR 99E	Portland	Salem.
OR 99W	Portland	Eugene.
US 730	I-84 Boardman	Washington St. Line.
US 30	Portland	Astoria.
US 97	Washington St. Line	Warden.
US 20	Bend	Idaho St. Line.
US 20	Sisters	US 97 near Bend.
US 20	Newport	Sweet Home.
OR 11	Washington St. Line	Pendleton.
US 101	Washington St. Line	Cannon Beach Jct.
US 101	OR 18 at Otis	Newport.
US 101	Florence	Port Orford.
US 101	Gold Beach	Harbor.
OR 126	Florence	Prineville.
OR 58	Eugene	US 97 near Chemult.
OR 31	La Pine	US 395 Valley Falls.
OR 62	Medford	Trail.
US 199	Grants Pass	Elk Creek.
US 26	Cannon Beach Jct.	US 97 near Madras.
US 26	US 97 Metolius	Mitchell.
US 395	Umatilla	Stanfield.
US 395	Pendleton	Long Creek.
US 395	John Day	Burns.
US 395	Riley	California St. Line.
OR 8	Beaverton	Forest Grove.
OR 22	OR 16 near Willamina.	Salem.
OR 42	Coos Bay	Coquille.
OR 8	Tillamook	US 26 near Banks.
OR 16	US 101 Alb.	Dayton.
OR 10	Portland	Beverton.
US 197	I-84 Seufert	OR 216 Maupin.
OR 216	US 26 Warm Springs Jct.	Maupin.
OR 38	Reedsport	Anlauf.
OR 140	Klamath Falls	OR 39.
OR 39	OR 140	Merrill.
US 99E	Albany	Junction City.
US 30 Bus	OR 99E	US 30 Bypass in Portland.
OR 99	Grants Pass	I-5.
US 30	North Powder	Baker.
US 30	In City of Pendleton	
OR 214	Woodburn	Silverton.
OR 217	US 26	I-5.
OR 22	Salem	Santiam Jct.
OR 223	Dallas	Rickreall.
OR 224	OR 99E	Clackamas.
OR 99	Central Point	Ashland.
OR 34	Corvallis	Lebanon.
OR 138	Elkton	I-5.
OR 99	OR 42	I-5.
OR 99	OR 38	I-5.
US 30	In City of Cascade Lock.	
OR 206	Wasco	Heppner.
OR 207	Cold Springs Jct.	Kinzua Road.
OR 78	Burns	US 95, Burns Junction.

Posted Route No.	From	To
US 95	OR 78, Burns Junction.	Nevada St. Line.

NOTE.—Qualified but unmarked routes have not been listed. In addition extensive partially qualifying routes have been identified by the State. Full information on Oregon's truck route system is available from the Oregon Division of Highways.

Posted route No.	Route description
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Pennsylvania

US 1	From Morrisville to US 13.
US 13	Controlled access segment south from US 1.
US 15	From Pennsylvania Turnpike (I-76) Interchange 17 northeast to the Harrisburg Expressway south of Camp Hill.
US 15	From PA 642 in Milton to the White Deer Exit at White Deer.
US 15	Controlled access segment north of junction with US 220 at Williamsport.
US 22	From I-279 west to the PA-West Virginia St. Line east of Steubenville, Ohio.
US 22	From west of PA 100 near Fogelsville east to the PA-New Jersey St. Line at Easton.
US 30	Greensburg Bypass south of Greensburg.
US 30	From a junction with PA 462 west of York to a junction with PA 462 east of Lancaster, excluding the four mile uncontrolled access segment north of York.
US 119	Limited access Bypass west of Uniontown.
US 119	From Pennsville north of Pennsylvania Turnpike (I-76) Interchange 8 at New Stanton.
US 202	From the south terminus of the West Chester Bypass north and east to I-76 near King of Prussia.
US 219	From vicinity of Pennsylvania Turnpike southeast of Somerset north to US 422 west of Edensburg.
US 219	From the PA-New York St. Line to just south of Bradford.
US 220	From Pennsylvania Turnpike Interchange 11 north to King.
US 220	From PA 147 near Halls, north of Muncy, west to western terminus of controlled access segment at Linden.
US 220	From just south of Athens north to NY 17 at the PA-New York St. Line.
US 222/422	Warren Street Bypass and Extension from Pricetown Road north of Reading west to Wyomissing.
US 6	From the Borough of Conneaut Lake east to just north of Meadville at the terminus of the North-South Bypass.
US 11	From Pennsylvania Turnpike Interchange 16 east to the western terminus of the Harrisburg Expressway near Camp Hill.
US 20	From I-80 Interchange 12 west to Northeast (PA 89).
US 30	Uncontrolled access segment of York Bypass from North Hills Road west to a point one mile north of the junction of PA 74.
US 119	Uncontrolled access segment northeast of Uniontown to Pennsville.
US 119	Uncontrolled access segment from the Pennsylvania Turnpike (I-76) Interchange 8 to the Greensburg Bypass.
US 202	From the PA-Deleware State Line north to West Chester Bypass.
US 322	From the junction of I-83 and I-283 east to the junction of US 422.
US 422	From the junction of US 322 east to the junction of LR 139 at the west end of Hershey.
PA 3	From West Chester Bypass (US 202) east to Garrett Road at Upper Darby.
PA 13	Uncontrolled access segment from PA 413 west of Bristol northeast to the limited access segment just south of US 1.
PA 42	From I-80 Interchange 34 south to Bloomsburg at US 11.

Posted route No.	Route description
PA 51	From US 119 near Uniontown north to the Monongahela River at Elizabeth.
PA 54	From I-80 Interchange 33 south to Danville at US 11.
PA 60	Uncontrolled access segment in the vicinity of the Greater Pittsburgh International Airport.
PA 61	From US 222 near Tuckerton north to I-78 Interchange 9 at Hamburg.
PA 93	From I-81 Interchange 41 east and south to PA 924 at west end of Hazleton.
PA 114	From US 11 near Hogestown north to I-81 Interchange 18.
PA 132	From I-95 near Cornwells Heights north-west to Pennsylvania Turnpike Interchange 28 via US 1 connection.
PA 924	From junction with PA 93 west to I-81 Interchange 40 near Hazleton.
US 322	Commodore Barry Bridge in Chester.
US 422	From east terminus of limited access segment southeast of Reading north-west to the Warren Street Bypass.
PA 9	Northeast Extension of Pennsylvania Turnpike from Exit 25 (I-276) south-east of Norristown to Exit 38 at I-81 north of Scranton.
PA 28	From PA 8 near Etna northeast to Creighton, east of the Pennsylvania Turnpike.
PA 33/US 209	From US 22 near Wilson north to I-80 at Interchange 46 near Stroudsburg via US 209 at Snyder'sville.
PA 60/US 422	From I-80 Interchange 1 southeast of Sharon south to including the New Castle Bypass.
PA 60	From PA 51 west of Beaver Falls south to US 22, excluding the uncontrolled access segment near the Greater Pittsburgh International Airport.
PA 147	From I-80 Interchange 31 near Milton north to a junction with US 220 at Halls north of Adamstown.
PA 222	From US northeast of Lancaster to Pennsylvania Turnpike (I-76) Interchange 21 near Adamstown.
PA 283	From junction of US 30 north of Lancaster west to I-283 near the Pennsylvania Turnpike Interchange 19.
	Harrisburg Expressway (LR 767) from I-83 west to US 11 west of Camp Hill.
	Airport Access Road (LR 1081 Spur A) from PA 283 south to the Harrisburg International Airport at Middletown.
	Reading Outer Loop (LR 1035) from PA 183 near Leinbachs northeast to US 222 near Tuckerton.

Posted route no.	From	To
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Puerto Rico

PR 2	PR 22 San Juan	PR 1 Ponce.
PR 3	PR 31 near Ceiba	PR 26 Carolina.
PR 52	PR 1 Ponce	PR 18 San Juan.
PR 18	PR 52 San Juan	PR 22 San Juan.
PR 22	PR 2 San Juan	PR 26 San Juan.
PR 26	PR 22 San Juan	PR 3 Carolina.
PR 1	PR 2 Ponce	PR 52 Ponce.

Rhode Island

Ri 37	I-295 Cranston	I-95 near Pawtucket.
Ri 195	I-295 Johnston	Ri 10 Providence.
Ri 10	Ri 195 Providence	I-95 Cranston.
Ri 146	I-95 Providence	I-295 near Lime Rock.

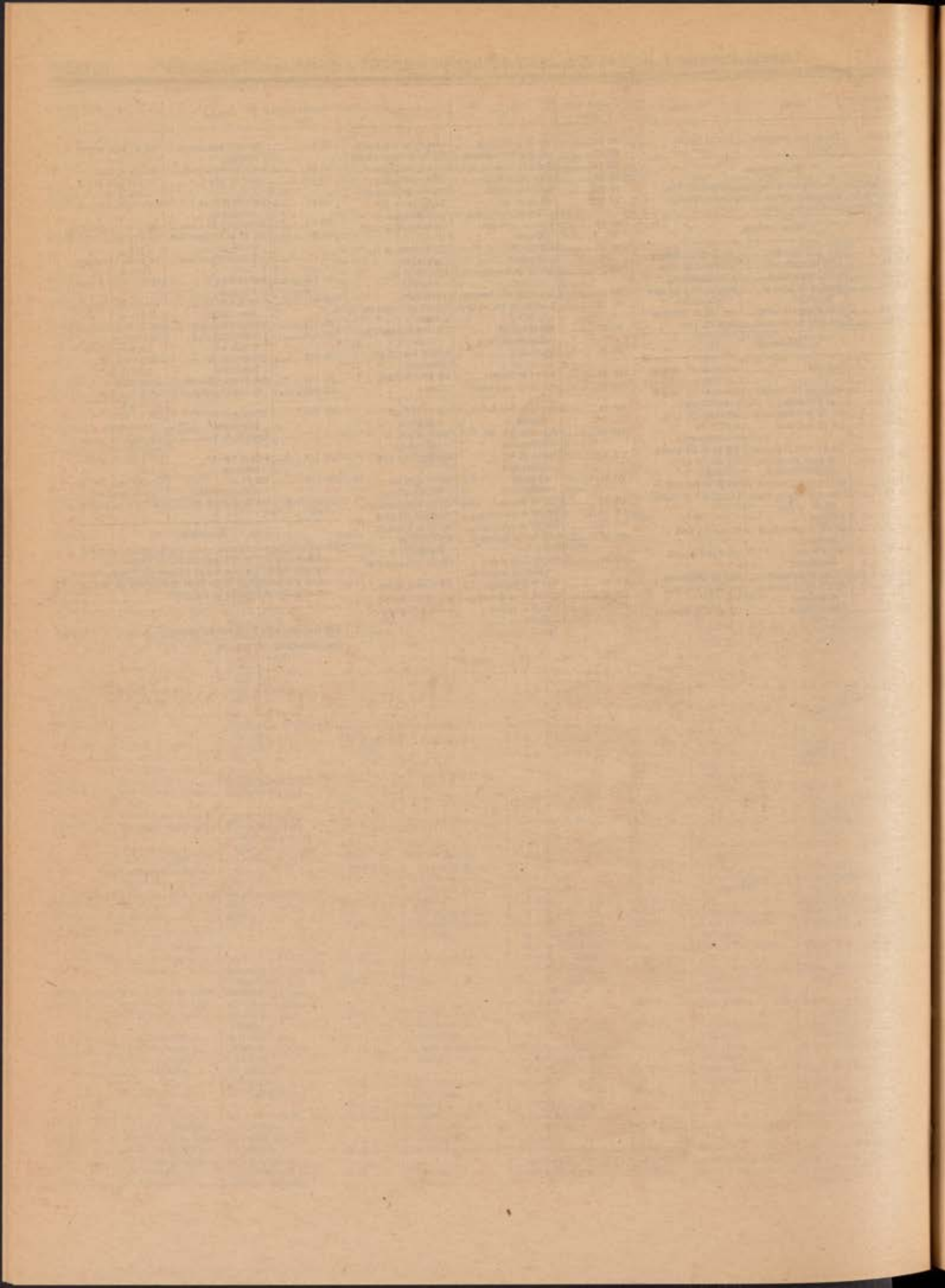
South Carolina

US 78	Georgia St. Line	I-95 near St. George.
US 378	Georgia St. Line	SC 121 Saluda.
US 378	SC 262 Columbia	US 501 Conway.
SC 72	Georgia St. Line	I-77 Rockhill.
US 129	Georgia St. Line	US 25 Greenville.
US 76	US 52 Florence	SC 576 near Marion.
US 25	North Carolina St. Line.	Georgia St. Line.
SC 121	SC 72 Whitmire	US 25 Trenton.

Posted route No.	From	To	Posted route No.	From	To	Posted route No.	From	To
VA 1250	Route 301 (Hanover Co.)	End of Route.	WI 16	WI 78 at Portage	I-94 N. of Waukesha.	WI 54	WI 13 in Wisconsin Rapids.	US 51 near Plover.
Washington			WI 17	US 8 in Rhineland	US 45 in Eagle River.	WI 57	I-43 in Green Bay	Sturgeon Bay.
All US and State numbered routes are designated. This includes all Federal-aid primary routes and additional routes designated by the State.			US 18	Iowa St. Line	I-90 E. of Madison.	US 61	Iowa St. Line	WI 129 S.E. of Lancaster.
West Virginia			WI 20	I-94 W. of Racine	WI 31 in Racine.	US 61	WI 129 N.E. of Lancaster.	Minnesota St. Line.
US 19	Jct. I-77 Bradley	Jct. I-79 Gessaway.	WI 21	WI 27 in Sparta	US 41 at Oshkosh.	US 63	Minnesota St. Line	US 2 W. of Ashland.
US 48	I-79 Morgantown	Maryland St. Line.	WI 23	WI 32 N. of Sheboygan Falls.	Taylor Drive in Sheboygan.	WI 69	WI 11 at Monro.	County Hwy. "PB" at Paoli.
US 50	I-77 Parkersburg	I-79 Clarksburg.	WI 26	I-94 at Johnson Creek.	WI 16 at Watertown.	WI 73	US 51 at Plainfield	WI 54 in Wisconsin Rapids.
US 460	Virginia St. Line at Bluefield.	Virginia St. Line near Kelleysville.	WI 26	US 151 N.E. of Waupun.	US 41 S.W. of Oshkosh.	WI 78	I-90 & I-94 S. Portage.	US 51 N. of Portage.
WV 34	I-64 Putnam County	Jct. US 35 Winfield.	WI 27	US 41 at Westby	U.S. 10 E. of Fairchild.	WI 80	I-90 & I-94 N. of New Lisbon.	WI 13 near Pittsville.
US 35	Jct. WV 34 Winfield	Ohio St. Line.	WI 28	US 41 E. of Theresa	Kewaskum.	WI 119	I-94 in Milwaukee	WI 38 in Milwaukee.
Wisconsin			WI 29	I-94 W. of Elk Mound.	US 53 at Chippewa Falls.	WI 124	US 53 N. of Eau Claire.	WI 29 S. of Chippewa Falls.
US 2	Superior	Michigan St. Line at Hurley.	WI 29	WI 124 S. of Chippewa Falls.	US 41 in Green Bay.	WI 129	US 61 S.E. of Lancaster.	US 61 N.E. of Lancaster.
US 2	Michigan St. Line W. of Florence.	Michigan St. Line E. of Florence.	WI 30	Madison	I-90 & I-94 E. of Madison.	WI 139	US 8 near Cavour	Long Lake.
US 8	US 63 in Turtle Lake	Michigan St. Line.	WI 31	WI 11 in Racine	WI 20 in Racine.	US 141	US 41 at Abrams	US 8 South of Niagara.
US 10	US 53 in Osseo	I-43 N. of Manitowoc.	WI 32	WI 29 W. of Green Bay.	Gillett.	WI 145	Broadway in Milwaukee.	US 41-45 in Milwaukee.
WI 11	US 61 near Dubuque	US 51 in Janesville.	WI 34	WI 13 in Wisconsin Rapids.	US 51 N.E. of Knowlton.	US 151	Iowa St. line	US 18 E. of Dodgeville.
WI 11	I-90 near Janesville west of Delavan.	US 14-WI 89, 5 miles.	US 41	National Ave. in Milwaukee.	Garfield Ave. in Milwaukee.	US 151	I-90 & I-94 in Madison.	US 41 at Fond du Lac.
WI 11	WI 15 near Elkhorn	WI 31 in Racine.	US 41	107th St. in Milwaukee.	Michigan St. Line.	WI 172	US 41 in Ashwaubenon.	County Hwy. "X" S. of Green Bay.
US 12	I-94 and County Hwy EE W. of Eau Claire.	US 53 in Eau Claire.	WI 42	I-43 W. of Manitowoc.	WI 57 S.W. of Sturgeon Bay.	County Hwy "PB"	WI 69 at Paoli	US 18 E. of Verona.
US 12	WI 67, 2 miles N. of Elkhorn.	Illinois St. Line.	US 45	US 45 Illinois St. Line.	WI 28 in Kewaskum.	Wyoming		
WI 13	WI 21 N. of Friendship.	US 2 in Ashland.	US 45	WI 29 in Wittenberg.	Michigan St. Line.	All US and State numbered routes are designated with the exception of US 89/287 and US 212 in Yellowstone National Park. This includes all Federal-aid Primary Routes under the jurisdiction of the State of Wyoming as well as other routes designated by the State.		
US 14	US 51 at Janesville	I-90 at Janesville.	WI 47	US 41 at Appleton	WI 29 in Bonduel.			
US 14	WI 11-89, 5 miles W. of Delavan.	WI 15 at Darien.	WI 50	I-94 W. of Kenosha.	45th Ave. in Kenosha.			
WI 15	I-90 at Beloit	US 45 in Greenfield.	US 51	South Corporate Limits of Janesville.	US 14 at Janesville.			
			US 51	WI 78 at Portage	US 2 near Hurley.			
			US 53	US 61 in La Crosse	US 10 in Osseo.			
			US 53	I-94 S.E. of Eau Claire.	I-535 in Superior.			

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federal register

Friday
July 8, 1983

Part VII

Department of the Interior

Fish and Wildlife Service

**Implementation of the Endangered
Species Act Exemption for Certain
Raptors; Raptor Propagation Permits;
Federal Falconry Standards; Final Rule**

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Parts 13, 17 and 21

Implementation of the Endangered Species Act Exemption for Certain Raptors; Raptor Propagation Permits; Federal Falconry Standards

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The Fish and Wildlife Service amends its regulations promulgated under authority of the Migratory Bird Treaty Act and the Endangered Species Act of 1973 to establish uniform standards and procedures for engaging in the propagation of raptors (birds of prey). This final rule enables raptor propagators and falconers to purchase, sell, or barter certain captive-bred raptors both in the U.S. and foreign countries, and identifies the conditions under which species listed as endangered or threatened under the Endangered Species Act are exempt from the Act's prohibitions. These actions should alleviate some of the human pressures on wild raptor populations, increase genetic diversity in captive populations, and encourage captive production of raptors for recreational, scientific, conservation, and breeding purposes.

EFFECTIVE DATE: August 8, 1983.

FOR FURTHER INFORMATION CONTACT:

John T. Webb, Branch of Investigations, Division of Law Enforcement, Fish and Wildlife Service, U.S. Department of the Interior, P.O. Box 28006, Washington, D.C. 20005, telephone: (202) 343-9242.

SUPPLEMENTARY INFORMATION:

Background

On January 12, 1983 (48 FR 1325), the Fish and Wildlife Service ("Service") proposed several changes to Federal regulations affecting raptors (birds of prey). Generally, the Service proposed the following:

1. Documentation requirements that must be satisfied to exempt a raptor listed as endangered or threatened under the Endangered Species Act of 1973 ("ESA") from the prohibitions in Section 9(a) of the Act and 50 CFR 17.21 and 17.31. Only raptors that were held in captivity or in a controlled environment in the United States on November 10, 1978, or their progeny qualify for this "exempt" status.

2. A raptor propagation permit authorizing raptor propagators to engage in certain activities under limited circumstances that otherwise are

prohibited by the Migratory Bird Treaty Act ("MBTA"), such as the purchase, sale, or barter of captive-bred raptors, including captive-bred "exempt" raptors, that are banded with a numbered seamless leg marker.

3. Amendments to the Federal Falconry Permits (50 CFR 21.28) to allow falconers to purchase, sell, or barter captive-bred raptors that are banded with a numbered seamless leg marker. These amendments complement the authority given to raptor propagators.

4. Authorization for Apprentice Class falconers to possess captive-bred Harris' hawks.

The proposed rule invited comments for 30 days ending February 11, 1983. Because a number of comments were submitted after that date, the Service published a notice on the consideration of those comments in the *Federal Register* on March 7, 1983 (48 FR 9544), indicating that comments submitted on or before that date would be considered and any submitted after that date would be considered to the extent that it remained feasible to do so. All comments received as of April 13, 1983, have been considered by the Service in developing this final rule. After that date final administrative decisions regarding this rule were made by the Service.

The Service received numerous public comments from a variety of sources, including falconers, raptor propagators, State and Federal wildlife conservation agencies, conservation groups, and private individuals. Each comment has been considered in preparing this final rule. In addition, the Service has relied upon its substantial experience in developing and implementing programs affecting raptors.

Most of the comments received simply voiced support or opposition to various provisions in the proposed rule. The remainder were substantive or analytical to varying degrees. The significant comments are summarized and discussed in detail below by topic, including the Service's response to them and any significant changes in the final rule which resulted. Information contained in the Supplementary Information section of the Notice of Proposed Rulemaking is incorporated in this preamble, except insofar as it may be superseded here.

Implementation of the Endangered Species Act Exemption for Certain Raptors

Several comments requested clarification on the scope of the exemption with reference to those prohibitions of the ESA from which a qualifying raptor is exempt. That answer has already been provided by Congress.

The Endangered Species Act Amendments of 1982 amended the introductory clause of the raptor exemption to indicate that only the provisions of Section 9(a)(1), 16 U.S.C. 1538(a)(1), do not apply to an "exempt" raptor. Therefore, the remaining prohibitions found in Section 9 do apply, particularly the need to satisfy any applicable requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES") to import or export "exempt" raptors listed on any of the appendices to CITES. The raptor exemption now, by its terms, exempts holders of qualifying raptors only from the prohibitions of Section 9(a)(1) of the ESA, 16 U.S.C. 1538:

(2)(A) The provisions of subsection (a)(1) shall not apply to—

(i) any raptor legally held in captivity or in a controlled environment on the effective date of the Endangered Species Act Amendments of 1978 [November 10, 1978]; or

(ii) any progeny of any raptor described in clause (i); until such time as any such raptor or progeny is intentionally returned to a wild state.

(B) Any person holding any raptor or progeny described in subparagraph (A) must be able to demonstrate that the raptor or progeny does, in fact, qualify under the provisions of this paragraph, and shall maintain and submit to the Secretary, on request, such inventories, documentation, and records as the Secretary may by regulation require as being reasonably appropriate to carry out the purposes of this paragraph. Such requirements shall not unnecessarily duplicate the requirements of other rules and regulations promulgated by the Secretary. Pub. L. 95-632, 92 Stat. 3760 as amended by Pub. L. 97-304, 96 Stat. 1427 [16 U.S.C. 1538(b)(2)].

The burden of proof for qualifying any raptor is on the person claiming the applicability of this exemption. The Government does not have to offer proof that the elements of this affirmative defense have not been satisfied.

Even if a raptor is "exempt," it loses that status once it is intentionally returned to a wild state. Several comments raised the question of whether captive-bred "exempt" raptors retain their exemption if they are released for free flight on a limited-time basis for wild-conditioning purposes? Phrased in another way: Do captive-bred "exempt" raptors lose their exemption if they are released for the purpose of permanent incorporation into the ecosystem in a wild state, both functionally and behaviorally? The answer to both questions is yes.

The legislative history of this provision indicates that the exemption was meant to terminate under the following circumstances:

[W]here domestic captive-bred raptors ["exempt" raptors] have been intentionally released and returned to a wild state for conservation and reintroduction purposes, these raptors will be considered to be fully protected under the [Endangered Species Act of 1973], H. Conf. Rept. 95-1084 at 23 (95th Cong. 2nd Sess. 1978).

This result is logical because the overriding purpose of the ESA is to conserve and protect endangered or threatened species. "Conservation" is defined by Section 3(3) of the ESA, 16 U.S.C. 1532(3) to mean " . . . the use of all methods and procedures which are necessary to bring any endangered species or threatened to the point at which the measures provided pursuant to [the ESA] are no longer necessary." Since the raptors released for conditioning purposes are captive-bred, adequately identified, and place no drain on any wild population, no conservation effort is enhanced by imposing the burdens of permit restrictions under the ESA.

A final question posed by the comments is this: What progeny are also "exempt?" The Service believes the proper answer is that the progeny of any "exempt" parent are also "exempt." That is, if either parent is "exempt," then all of the progeny are "exempt." The legislative history of the raptor amendment indicates that its purposes are to:

Alleviate some of the human pressures on wild raptor populations . . . increase genetic diversity in captive populations, and . . . further encourage captive production of raptors for conservation, recreation, scientific and breeding purposes. H. Conf. Rept. No. 95-1084 at 23 (95th Cong. 2nd Sess. 1978).

However, if additional brood stock must be obtained from the wild, Congress has suggested the following limitations:

In order to augment wild populations, the Secretary should encourage the reintroduction of captive-bred raptors into the wild. To that end, it is anticipated that the [Fish and Wildlife Service], on a discretionary basis, may grant permits to qualified individuals and organizational raptor breeders to obtain additional brood stock from the wild populations, provided that offspring of such birds are reintroduced back into the wild in a manner designed to effect a net increase in the overall wild population. H. Conf. Rept. No. 95-1084 at 23 (95th Cong. 2nd Sess. 1978).

Finally, Congress also intended that the raptor exemption apply to raptors at the species level, such as the peregrine falcon, and not just to subspecies or populations of lower taxonomic order. However, the ESA itself does not apply to hybrid progeny, where each parent is from a different species and where at

least one parent is from an endangered or threatened species. This policy is described in a memorandum dated August 2, 1977, from the Department's Office of the Solicitor on the subject, "Whether Hybrids are Covered by the Endangered Species Act of 1973." Therefore, there is no need for the exemption to apply to hybridized raptors. Moreover, hybrids are protected under the CITES and, as discussed below, under the MBTA.

Sale of Captive-Bred Raptors

The Services proposed to allow the sale of captive-bred raptors for three principal reasons: To alleviate some of the human pressures on wild raptor populations, to increase genetic diversity in captive populations, and to further encourage captive production of raptors for conservation, recreation, scientific, and breeding purposes.

Preliminarily, several comments contended that captive-bred birds and hybrids are not included within the terms of the MBTA and implied that coverage of such birds in these regulations is an unlawful expansion of the Act. Service regulations governing captive-bred birds have been held to be within the Secretary's authority under the MBTA. *U.S. v. Richards*, 583 F.2d 491 (9th Cir. 1978). The court upheld the regulations on the basis that MBTA enforcement would be hindered if the defense was available that a bird involved was raised in captivity. In view of this decision, and the Supreme Court's expansive reading of the MBTA in *Andrus v. Allard*, 444 U.S. 51 (1979), the Service believes the coverage of hybrids is similarly within the Secretary's authority under the MBTA.

In the preamble to the proposed rule the Service noted some possible objections to captive breeding:

Although the value of captive breeding has been widely accepted by many conservationists and scientists as a resource management tool, some persons oppose this activity because (1) it diverts effort and funding away from the primary resource need of protecting natural ecosystems, (2) behavioral and genetic aberrations acquired in captivity may be incompatible with enhancement of conspecifics in the wild, and (3) captive breeding may be viewed as a panacea leading to a ban on taking raptors from the wild for falconry or scientific purposes. These concerns largely are alleviated where wildlife agencies view captive breeding only as supplementing management of wild populations, and where propagators have made reasonable efforts to maintain the genetic variability of breeding stocks. 48 FR 1327 (1983).

In addition to these possible objections, the comments revealed many others. Some objected because of

various perceived harmful effects that sale would cause. Others objected to particular provisions, but endorsed the Service's overall position on sale. To the extent possible, these general objections are grouped under one of the three principal reasons the Service gave in support of sale and are discussed below.

1. *Alleviate some of the human pressures on wild raptor populations.* Some comments were concerned that sale would increase human pressures on wild raptor populations, and not alleviate them as the Service judged. It was asserted that allowing the sale of captive-bred raptors, even if restricted to those raptors identified by a seamless tarsal marker, would create strong incentives to illegally take raptors from the wild and sell them and that the Service would not be able to prevent such illegal taking. Other comments saw that problem compounded by the fact that a seamless marker can be put on the leg of any eyass, not just one bred in captivity, and once so marked the eyass could be sold, purchased, or bartered as a "lawful" bird.

The Service recognizes that the procedure proposed is not foolproof. While lawful commercialization may create incentives to violate the law, strong deterrents are available. The sale of any raptor taken from the wild, any raptor hatched from an egg taken from the wild, any raptor eggs, or any raptor not marked with a seamless marker would be treated by the Service as more than a mere permit violation. The seller and other culpable parties would be subject to possible prosecution for a felony under both the MBTA and the Lacey Act Amendments of 1981 ("Lacey Act"). 16 U.S.C. 707(b), 3373(d)(1). Possible permit sanctions are available under both the ESA and the Lacey Act, as well as under 50 CFR 13.51. 16 U.S.C. 1540(b)(2), 3373(e). Upon conviction of a criminal violation of either statute, the Service may modify, suspend, cancel any Federal permit. Further, the permit-holder is not entitled to any compensation, reimbursement, or damages in connection with the modification, suspension, or revocation of a permit after conviction. Raptors involved in violations are subject to forfeiture, and in the case of violations of the ESA or Lacey Act are subject to forfeiture without regard to any additional evidence of culpability, as is required to assess a civil penalty or convict of a crime. 16 U.S.C. 1540(e)(4)(A), 3374(a)(1). That is, strict liability forfeiture may apply. The equipment (including vehicles) used to aid in a violation may also be subject to forfeiture upon conviction of certain

offenses. 16 U.S.C. 1540(e)(4)(B), 3374(a)(2). Any person convicted or assessed a civil penalty for a violation of the Lacey Act is liable for costs incurred by the Government in storing, caring for, and maintaining any raptors seized in connection with the violation. 16 U.S.C. 3374(c). A similar provision under the ESA enables the Government, upon forfeiture of seized raptors, to collect certain expenses from any person whose act or omission was the basis for the seizure. 16 U.S.C. 1540(f), 50 CFR 12.42. To the extent that any records are falsified to conceal any illegal transactions the felony provisions of 18 U.S.C. 1001 also may apply.

The Service will vigorously investigate any alleged violations involving raptors and will impose on any violators the full force of these sanctions to insure the conservation of wild raptor populations. Both the falconry and raptor propagating communities are encouraged to police themselves.

Second, many comments expressed concern that with this rule the Service was taking just the first step in opening up commercialization under the MBTA. The next step would be to allow additional persons to possess captive-bred raptors, or to allow commercialization with other species of captive-bred migratory birds. The final rule, like the proposal, remains extremely limited in scope. For the foreseeable future the Service does not envision making captive-bred migratory birds available to the pet industry, nor does this final rule lead to that result. Under the MBTA, possession of a raptor is permitted only with a valid permit issued under 50 CFR Part 21, unless one of two exceptions applies: the raptor was lawfully acquired before the effective date of Federal protection under the MBTA (i.e., pre-Act) or the person who possesses it is excepted from the permit requirements by 50 CFR 21.12(b). The purchase, sale, or barter of captive-bred raptors in the U.S. will be restricted to persons authorized to purchase, sell, or barter captive-bred raptors under 50 CFR Part 21. Only falconers, raptor propagators and persons excepted from the permit requirements by 50 CFR 21.12(b) are so authorized.

Third, several comments argued that the release or escape of nonendemic captive-bred raptors will be more prevalent thereby creating problems associated with competition, displacement, disease, and depredation. By opening up a market for raptors, the comments argue, the number of captive-bred birds will increase which will

stimulate the sport of falconry and lead to a concomitant rash of inadvertently or unintentionally released captive-bred raptors in areas where their species is not indigenous. The comments listed several introduced species that have caused serious damage to ecosystems, such as the starling, but none identified any raptors. The Service has no evidence that any unintentionally released, escaped, or lost captive-bred raptors have had any negative impact on conspecifics in the wild. Nor does the Service expect this rule to result in any dramatic increase in the number of falconers. In 1981, there were 2,508 outstanding falconry permits, compared to 2,769 permits issued by State wildlife agencies in 1974. During the next decade the Service estimates that the number of U.S. falconers will remain between 2,500 and 3,000.

While these comments were concerned with the unintentional release of nonendemic migratory birds, they failed to realize that the propagation of exotic raptors, such as sakers, lanners, and luggars, is not Federally regulated. Subject to State law, anyone can propagate and sell these exotic species because they are not migratory birds, and falconers may fly these species. The Service wishes to encourage the production of raptors listed as migratory birds, not encourage the production of exotics.

The Service will still restrict the intentional release of raptors to those subspecies which are endemic to a particular region, if viable breeding populations occur there. Federal falconry standards still prohibit the intentional release of any species not indigenous to that State without written authorization and the Service also prohibits the intentional release of any interspecific hybrid.

2. *Increase genetic diversity in captive populations.* A few commenters felt that legalizing sale would not necessarily increase genetic diversity in captive populations on the belief that propagators would not sell valuable breeding stock that would undermine their profit margins. The Service finds no merit in that argument. Sale enables the market to determine the value of a propagator's stock, unlike the current system where there is no incentive to exchange valuable breeding stock.

In addition, raptors held by falconers can be put into breeding projects under a raptor propagation permit. The immediate effect is to increase the potential breeding stock already in captivity by several thousand birds.

3. *Further encourage captive production of raptors for conservation,*

recreation, scientific, and breeding purposes. Several comments argued that encouragement of captive production is not needed at this time. The Service disagrees. Raptor propagation has been shown to benefit the migratory bird resource through production of captive-bred stock for restoration of endangered species, and as an ancillary source of raptors for falconry that reduces the demand for taking certain wild stocks. The Service wishes to encourage these activities by both permitting the sale of captive-bred raptors and implementing the raptor amendment under the ESA enacted by Congress. Raptor propagators will be afforded the opportunity to recover operating expenses and may possibly earn a profit. Falconers who desire to obtain those species which are not locally available from the wild may find it less costly to purchase captive-bred ones than to travel to distant locations to capture them. Public wildlife resource agencies may find it cheaper to purchase readily available captive-bred raptors for release to the wild instead of contracting for propagation without assurance that production will occur.

Sale of Captive-Bred Raptors for Profit

Many comments, including those of falconers and propagators objected to allowing captive-bred raptors to be sold for a profit. Some suggested a cap on the sales price so that the seller could recover only expenditures or costs. Others suggested that only non-profit breeding cooperatives be allowed to sell them, or that limitations be placed on the number of times a raptor could be sold. These arguments are premised on the belief that the potential profit involved increases the temptation to violate the law. The drawbacks of such limitations are that sellers would have to account for and calculate costs per bird and the resources needed by the Service to enforce the restriction are better applied elsewhere to enforce this rule. In the end supply and demand will determine prices.

Sale of Raptors for Export

The Service proposed to allow the sale of captive-bred raptors to foreign buyers authorized to possess such species for scientific, educational, or falconry purposes. The Service did not define the term "authorized." In addition to the proposal, three other options were identified by the comments.

1. *The proposal.* Propagators saw this provision as an opportunity to maximize returns for successfully breeding raptors, yet reduce world market prices for raptors almost immediately. Some

propagators even suggested that profits from foreign sales could be used within their own operations to subsidize domestic sales, thereby reducing prices for U.S. falconers. Those who opposed this provision saw quite the opposite. Once a captive-bred raptor was sold overseas there would be no assurance that the foreign purchaser was authorized to possess such a raptor for scientific, education, or falconry purposes, and no assurance that a particular bird would remain in an authorized use. Captive-bred raptors could become pets overseas. Foreign sales would also reduce the number of birds available to U.S. falconers, especially those which are highly prized. U.S. falconers and propagators also would find themselves subject to permit conditions and requirements which their foreign counterpart would not have to satisfy, in effect discriminating against U.S. falconers and propagators. The Service agrees with the opponents of this measure and has not adopted the proposal.

2. *Prohibit export for sale.* As a result of the comments against the proposal, the Service considered a total prohibition on the export for sale. Such action would insure that U.S. residents are the only beneficiaries of the new raptor propagation permit. Superior stock produced in captivity would be retained in the U.S. resulting in lower prices for that stock. However, no export prohibition now exists under the MBTA. On August 24, 1981 (46 FR 42679), the Service deleted the import and export requirements formerly found under 50 CFR 21.21. Importers and exporters of lawfully possessed migratory birds, including parts and products, no longer are required to obtain a permit issued under the MBTA from the Service. One purpose of this amendment was to allow falconers to move their birds freely back and forth between the U.S. and Canada and the U.S. and Mexico. The Service does not want to renew this export permit requirement that is needed to make such a restriction effective. Moreover, establishing a ban on exportation for sale would immediately deprive the Service of the opportunity to determine whether such a ban is in fact necessary or advantageous. If need be, however, the Service retains the power to amend this rule, even on an emergency basis with immediate effect.

Even though no export permit is required under the MBTA, the exportation of certain species of raptors, including all species of the Order Falconiformes, is subject to the requirements of the Convention on

International Trade in Endangered Species of Wild Fauna and Flora ("CITES"). A further discussion of those requirements appears below under the discussion of the definition of "bred in captivity."

3. *Require foreign purchasers to obtain a raptor propagation permit or a falconry permit.* Absent consent to U.S. jurisdiction, the prohibitions of the MBTA do not apply to persons in foreign countries, that is, section 2 of the MBTA (16 U.S.C. 703) is not to be applied extraterritorially. But the U.S. can require holders of U.S. permits to engage in transactions only with other holders of U.S. permits. Also, it is permissible for the Service to accept applications from and issue permits to foreign citizens. Therefore, the Service can complete an international "closed loop system" by requiring the appropriate U.S. permit before any person may purchase, sell, or barter captive-bred raptors. A similar, abbreviated system now exists for American alligators under the special rules for threatened species promulgated under the ESA, 50 CFR 17.42(a). Such a system would require a foreign purchaser to obtain either a raptor propagation permit or a falconry permit. A "closed loop system" would identify foreign purchasers, impose the same standards on both U.S. and foreign residents, and provide greater assurance that captive-bred raptors do not end up in the overseas pet trade. The drawbacks of a "closed loop system" are that enforcement actions are likely to be taken against U.S. residents and not foreign residents because of the Service's relatively greater access to resident permittees and the likelihood that few non-English speaking foreign residents would apply.

4. *Restrict export for sale or barter to experienced foreign falconers and raptor propagators or to foreign wildlife management authorities for conservation purposes.* Under this provision the competent wildlife management authority in the purchaser's country of residence or domicile must authorize the recipient to purchase or barter captive-bred raptors and must certify in writing that the recipient is an experienced falconer or raptor propagator who is required to maintain any raptors in his/her possession under conditions that are comparable to the conditions under which a U.S. permittee must maintain raptors under 50 CFR 21.29 and 21.30. If the competent wildlife management authority itself purchases or barter captive-bred raptors for conservation purposes, such as restocking wild populations, then no certification is

required. This provision has been adopted by the Service in the final rule. While it may limit in the short-term the profit potential presented by overseas markets, it encourages other countries to adopt conservation measures that apply to raptors. Export opportunities should gradually increase enabling traditional international trade among falconers to continue.

Three years from the effective date of this rule, the Service will review the export provision to determine its effectiveness. During that time, of course, the Service will monitor exportations of raptors to insure compliance with its terms. Based upon that three-year review, or an earlier one if the circumstances warrant it, the Service will consider possible changes to this provision.

Definition of "Bred in Captivity"

The Service proposed a definition of "bred in captivity" that is different from the definition of that term adopted by the U.S. under the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"). The CITES standards for "bred in captivity" are set forth in Conf. 2.12, a resolution adopted by the Party nations in 1979.

Under the CITES definition, wildlife may be considered as "bred in captivity" only if "the parental breeding stock [is] . . . managed in a manner designed to maintain the breeding stock indefinitely." This provision requires use of management techniques that have been "demonstrated to be capable of reliably producing second-generation offspring in a controlled environment."

Some comments felt it necessary for the Service to have a similar definition under the MBTA to avoid confusing raptor propagators and to avoid casting doubt on the Service's adherence to CITES.

The Service's definition in no way affects its obligation under CITES. The definition under the MBTA identifies those raptors that qualify as captive-bred under the MBTA. It does not identify those that qualify under CITES. For specimens subject to the requirements of CITES, the stricter definition under CITES must be satisfied. Whether a raptor is bred in captivity determines what documentation is necessary to comply with the export requirements of CITES for any raptors included on Appendix I, II, or III. A list of those raptors appears in 50 CFR 23.23. Under Article VII, paragraph 4 of CITES, a specimen of a raptor species listed on Appendix I that is bred in captivity for commercial

purposes is treated as if it were listed on Appendix II. This means that only an Appendix II export permit is required. It also means, however, that the Service's Office of Scientific Authority ("OSA") is required to make a finding that export will not be detrimental to the survival of that species. There may be circumstances when OSA may not advise in favor of export, even if the specimen is bred in captivity. Approval under CITES to export Appendix I raptors bred in captivity for commercial purposes is not automatic. Under Article VII, paragraph 5 of CITES, a certificate of captive breeding is all that is required to export a specimen of a raptor species listed on Appendix II or III that is bred in captivity. In addition, pre-Convention certificates are available for any raptors acquired before the date CITES requirements applied to that species. A word of caution, is appropriate, however, to holders of raptors "exempt" under the ESA. Any applicable CITES requirements must still be satisfied to export "exempt" raptors.

Possession Limit on Captive-Bred Raptors Held by Falconers

The Service proposed to allow Master Class falconers to possess an unlimited number of captive-bred raptors, to retain the current possession limit of two birds for General Class falconers, and to allow Apprentice Class falconers to possess a captive-bred Harris' hawk.

The Service proposed no limit on Master Class falconers, who are at least 23 years old with 7 years falconry experience, because as experienced falconers they should be competent to judge their own limits. As many falconers pointed out, however, three birds is all that a falconer can reasonably care for and fly. As the number of raptors possessed by a falconer increases, the time spent caring for and exercising each may decrease, eventually jeopardizing the birds' health. Also, falconers may end up as brokers or dealers, or status seekers who collect raptors and not fly them, causing what one comment called the "perched hawk syndrome." The Service agrees with these criticisms and has retained the current possession limit for Master Class falconers. Any combination of captive-bred raptors and raptors taken from the wild is permissible up to the possession limit. Even with this restriction, Master Class falconers may replace any number of captive-bred raptors a year.

At the request of the Washington Department of Game, the Service proposed to permit Apprentice Class falconers to possess a captive-bred Harris' hawk. Several concerns about

this proposal were addressed by the comments. Under 50 CFR 21.29(i)(1), Apprentice Class falconers may not take any young birds not yet capable of flight (eyasses). This restriction was placed in the Federal falconry standards because the raising and successful training of eyasses requires a level of proficiency beyond that attained by an Apprentice Class falconer. But no such restriction was imposed on the acquisition of captive-bred Harris' hawks by Apprentice Class falconers, even though the experience required to raise them remains the same. If lost by a less experienced falconer, a captive-bred raptor may be unable to survive in the wild and could become a public nuisance if it is imprinted on humans.

Many falconers objected to allowing Apprentice Class falconers to possess captive-bred birds at all. The relationship between a Master or General Class falconer and his/her Apprentice Class falconer must be developed until the time the Apprentice Class falconer traps a passage bird and beyond. While attempting to acquire the skills necessary to trap that first passage bird, an Apprentice Class falconer learns a great deal about raptors in their habitat, develops a greater appreciation of falconry, and in the end becomes a better falconer. If the Apprentice loses interest along the way, no harm to any raptors occurs. If captive-bred raptors are made available to Apprentice Class falconers, this may short-circuit a critical stage in the training process. Therefore, under the final rule Apprentice Class falconers may not possess any captive-bred raptors and continue to have a one-bird limit of selected species taken from the wild.

Sale of Hybrids

The Service proposed to prohibit the sale of interspecific hybrids because it may result in the loss of production of pure species, but proposed to continue the existing policy of allowing hybridization if production would otherwise be lost, provided that the hybrid is either imprinted on humans (hand-raised in isolation from the sight of other raptors from 2 weeks of age until fully feathered), or surgically sterilized. Among those comments supporting sale, the prohibition on the sale of hybrids was universally criticized as too restrictive.

The comments opposed to the prohibition on the sale of hybrids made several salient arguments: the prohibition is unenforceable because hybrids can be difficult to distinguish from pure species; the prohibition itself would lead to the falsification of

pedigree records; when semen from the same and different species is used during successive artificial inseminations it is difficult to determine whether a hybrid has occurred; hybrids can satisfy the demand for birds by falconers that would otherwise be met by taking pure species from the wild, resulting in less recruitment pressure on wild populations; as many propagators argued, current hybridization is the product of necessity and will be of short duration and as soon as propagators replace their existing stock with pure genotypes, the production of interspecific hybrids will decline; and the demand for hybrids as breeders should be lower because of their poor reproductive potential. As one comment put it, "[For falconry purposes] a pure peregrine is * * * far superior [to a peregrine hybrid]."

Those comments that criticized hybridization in general asked in essence, "What is going to happen when, over a period of years, a significant number of hybrids escape from falconers to the wild? The Service believes that the contamination or pollution of gene pools in wild populations will not occur, as some comments thought might happen.

First, as noted above, hybrids must be imprinted on humans or surgically sterilized, either of which virtually eliminates any possibility of reproduction. Second, no intentional release to the wild is permitted. Third, the chance of escapees surviving in the wild is more remote than it is for unaltered pure species. The occasional loss of a hybrid would be a random phenomenon, primarily resulting from their use in falconry.

The likelihood that a critical density of hybrids would occur in a discrete geographic region and generate a nucleus of breeding hybrids is very small. Even when establishment of a breeding population is the objective of a major program, raptor breeding populations are difficult to establish. As one comment noted:

In the late 1960's and early 1970's, scientists at Cornell University, assisted by other Universities, government agencies, and the falconry community at large in the U.S., set out to establish a captive bred population of peregrine falcons in the wild. To this end a specific program was designed to achieve this objective which included the mass release of peregrines in designated areas, both east of the Mississippi River and in the Rocky Mountains. [The genetic background of peregrine falcons intentionally released to the wild that are now established in the eastern U.S. include representatives of breeding populations from Chile and Spain as

well as those from the Pacific Coast and arctic regions of North America.)

During the program, over 600 captive bred falcons were released, which has resulted in establishing 10 pairs of falcons or approximately 3% of the released population.

It is important to keep in mind that these birds were released specifically to establish a wild population, and every effort was made to enhance the survival of the birds to reproductive age. Special release towers were constructed and natural eyrie sites were used to release large numbers of falcons in order to create a critical mass of individuals in certain geographic regions. The outcome being a few males and females surviving to a mature reproductive age, and then finding one another to mate and rear young. This program currently involves a significant effort by hundreds of people throughout the eastern and western U.S., and requires a significant level of funding, now in excess of \$500,000.

Finally, available information shows that the reproductive potential of hybrids declines sharply even when backcrossed to parental stock.

To repeat, even if a hybrid did escape to the wild, imprinting, surgical sterilization, the limited reproductive capacity of hybrids, the ability to form a territory in the wild state, are all factors which make any fear of wild population contamination or pollution unfounded. Thus, the Service has concluded that the advantages gained by permitting the sale of hybrids outweigh any likely disadvantages. For these reasons, the Service has removed the restriction on the sale of hybrids from the final rule.

Authorization To Take Raptors or Raptor Eggs From the Wild for Propagation Purposes

The Service proposed to provide limited authority to propagators to take from the wild if requested to do so by the applicant and if approved by the Service. Such authority would be provided by the Service only after reviewing the following factors: (1) Whether issuance of the permit would have a significant effect on any wild population of raptors; (2) whether suitable captive stock is available; and (3) whether wild stock is needed to enhance the genetic variability of captive stock.

Several comments felt these criteria did not go far enough and suggested the following criteria to replace or supplement the proposed criteria: (1) No eggs may be taken from the wild because portable incubators are unreliable and because it is not possible to determine the sex of an egg and thereby insure that it is the proper sex for the propagator's needs; (2) only young birds may be taken (nestlings or passage birds) because the taking of older birds may disrupt breeding pairs; and (3) no breeders should take more

than two birds of any species during any three-year period so that unsuccessful breeders would not resort to wild populations time and time again.

The Service has not modified the criteria in the final rule, although additional restrictions may be incorporated in future Service guidelines on the issuance of raptor propagation permits. An initial period without the additional proposed restrictions will enable the Service to judge whether additional restrictions are advisable. If such taking appears to be having an adverse effect, the Service will impose such additional conditions on permits as are appropriate, or may deny authorization to take from the wild altogether. Most raptors currently possessed for breeding have been previously taken from the wild for falconry and transferred to propagators or obtained as the result of captive breeding. The final rule is not expected to result in the taking of many additional raptors from the wild. When necessary to do so, most will be acquired as eggs or eyasses. This removal should not jeopardize wild populations owing to the small number required and the high natural mortality that the stock would otherwise have incurred had it remained in the wild. It is possible that the taking of eggs or young could result in successful renesting or serve to enhance the survival of siblings and, thus, further mitigate any loss to wild populations.

Sale of Semen Collected From Lawfully Possessed Raptors

The proposal prohibited the sale of semen. A number of comments felt such sale should be permitted because semen is required for artificial insemination to prevent loss of production and if it can be sold more should be available. Also, it is costly to properly handle semen to insure its viability. Of even more importance is that research is being carried on with regard to raptor semen freezing, and long-term semen banks. The benefits of such a program for raptors (as well as other species) is obvious; however, there will be costs involved—such as laboratory work, freezing and maintenance costs, container and shipping fees, etc., that have to be recovered to make such research successful and eventually practicable. Therefore, the Service has authorized the sale of semen. However, the Service cautions that semen cannot be lawfully collected from raptors in the wild without special authorization under either a special purpose permit (50 CFR 21.27) or a scientific collecting permit (50 CFR 21.23). In addition, a permit issued under 50 CFR Part 17 is required to collect semen from endangered or

threatened species. Semen collected under these permits cannot be sold.

Comment From State Wildlife Conservation Agencies

The Service received comments from 26 State agencies, which were about equally divided between those that favored and those that opposed the sale of captive-bred raptors. Many of the States indicated that additional restrictions or prohibitions would be imposed under State law. Falconers and propagators should become acquainted with State law because of the fact that each State retains the right under the MBTA to enact more restrictive State laws. Under section 708 individual States are not prevented from "making or enforcing laws or regulations which shall give further protection to migratory birds, their nests, and eggs. . . . Because the MBTA prohibits States from enacting less restrictive laws, but enables States to freely enact more restrictive ones, the Service has not adopted comments of those States that called for more restrictions. Those States which wish to be more restrictive may do so under State law.

Recordkeeping

Propagators are required to maintain complete and accurate records of any raptor or raptor eggs acquired, possessed, sold, exported, or otherwise disposed of, together with known ancestral lineage of stock by area of natal origin. All records would be available to the Service during reasonable hours for inspection and the permittee would have to retain them for 5 years from the date the permit is issued.

Many comments found the recordkeeping requirements too detailed, complicated, and confusing. As they appeared in the proposal, the Service agrees that the requirements would be perceived as overwhelming. The Service has developed a format for maintaining these records that is much less complicated. Use of the Service's form is voluntary, not mandatory. These forms will be available when raptor propagation permits are issued.

Several comments said the Service should not get involved in the "pedigree" of any species. The Service disagrees. Specific information about a captive-bred bird is very important, particularly if the purchaser is buying a specific genotype for intentional release to the wild. This information also will assist an exporter in identifying specimens which qualify as captive-bred under CITES, and assist the Service's Office of Scientific Authority

in making any required "no detriment" finding.

Other Provisions in the Final Rule

1. *Seamless markers.* The Federal raptor marker (i.e., band) the Service now uses to identify raptors held by propagators and falconers is an adjustable device that can be placed on raptors of any age. Because it is partially constructed of nylon, it wears out and breaks, and must be replaced. Although designed to be nonreusable, it is not tamper-proof. When certain modifications are made, it may be reused. Although the present marker has proven acceptable for management of birds held for falconry and propagation, the Service opposes its use on raptors that may be sold, purchased, or bartered.

Under this rule, a captive-bred raptor is eligible for sale purchase, or barter only if a seamless leg marker is attached. A seamless leg marker is a one-piece metal ring that is placed on the leg of a young bird over its foot. As the bird's foot grows, the marker becomes fixed above the foot. The marker cannot be removed without damaging its one-piece construction or injuring the bird. The opening or diameter of the marker is small enough to prevent its use on older birds. As a result, a seamless marker serves as a tamper-proof means of permanently identifying captive-bred raptors. In conjunction with this final rule, the Service has developed an aluminum seamless marker in 10 sizes with the inside diameter varying from 4.3mm ($1\frac{1}{4}$ inch) to 16mm ($\frac{5}{8}$ inch).

There are problems associated with the use of seamless markers, however, because of the proportionally greater foot size of some raptors, the need to disturb naturally breeding pairs to attach the marker that could lead to loss of production and injury, and in some situations, incompatibility with falconry equipment. Considering these possible problems with seamless markers, the Service will not require one to be attached to each captive-bred raptor. The placement of a seamless marker on a bird would be voluntary. But only raptors on which a seamless marker is fixed can be sold, purchased, or bartered.

As noted above, some States may prohibit the sale of captive-bred raptors. Propagators in those States may still wish to qualify captive-bred raptors for sale by affixing a seamless marker. Because mere eligibility would not violate a State prohibition on sale, the Service will issue seamless markers to propagators in States that prohibit sale. Then, if a propagator changes residence

to a State that permits sale or if the law is changed to allow sale in the propagator's home State, the birds should be eligible for sale.

Although the exact procedure that the Service will follow to issue seamless markers is still being developed, the propagator will be responsible for selecting the proper size for his/her birds. The Service has identified the typical application of certain size seamless markers by species, but the propagator remains ultimately responsible for selecting the proper size. If a seamless marker has to be removed from a raptor for any reason, the raptor is no longer eligible for sale, even if it has to be removed because the seamless marker is causing injury to the raptor. No exceptions will be granted to enable a raptor to retain eligibility for sale after a seamless marker has been removed.

Strict accountability for all seamless markers has also been included in the final rule. Used seamless markers must be returned to the Service to assist in insuring the integrity of seamless markers.

2. *Golden eagles.* The scope of the final rule extends to all species of raptors (as now defined in 50 CFR 21.3) and their hybrids that are listed in 50 CFR 10.13, except bald and golden eagles. The Eagle Protection Act (16 U.S.C. 668-688d) makes no provisions for the sale, purchase, barter, import, or export of bald or golden eagles for any purpose, nor the possession of bald eagles for falconry. Regulations governing these eagles are found in 50 CFR Part 22 and are not addressed in this final rule.

3. *Comparison to waterfowl sale and disposal permits (50 CFR 21.25).* Several comments argued that regulations governing the disposal of captive-bred raptors should be no more restrictive than for captive-bred waterfowl as is currently provided under 50 CFR 21.25. Transfer and sale of captive-bred waterfowl or eggs may be made by any person with a Waterfowl Sale and Disposal Permit to any person without a permit, provided that the stock is properly marked and a Notice of Waterfowl Sale or Transfer documents the transaction. The person acquiring captive-bred waterfowl may possess this stock for personal use, but may not transfer it or any progeny to another person without first obtaining a Waterfowl Sale and Disposal Permit. The Service believes that any comparison between waterfowl propagation and raptor propagation is inappropriate. Raptors occur in far fewer numbers in the wild, their breeding rates are naturally low, their care in captivity requires more

experience, and they are more likely to have breeding interrupted by disturbances that occur while in captivity.

Also, this final rule attempts to insure that raptors are used only for falconry, propagation, and other approved purposes and not as household pets. An open-ended permit would destroy this goal. The Service also wants to control the intentional release of captive-bred raptors so that the health of wild populations is not jeopardized.

4. *Issuance of new raptor propagation permits.* New raptor propagation permits cannot be issued until the final rule becomes effective. Seamless markers will not be issued until a propagator has received a new permit issued under 50 CFR 21.30. Anyone now engaged in raptor propagation under a special purpose permit may continue to do so until the permit expires. Anyone who wishes to use a seamless marker, however, must obtain a new permit.

5. *Section 7 consultation under the ESA.* An evaluation of this action was completed in accordance with the Intra-Service Consultation Procedures, which resulted in the conclusion that this final rule will not affect species listed under the ESA.

Paperwork Reduction Act

The information collection requirement(s) contained in 50 CFR 21.30 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1018-0022.

Primary Author

The primary author of this final rule is John T. Webb, Division of Law Enforcement, U.S. Fish and Wildlife Service, Washington, D.C.

Determinations of Effects of Rules

The Department of the Interior has determined that this is not a major rule under Executive Order 12291. The Department has also certified that the rule will not have significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). It is unlikely that more than 200 raptor propagators and 1,000 other permittees would be affected by the proposed action. Raptor propagators may be able to recover operating costs and earn a profit. The sale and purchase of raptors would be limited to live captive-bred raptors identified by a numbered, seamless marker provided or authorized by the Service. Commercial taking or sale of raptors from the wild would continue to be prohibited as would the sale of any

captive-bred stocks not banded by a seamless marker. Properly identified captive-bred raptors may enter domestic and export markets. However, only those persons authorized by law to possess raptors for scientific, educational, or falconry purposes may acquire or dispose of these species. As discussed below, the provision to allow export and sale may result in higher prices for certain species. Falconers who desire to obtain those species which are not locally available from the wild may find it less costly to purchase captive-bred stocks. However, the foreign demand for large falcons may increase the domestic prices to a level beyond the reach of most U.S. falconers. If this occurs, it is likely to be of short-term duration owing to economic factors that should encourage further captive breeding and reduce the demand for such species. Public resource agencies may find it more cost effective to purchase raptors for release to the wild than to contract for propagation without assurance that production will occur. These determinations are discussed in more detail in a Determination of Effects which has been prepared by the Service. A copy of that document may be obtained by contacting one of the persons identified above under the caption "FOR FURTHER INFORMATION CONTACT."

National Environmental Policy Act

An environmental assessment has been prepared in conjunction with this action by the Service's Office of Migratory Bird Management. It is on file in the Division of Law Enforcement, 1375 K Street, N.W., Suite 300, Washington, D.C., and may be examined during regular business hours. Single copies are also available upon request by contacting one of the persons identified above under the caption "FOR FURTHER INFORMATION CONTACT." This assessment forms the basis for the decision that this final rule is not a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969.

List of Subjects

50 CFR Part 13

Administrative practice and procedure, Exports, Fish, Imports, Penalties, Reporting and recordkeeping requirements, Wildlife

50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

50 CFR Part 21

Exports, Imports, Reporting and recordkeeping requirements, Wildlife.

Regulation Promulgation

For the reasons set out in the preamble, Subchapter B, Chapter I of Title 50, Code of Federal Regulations is amended as follows:

PART 13—GENERAL PERMIT PROCEDURES

1. The authority citation for Part 13 reads as follows:

Authority: 18 U.S.C. 42; sec. 4, Pub. L. 97-79, 95 Stat. 1074 (16 U.S.C. 3373); sec. 7, Pub. L. 97-78, 95 Stat. 1078 (16 U.S.C. 3376); sec. 3, Pub. L. 95-188, 40 Stat. 755 (16 U.S.C. 704); sec. 3(h)(3), Pub. L. 95-616, 92 Stat. 3112 (16 U.S.C. 712); sec. 2, 54 Stat. 251, as amended by sec. 9, Pub. L. 95-616, 92 Stat. 3114 (16 U.S.C. 668a); sec. 102, 76 Stat. 73 (19 U.S.C. 1202, "Schedule 1, Part 15D, Headnote 2(d), Tariff Schedules of the United States"; sec. 9(d), Pub. L. 93-205, 87 Stat. 893 (16 U.S.C. 1538(d)); sec. 6(a)(1), Pub. L. 96-159, 93 Stat. 1228 (16 U.S.C. 1537a); E.O. 11911, 41 FR 15683, 3 CFR, 1976 Comp., p. 112; sec. 10, Pub. L. 93-205, 87 Stat. 896, as amended by secs. 2 and 3, Pub. L. 94-359, 90 Stat. 3760; sec. 7, Pub. L. 96-359, 90 Stat. 911 and 912; sec. 5, Pub. L. 95-632, 92 Stat. 3760; sec. 7, Pub. L. 96-159, 93 Stat. 1230 (16 U.S.C. 1539); sec. 11, Pub. L. 93-205, 87 Stat. 897, as amended by sec. 6(4), Pub. L. 95-632, 92 Stat. 3761 (16 U.S.C. 1540(b)(2)(f); sec. 13(d), 86 Stat. 905, amending 85 Stat. 480 (16 U.S.C. 742-1); Title I, sec. 112, Pub. L. 92-522, 86 Stat. 1042, as amended by Title II, sec. 201(e), Pub. L. 96-470 94 Stat. 2241 (16 U.S.C. 1382); 65 Stat. 290 [31 U.S.C. 483(a)].

2. Amend § 13.12(b) by adding the following entry in numerical order under "Migratory bird permits:"

§ 13.12 Information requirements on permit applications.

(b) * * *

"Raptor propagation permit * * *

21.30"

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

3. The authority citation for Part 17 is revised to read as follows:

Authority: Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411 (16 U.S.C. 1531 et seq.).

4. Amend the table of contents by adding the following entry in numerical order under Subpart A of the table of contents:

Subpart A—Introduction and General Provisions

Sec. * * *

17.7 Raptor exemption.

5. Add a new § 17.7 to read as follows:

§ 17.7 Raptor exemption.

(a) The prohibitions found in §§ 17.21 and 17.31 do not apply to any raptor [a live migratory bird of the Order *Falconiformes* or the Order *Strigiformes*, other than a bald eagle (*Haliaeetus leucocephalus*) or a golden eagle (*Aquila chrysaetos*)] legally held in captivity or in a controlled environment on November 10, 1978, or to any of its progeny, which is—

(1) Possessed and banded in compliance with the terms of a valid permit issued under Part 21 of this chapter; and

(2) Identified in the earliest applicable annual report required to be filed by a permittee under Part 21 of this chapter as in a permittee's possession on November 10, 1978, or as the progeny of such a raptor.

(b) This section does not apply to any raptor intentionally returned to the wild.

PART 21—MIGRATORY BIRD PERMITS

6. The authority citation for Part 21 reads as follows:

Authority: Migratory Bird Treaty Act, sec. 3, Pub. L. 95-188, 40 Stat. 755 (16 U.S.C. 704); sec. 3(h)(3), Pub. L. 95-616, 92 Stat. 3112 (16 U.S.C. 712).

7. Amend the table of contents by adding the following entries in numerical order:

Subpart A—Introduction

Sec. * * *

21.3 Definitions

Subpart C—Specific Permit Provisions

21.30 Raptor propagation permits.

8. Add § 21.3 to Subpart A to read as follows:

§ 21.3 Definitions.

In addition to definitions contained in Part 10 of this chapter, and unless the context requires otherwise, as used in this part:

"Bred in captivity" or "captive-bred" refers to raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

"Captivity" means that a live raptor is held in a controlled environment that is intensively manipulated by man for the purpose of producing raptors of selected species, and that has boundaries designed to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment. General characteristics of captivity may include, but are not limited to, artificial housing, waste removal, health care, protection from predators, and artificially supplied food.

"Falconry" means the sport of taking quarry by means of a trained raptor.

"Raptor" means a live migratory bird of the Order *Falconiformes* or the Order *Strigiformes*, other than a bald eagle (*Haliaeetus leucocephalus*) or a golden eagle (*Aquila chrysaetos*).

9. Section 21.28 is amended by removing and reserving paragraph (a) and revising paragraph (e)(2) to read as follows:

§ 21.28 Falconry permits.

(a) [Reserved]

(e) * * *

(2) Any permittee may—

(i) Transfer any raptor to another permittee if the transaction occurs entirely within a State and no money or other consideration is involved;

(ii) Transfer any raptor to another permittee in an interstate transaction if the prior written approval of all State agencies which issued the permits is obtained and no money or other consideration is involved in the transaction; or

(iii) Purchase, sell, or barter any lawfully possessed raptor which is bred in captivity under authority of a raptor propagation permit issued under § 21.30 and banded with a numbered seamless marker issued or authorized by the Service, subject to the following additional conditions:

(A) The person who receives any raptor by transfer, purchase, sale, or barter must be authorized to possess it under this part, or, if in a foreign country, must be authorized to receive it by the competent wildlife management authority of his/her country of residence or domicile after the competent wildlife management authority of that country has certified in writing that the recipient is an experienced falconer or raptor propagator who is required to maintain any raptors in his/her possession under conditions that are comparable to the conditions under which a permittee must maintain raptors under § 21.29 or § 21.30; and

(B) The permittee who transfers, purchases, or sells, or barter any raptor must have acquired the raptor from a

person authorized to possess it, and, if acquired from a person in the U.S., that person must be authorized to possess it under this part.

10. Amend § 21.29 by revising paragraphs (e)(1)(iv), (e)(3)(ii), (e)(3)(iii), and (e)(3)(v):

§ 21.29 Federal falconry standards

(e) * * *

(1) * * *

(iv) Permittee shall possess only the following raptors which must be taken from the wild: an American kestrel (*Falco sparverius*), a red-tailed hawk (*Buteo jamaicensis*), a red-shouldered hawk (*Buteo lineatus*), or, in Alaska only, a goshawk (*Accipiter gentilis*).

(3) * * *

(ii) A permittee may not possess more than three raptors and may not obtain more than two raptors taken from the wild for replacement birds during any 12-month period;

(iii) A permittee may not take any species listed as endangered in Part 17 of this chapter, but may transport or possess such species in accordance with Part 17 of this chapter.

(v) A permittee may not take, in any twelve (12) month period, as part of the three-bird limitation, more than one raptor listed as threatened in Part 17 of this chapter, and then only in accordance with Part 17 of this chapter.

11. Add § 21.30 to Subpart C to read as follows:

§ 21.30 Raptor propagation permits.

(a) *Permit requirement.* A raptor propagation permit is required before any person may take, possess, transport, sell, purchase, barter, or transfer any raptor, raptor egg or raptor semen for propagation purposes. The information collection requirements contained within this section have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1018-0022. This information is being collected to provide information necessary to evaluate permit applications. This information will be used to review permit applications and make decisions, according to the criteria established in this section for the issuance or denial of such permits. The obligation to respond is required to obtain or retain a permit.

(b) *Application procedures.* Applications for raptor propagation permits must be submitted to the appropriate Special Agent in Charge (See § 13.11(b) of this chapter). Each application must contain the general information and certification required

by § 13.12(a) of this chapter, plus the following additional information:

(1) A statement indicating the purpose(s) for which a raptor propagation permit is sought and, where applicable, the scientific or educational objectives of the applicant;

(2) A statement indicating whether the applicant has been issued a State permit authorizing raptor propagation (include name of State, permit number, and expiration date);

(3) A statement fully describing the nature and extent of the applicant's experience with raptor propagation or handling raptors;

(4) A description of each raptor the applicant possesses or will acquire for propagation purposes to include the species, age (if known), sex (if known), date of acquisition, source, and raptor marker number;

(5) A description of each raptor the applicant possesses for purposes other than raptor propagation to include the species, age (if known), sex (if known), date of acquisition, source, raptor marker number, and purpose for which it is possessed;

(6) A description and photographs of the facilities and equipment to be used by the applicant including the dimensions of any structures intended for housing the birds;

(7) A statement indicating whether the applicant requests authority to take raptors or raptor eggs from the wild.

(c) *Issuance criteria.* Upon receiving an application completed in accordance with paragraph (b) of this section, the Director will decide whether a permit should be issued. In making this decision, the Director shall consider, in addition to the general criteria in § 13.21(b) of this chapter, the following factors:

(1) Whether an applicant's raptor propagation facilities are adequate for the number and species of raptors to be held under the permit.

(2) Whether propagation is authorized by the State in which the propagation will occur, and if authorized, whether the applicant has any required State propagation permit.

(3) Whether the applicant is at least 18 years old with a minimum of 2 years experience handling raptors of the species to be propagated, and if the applicant requests authority to propagate endangered or threatened species, whether the applicant is at least 23 years old with a minimum of 7 years experience handling raptors of the species to be propagated.

(4) If the applicant requests authority to take raptors or raptor eggs from the wild—

(i) Whether issuance of the permit would have a significant effect on any wild population of raptors;

(ii) Whether suitable captive stock is available; and

(iii) Whether wild stock is needed to enhance the genetic variability of captive stock.

(d) *Additional permit conditions.* In addition to the general conditions found in Part 13 of this chapter, raptor propagation permits are subject to the following additional conditions:

(1) *Facilities.* Any tethered raptor possessed under this permit must be maintained in accordance with the Federal falconry standards for "facilities and equipment" described in § 21.29(g), unless a specific exception in writing is obtained. For untethered raptors, the breeding facilities must be soundly constructed and entirely enclosed with wood, wire netting, or other suitable material which provides a safe, healthy environment. The design of such facilities and ancillary equipment must—

(i) Minimize the risk of injury by providing protection from predators, disturbances that would likely cause harm, extreme weather conditions, and collision with interior or perimeter construction materials and equipment such as support poles, windows, wire netting, perches, or lights;

(ii) Enhance sanitation by providing a well-drained floor, fresh air ventilation, source of light, fresh water for bathing and drinking, access for cleaning, and interior construction materials suitable for thorough cleaning or disinfection; and

(iii) Enhance the welfare and breeding success of the raptors by providing suitable perches, nesting and feeding sites, and observation ports or inspection windows during times when disturbance is felt to be undesirable.

(2) *Incubation of eggs.* Each permittee must notify the Director in writing within 5 days from the day the first egg is laid by any raptor held under a raptor propagation permit, but notice is not required more often than once every 60 days.

(3) *Marking requirement.* Every raptor possessed under this permit must be banded with a numbered, nonreusable marker provided by the Service or with a marker provided by the competent wildlife management authority of a foreign country that meets the following Service marking standards:

(i) Any raptor taken from the wild or hatched from an egg taken from the wild must be banded with a black, adjustable marker.

(ii) Any captive-bred raptor must be banded by 2 weeks of age with either a

yellow adjustable marker or a numbered seamless marker.

(iii) Any permittee who wants to use a numbered seamless marker provided by the Service—

(A) Must place the marker on the raptor's leg (*metatarsus*) before full growth is attained;

(B) Must use as a marker with an opening (diameter) which is small enough to prevent its removal when the raptor is fully grown without causing serious injury to the raptor or damaging the marker's integrity or one-piece construction;

(C) May band a raptor with more than one size marker when the potential diameter of the raptor's leg at maturity cannot be determined at the time of banding; and

(D) Must remove all but one marker from any raptor with more than one marker before the raptor is 5 weeks of age and immediately return each marker that is removed to the Director.

(iv) Each permittee must submit a report of marking to the Director within 5 days of such activity. The report must contain the date of marking; marker number(s); and the species, sex and age of the raptor.

(4) *Taking Raptors or Raptor Eggs from the Wild.* Any permit authorizing the permittee to take raptors or raptor eggs from the wild for propagation purposes is subject to the following additional restrictions:

(i) The State in which the raptors or raptor eggs are taken must authorize the permittee in writing to take raptors or raptor eggs from the wild for propagation purposes; and

(ii) No raptor listed in § 17.11 of this chapter as "endangered" or "threatened" may be taken from the wild without first obtaining the proper permit under Part 17 of this chapter.

(5) *Transfer, purchase, sale, or barter of raptors, raptor eggs, or raptor semen.*

(i) A permittee may transfer any lawfully possessed raptor, raptor egg, or raptor semen to another permittee or transfer any raptor to a falconer who holds a valid State falconry permit if no money or other consideration is involved.

(ii) A permittee may transfer, purchase, sell, or barter any raptor which is banded with a numbered seamless marker provided or authorized by the Service, subject to the following conditions:

(A) When the permittee purchases from, sells to, or barter with any person in the U.S., that person must be authorized under this part to purchase, sell, or barter captive-bred raptors;

(B) When the permittee purchases from or barter with any person in a

foreign country, that person must be authorized by the competent wildlife management authority of the foreign country in which the transaction occurs to sell or barter captive-bred raptors; and

(C) When the permittee transfers to, sells to or barter with any person in a foreign country, that person must be authorized to possess, purchase or barter captive-bred raptors by the competent wildlife management authority of his/her country of residence or domicile and the same wildlife management authority must certify in writing that the recipient is an experienced falconer or raptor propagator who is required to maintain any raptors in his/her possession under conditions that are comparable to the conditions under which a permittee must maintain raptors under § 21.29 or § 21.30. No certification is required if the competent wildlife management authority itself is the recipient of captive-bred raptors for conservation purposes.

(iii) No raptor may be traded, transferred, purchased, sold, or bartered until it is two weeks old and only after it is properly banded with a nonreusable marker provided or authorized by the Service, unless it is transferred, sold, or bartered to a State or Federal wildlife management agency for conservation purposes.

(iv) A permittee may purchase, sell, or barter semen collected from any captive-bred raptor.

(v) A permittee may not purchase, sell or barter any raptor eggs, any raptors taken from the wild, any raptor semen collected from the wild, or any raptors hatched from eggs taken from the wild.

(6) *Use in falconry.* Permittees may use a raptor possessed for propagation in the sport of falconry only if such use is designated in both the propagation permit and the permittee's State falconry permit.

(7) *Interspecific hybridization.* Hybridization between species (interspecific hybridization) is authorized only if each raptor produced by interspecific hybridization is either imprinted on humans (hand-raised in isolation from the sight of other raptors from two weeks of age until it is fully feathered) or surgically sterilized.

(8) *Possession of dead raptors, non-viable eggs, nests, and feathers.* (i) Upon the death of any raptor held under permit, a permittee must remove the marker and immediately return it to the Director. The carcass must be destroyed immediately, unless the permittee requests authorization from the Director to retain possession of it. A permittee

who has obtained written authorization from the Director to retain possession of the carcass may transfer it to any other person authorized by the Service to possess it, provided no money or other consideration is involved.

(ii) A permittee may possess addled or blown eggs, nests, and feathers from raptors held under permit and may transfer any of these items to any other person authorized by the Service to possess them provided no money or other consideration is involved.

(9) *Intentional release to the wild.* (i) A permittee must obtain written authorization from the Director before intentionally releasing any raptor to the wild. The raptor marker must be removed from each bird and immediately returned to the Director. A Federal bird band must be attached to each raptor by a person designated by the Director before its release.

(ii) No raptor produced by interspecific hybridization may be intentionally released to the wild.

(10) *Recordkeeping.* A permittee must maintain complete and accurate records of all operations, to include the following:

(i) Acquisition of raptors, eggs, or semen from sources other than production.

(A) Description of stock:

(1) Species, sex, age of each (if applicable),

(2) Genotype-natal area (geographical breeding site or area that captive stock represents, e.g., Colville River, Alaska; unknown; migrant taken in Maryland, etc.), and

(3) Marker number (if applicable).

(B) Type of stock (including number or amount):

(1) Semen,
(2) Egg, or
(3) Bird.

(C) How acquired:

(1) Purchase, barter, or transfer (include the purchase price or a description of any other consideration involved), or

(2) Taken from the wild.

(D) Date acquired: month, day, and year.

(E) From whom or where stock acquired:

(1) Name, address, and permit number of seller, barterer, or transferor; or

(2) Location where stock taken from the wild.

(ii) Disposition of raptors, eggs, or semen.

(A) Description of stock:

(1) Species, sex, age of each (if applicable),

(2) Genotype-natal area (geographical breeding site or area that captive stock represents, e.g., Colville River, Alaska; unknown; migrant taken in Maryland, etc.), and

(3) Marker number (if applicable).

(B) Type of stock (including number or amount):

(1) Semen,
(2) Egg, or
(3) Bird.

(C) Manner of disposition:

(1) Sale, barter, or transfer (include the sale price or a description of any other consideration involved),

(2) Live loss,

(3) Intentional release to the wild, or

(4) Death.

(D) Date of disposition: month, day, and year.

(E) To whom or where stock disposed:

(1) Name, address, and permit number of purchaser, barterer, or transferee, or

(2) Description and location of other disposition.

(iii) Production and pedigree record.

(A) Mother and father(s):

(1) Species,

(2) Genotype-natal area, and

(3) Marker number.

(B) Insemination:

(1) Natural,

(2) Artificial, or

(3) Combined.

(C) Eggs laid:

(1) Total,

(2) First date, and

(3) Last date.

(D) Eggs hatched:

(1) Total,

(2) First date, and

(3) Last date.

(E) Young raised to 2 weeks of age:

(1) Total produced, and

(2) Marker number and date marked for each raptor.

(11) *Annual report.* A permittee must submit an annual report by January 31 of each year for the preceding year to the Director. The report must include the following information for each species possessed by the permittee:

(i) Number of raptors possessed as of December 31.

(ii) Number of females laying eggs.

(iii) Number of eggs laid.

(iv) Number of eggs hatched.

(v) Number of young raised to 2 weeks of age.

(vi) Number of raptors sold or bartered by species.

(e) *Tenure of permit.* The tenure of raptor propagation permits is 5 years from the date of issuance, unless a shorter period of time is prescribed in the permit.

Dated: May 2, 1983.

J. Craig Potter,

Acting Assistant Secretary for Fish and Wildlife and Parks.

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