

(8) Performance data must demonstrate sterility of all patient-contacting components labeled as sterile. If the device contains reusable eye-contact components, the validation tests must demonstrate adequate cleaning and reprocessing of these components.

(9) Labeling must include:

(i) A detailed description of the patient population for which the device is indicated for use, as well as warnings, and precautions regarding potential for device malfunction and use-error pertinent to use of the device.

(ii) A detailed summary of the clinical testing, including study outcomes and adverse events.

(iii) Information on how the device operates and the typical course of treatment.

(iv) Description of all main components of the device including HIFU generator, transducer(s), and controls. The labeling must include the technical specifications of the device including, but not limited to, treatment frequency, total acoustic power delivered by transducer, treatment duration, treatment zone, site targeting, power requirements, weight, and physical dimensions of the device.

(v) Where appropriate, validated methods and instructions for reprocessing of any reusable components.

(vi) Safe-use conditions for electrical safety and electromagnetic compatibility.

Dated: May 14, 2024.

Lauren K. Roth,

Associate Commissioner for Policy.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2024-0368]

Special Local Regulations; Marine Events Within the Sector Columbia River Captain of the Port Zone

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce special local regulations at various locations in the Sector Columbia River Captain of the Port Zone from May 31, 2024, to September 7, 2024. This action is necessary to provide for the safety of life and property on these navigable waters during marine events. During the enforcement periods, the operator of any vessel in the regulated area must comply with the directions from the Patrol Commander or any official patrol vessel.

DATES: The regulations in 33 CFR 100.1302 will be enforced for the regulated areas identified in the **SUPPLEMENTARY INFORMATION** section below for the dates and times specified.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, call or email Lieutenant Charlie Gilligan, Waterways Management Division, Sector Columbia River, Coast Guard; telephone 503-240-9319, email SCRWWM@USCG.MIL.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce special local regulations in 33 CFR 100.1302 for the following events during the hours specified on the dates listed in the following table:

TABLE—DATES AND TIMES OF ENFORCEMENT OF 33 CFR 100.1302 SPECIAL LOCAL REGULATIONS AT VARIOUS LOCATIONS IN THE SECTOR COLUMBIA RIVER CAPTAIN OF THE PORT ZONE IN 2024

No.	Date	Event	Location
1	May 31, 2024, from 5:30 a.m. to 6:30 p.m.	Spring Testing Hydroplane races.	Kennewick, WA. Regulated area includes all navigable waters within the Columbia River in the vicinity of Columbia Park, commencing at the Interstate 395 Bridge and continuing upriver approximately 2.0 miles and terminating at the northern end of Wade Island.
2	June 8, 2024, through June 9, 2024, from 6:30 a.m. to 6:30 p.m.	Rose Fest Dragon Boat Races	Portland, OR. Regulated area includes all waters of the Willamette River shore to shore, bordered on the north by the Hawthorne Bridge, and on the south by the Marquam Bridge.
3	June 15, 2024, through June 16, 2024, from 7:30 a.m. to 6:30 p.m.	Richland Regatta	Richland, WA. Regulated area includes all navigable waters of the Columbia River in the vicinity of Howard Amon Park, between River Miles 337 and 338.
4	July 13, 2024, from 8:30 a.m. to 7:30 p.m.	The Big Float, group inner-tube float.	Portland, OR. Regulated area includes all navigable waters of the Willamette River, in Portland, Oregon, enclosed by the Hawthorne Bridge, the Marquam Bridge, and west of a line beginning at the Hawthorne Bridge at approximate location 45°30'50" N.; 122°40'21" W., and running south to the Marquam Bridge at approximate location 45°30'27" N.; 122°40'11" W.
5	July 26, 2024, through July 28, 2024, from 5:30 a.m. to 6:30 p.m.	Kennewick Hydroplane Races	Kennewick, WA. Regulated area includes all navigable waters within the Columbia River in the vicinity of Columbia Park, commencing at the Interstate 395 Bridge and continuing upriver approximately 2.0 miles and terminating at the northern end of Wade Island.
6	August 10, 2024, from 10:30 a.m. to 1:30 p.m.	Swim the Snake	Perry, WA. Regulated area includes all navigable waters, bank-to-bank of the Snake River, 500 yards upstream and 500 yards downstream from the Washington State Highway 261 Bridge at the approximate position of 46°35'23" N.; 118°13'10" W.
7	September 7, 2024, from 7:30 a.m. to 11:30 a.m.	Columbia Crossing Swim	Pasco, WA. Regulated area includes all navigable waters, bank-to-bank of the Columbia River in Pasco, Washington, between river mile 332 and river mile 335.

All coordinates are listed in the table reference Datum NAD 1983.

During the enforcement periods, as reflected in § 100.1302, if you are the operator of a vessel in the regulated area you must comply with directions from the Patrol Commander or any official patrol vessel. Vessels may not transit the regulated areas without approval from the Patrol Commander. Vessels permitted to transit must operate at a no wake speed, in a manner which will not endanger participants or other crafts in the event. Spectators or other vessels shall not anchor, block, loiter, or impede the transit of event participants or official patrol vessels in the regulated areas during the effective dates and times, or dates and times as modified through Local Notice to Mariners, unless authorized by an official patrol vessel. In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide notification of these enforcement periods via the Local Notice to Mariners and marine information broadcasts.

Dated: May 13, 2024.

J.W. Noggle,

Captain, U.S. Coast Guard, Captain of the Port Sector Columbia River.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R2-ES-2022-0162; FXES1111090FEDR-245-FF09E21000]

RIN 1018-BG22

Endangered and Threatened Wildlife and Plants; Endangered Species Status for the Dunes Sagebrush Lizard

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), determine endangered species status under the Endangered Species Act of 1973 (Act), as amended, for the dunes sagebrush lizard (*Sceloporus arenicolus*), a lizard species found only in southeastern New Mexico and west Texas. This rule extends the protections of the Act to this species. Because we have concluded that the designation of critical habitat for the dunes sagebrush lizard is prudent but not determinable at this time, we will consider critical habitat for the species in a separate, future rulemaking.

DATES: This rule is effective June 20, 2024.

ADDRESSES: This final rule, supporting materials we used in preparing this rule (such as the species status assessment report), and comments and materials we received on the July 3, 2023, proposed rule are available on the internet at <https://www.regulations.gov> under Docket No. FWS-R2-ES-2022-0162.

FOR FURTHER INFORMATION CONTACT: Shawn Sartorius, Field Supervisor, U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office, 2105 Osuna NE, Albuquerque, NM 87113; telephone 505-346-2525. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Executive Summary

Why we need to publish a rule. Under the Act (16 U.S.C. 1531 *et seq.*), a species warrants listing if it meets the definition of an endangered species (in danger of extinction throughout all or a significant portion of its range) or a threatened species (likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range). If we determine that a species warrants listing, we must list the species promptly and designate the species' critical habitat to the maximum extent prudent and determinable. We have determined that the dunes sagebrush lizard meets the Act's definition of an endangered species; therefore, we are listing it as such. As explained later in this document, because the designation of critical habitat for the dunes sagebrush lizard is prudent but not determinable at this time, we will consider critical habitat for the species in a separate, future rulemaking. Listing a species as an endangered or threatened species and designating critical habitat can be completed only by issuing a rule through the Administrative Procedure Act rulemaking process (5 U.S.C. 551 *et seq.*).

What this document does. This rule lists the dunes sagebrush lizard as an endangered species under the Act.

The basis for our action. Under the Act, we may determine that a species is an endangered or threatened species because of any of five factors: (A) The

present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) the inadequacy of existing regulatory mechanisms; or (E) other natural or manmade factors affecting its continued existence. We have determined that the dunes sagebrush lizard is endangered due to the following threats: (1) Habitat loss, fragmentation, and degradation from development by the oil and gas and the frac sand (high-purity quartz sand that is suspended in fluid and injected into wells to blast and hold open cracks in the shale rock layer during the fracking process) mining industries; and (2) climate change and climate conditions, both resulting in hotter, more arid conditions with an increased frequency and greater intensity of drought throughout the species' geographic range.

Section 4(a)(3) of the Act requires the Secretary of the Interior (Secretary), to the maximum extent prudent and determinable, to designate critical habitat concurrent with listing. As explained later in this rule, we find that the designation of critical habitat for the dunes sagebrush lizard is not determinable at this time. The Act allows the Service an additional year to publish a critical habitat designation that is not determinable at the time of listing (16 U.S.C. 1533(b)(6)(C)(ii)).

Previous Federal Actions

Please refer to the proposed listing rule (88 FR 42661; July 3, 2023) for a detailed description of previous Federal actions concerning the dunes sagebrush lizard.

Peer Review

A species status assessment (SSA) team prepared an SSA report for the dunes sagebrush lizard. The SSA team was composed of Service biologists, in consultation with other species experts. The SSA report represents a compilation of the best scientific and commercial data available concerning the status of the species, including the impacts of past, present, and future factors (both negative and beneficial) affecting the species.

In accordance with our joint policy on peer review published in the **Federal Register** on July 1, 1994 (59 FR 34270), and our August 22, 2016, memorandum updating and clarifying the role of peer review in listing actions under the Act, we solicited independent scientific review of the information contained in the dunes sagebrush lizard SSA report. The peer reviews can be found at