

Dated: February 14, 2005.

David L. Scott,

Acting Director of Standards, Marine Safety,  
Security and Environmental Protection.

[FR Doc. 05-3380 Filed 2-18-05; 8:45 am]

BILLING CODE 4910-15-P

## DEPARTMENT OF HOMELAND SECURITY

### Transportation Security Administration

#### Reports, Forms, and Recordkeeping Requirements: Agency Information Collection Activity Under OMB Review; Airport Access Control Pilot Program (AACPP); Satisfaction and Effectiveness Measurement Data Collection Instruments

**AGENCY:** Transportation Security  
Administration (TSA), DHS.

**ACTION:** Notice.

**SUMMARY:** This notice announces that TSA has forwarded the Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for review and clearance of an extension of the currently approved collection under the Paperwork Reduction Act. The ICR describes the nature of the information collection and its expected burden. TSA published a **Federal Register** notice, with a 60-day comment period soliciting comments, of the following collection of information on October 14, 2004, 69 FR 61036.

**DATES:** Send your comments by March 24, 2005. A comment to OMB is most effective if OMB receives it within 30 days of publication.

**ADDRESSES:** Comments may be faxed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: DHS-TSA Desk Officer, at (202) 395-5806.

**FOR FURTHER INFORMATION CONTACT:** Katrina Wawer, Information Collection Specialist, Office of Transportation Security Policy, TSA-9, Transportation Security Administration, 601 South 12th Street, Arlington, VA 22202-4220; telephone (571) 227-1995; facsimile (571) 227-2594.

#### SUPPLEMENTARY INFORMATION:

### Transportation Security Administration (TSA)

*Title:* Airport Access Control Pilot Program (AACPP); Satisfaction and Effectiveness Measurement Data Collection Instruments.

*Type of Request:* Extension of a currently approved collection.

*OMB Control Number:* 1652-0020.

*Form(s):* Enrollment and Satisfaction Surveys.

*Affected Public:* Select group of volunteer airport users at 22 airports in the United States.

*Abstract:* The currently approved satisfaction and effectiveness data collection instruments will continue to gather user information about user attitudes, experiences, and acceptance of the use of biometrics and other evolving technologies in controlling access to various restricted areas of airports.

*Number of Respondents:* 2620.

*Estimated Annual Burden Hours:* An estimated 780 hours annually.

*Estimated Annual Cost Burden:* \$0.00.

TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Issued in Arlington, Virginia, on February 14, 2005.

Lisa Dean,

Privacy Officer.

[FR Doc. 05-3243 Filed 2-18-05; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Proposed Low Effect Habitat Conservation Plan for Michigan Electric Transmission Company, LLC

**AGENCY:** Fish and Wildlife Service,  
Interior.

**ACTION:** Notice of availability.

**SUMMARY:** Michigan Electric Transmission Company, LLC (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for a 5-year incidental take permit for one covered species pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The application addresses the potential for "take" of the endangered Karner blue butterfly (*Lycaeides melissa samuelis*) associated with reconductoring a 4.07-mile segment of electric power

transmission line within this right-of-way segment running from east-central Muskegon County into the southwest corner of Newaygo County, Michigan. A conservation program to mitigate for the project activities would be implemented as described in the proposed Cobb to Brickyard Reconductoring Low Effect Habitat Conservation Plan (proposed Plan), which would be implemented by the Applicant. We are requesting comments on the permit application and on the preliminary determination that the proposed Plan qualifies as a "Low-Effect" Habitat Conservation Plan, eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended.

**DATES:** Written data or comments should be submitted to the Regional Director, U.S. Fish and Wildlife Service, Ecological Services, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, and must be received on or before March 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Peter Fasbender, (612) 713-5343.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

Individuals wishing copies of the application and proposed Plan should contact the Service by telephone at (612) 713-5343 or by letter to the U.S. Fish and Wildlife Office (see **DATES**). Copies of the proposed Plan also are available for public inspection during regular business hours at the U.S. Fish and Wildlife Office (see **DATES**) or at the Service's Regional Web site at: <http://midwest.fws.gov/NEPA>.

#### Background

Section 9 of the Act and its implementing Federal regulations prohibit the take of animal species listed as endangered or threatened. The definition of take under the Act includes the following activities: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). However, under section 10(a) of the Act, the Service may issue permits to authorize incidental take of listed species. "Incidental take" is defined by the Act as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for endangered species are found in the Code of Federal Regulations at 50 CFR 17.22.

The Applicant is seeking a permit for take of the Karner blue butterfly during the life of the permit. The project encompasses reconductoring a 4.07-mile

segment of electric power transmission line within the right-of-way segment. All construction activities will take place within the existing 66-foot-wide utility right-of-way. The reconductoring requires the applicant to replace existing metal towers with new wooden utility poles and hang new power lines on insulators. There are 40 towers spaced between 300 and 400 feet apart that will be replaced with wooden poles. Construction activities are scheduled to occur during winter 2005 and to be completed by early spring. Incidental take will occur within the right-of-way as a result of temporary disturbance to Karner blue butterfly habitat by truck and heavy equipment traffic, cutting and removal of existing towers, boring holes for transmission line support poles, and installation of new poles. The project site does not contain any other rare, threatened, or endangered species or habitat. Critical habitat does not occur for any listed species on the project site.

The Applicant proposes to mitigate the effects to the Karner blue butterfly associated with the covered activities by fully implementing the Plan. The purpose of the proposed Plan's conservation program is to promote the biological conservation of the Karner blue butterfly. The Applicant proposes to mitigate the impacts of taking by creating an additional 1.4 acres of habitat by planting wild lupine and other nectar plants.

The Proposed Action consists of the issuance of an incidental take permit and implementation of the proposed Plan, which includes measures to mitigate impacts of the project on the Karner blue butterfly. Two alternatives to the taking of the listed species under the Proposed Action are considered in the proposed Plan. Under the No Action Alternative, no permit would be issued, and no construction would occur. Under the Alternate Route Alternative, incidental take of the Karner blue butterfly would be authorized, and the applicant would reduce the area of impact but eliminate maintenance. By eliminating maintenance of the corridor, the quality and extent of the existing Karner blue butterfly habitat would diminish through normal ecological succession.

The Service has made a preliminary determination that approval of the proposed Plan qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 6, appendix 1, section 1.4C(2)) and as a "low-effect" plan as defined by the Habitat Conservation Planning Handbook (November 1996). Determination of Low-effect Habitat

Conservation Plans is based on the following three criteria: (1) Implementation of the proposed Plan would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) implementation of the proposed Plan would result in minor or negligible effects on other environmental values or resources; and (3) impacts of the proposed Plan, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result in cumulative effects to environmental values or resources which would be considered significant.

Based upon this preliminary determination, we do not intend to prepare further NEPA documentation. We will consider public comments in making the final determination on whether to prepare such additional documentation.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the proposed Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If the requirements are met, we will issue a permit to Michigan Electric Transmission Company, LLC for the incidental take of the Karner blue butterfly from reconductoring of the Applicant's right-of-way in Muskegon and Newaygo Counties, Michigan.

Dated: January 14, 2005.

**T.J. Miller,**

*Acting Assistant Regional Director, Ecological Services, Region 3.*

[FR Doc. 05-3270 Filed 2-18-05; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Receipt of an Application for an Incidental Take Permit for the Florida Scrub-Jay Resulting From the Proposed Construction of a Single-Family Home in Charlotte County, FL**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** Mr. and Mrs. Glen A. Van Brunt (Applicants) request an incidental take permit (ITP) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (U.S.C. 1531 *et seq.*), as amended (Act). The Applicants anticipate taking about 1.0 acre of occupied Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay)

nesting, foraging, and sheltering habitat, incidental to land clearing of their 5.5-acre lot and subsequent residential construction of a single-family home and supporting infrastructure in Charlotte County, Florida (Project).

The Applicants' Habitat Conservation Plan (HCP) describes the mitigation and minimization measures proposed to address the effects of the Project on the Florida scrub-jay. These measures are outlined in the **SUPPLEMENTARY INFORMATION** section below. The U.S. Fish and Wildlife Service (Service) announces the availability of the HCP and the Environmental Assessment for the ITP application. Copies of the HCP may be obtained by making a request to the Service's Southeast Regional Office (see **ADDRESSES**). Requests must be in writing to be processed. This notice is provided pursuant to Section 10 of the Endangered Species Act and National Environmental Policy Act (NEPA) regulations (40 CFR 1506.6).

The Service specifically requests information, views, and opinions from the public via this Notice on the Federal action. Further, the Service specifically solicits information regarding the adequacy of the HCP as measured against the Service's permit issuance criteria found in 50 CFR Parts 13 and 17.

**DATES:** Written comments on the ITP application, supporting documentation, EA, and HCP should be sent to the Service's Southeast Regional Office (see **ADDRESSES**) and should be received on or before April 25, 2005.

**ADDRESSES:** Persons wishing to review the application, supporting documentation, EA, and HCP may obtain a copy by writing the Service's Southeast Regional Office at the address below. Please reference permit number TE095181-0 in such requests. Documents will also be available for public inspection by appointment during normal business hours at the Southeast Regional Office, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or the Service's South Florida Ecological Services Office, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida, 32960-3559 (Attn: Field Supervisor). Written data or comments concerning the application, supporting documentation, EA, or HCP should be submitted to the Southeast Regional Office. Requests for documentation must be in writing to be processed. Comments must be submitted in writing to be adequately considered in the Service's decision-making process. Please reference permit number