

law. If you wish us to withhold your name and address, you must state this prominently at the beginning of your comments. We will not, however, consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

The Florida scrub-jay (scrub-jay) is geographically isolated from other species of scrub-jays found in Mexico and the western United States. The scrub-jay is found exclusively in peninsular Florida and is restricted to xeric uplands (well-drained, sandy soil habitats supporting a growth of oak-dominated scrub). Increasing urban and agricultural development has resulted in habitat loss and fragmentation, which has adversely affected the distribution and numbers of scrub-jays. The total estimated population is between 7,000 and 11,000 individuals.

The decline in the number and distribution of scrub-jays in central Florida has been exacerbated by agricultural land conversions and urban growth in the past 50 years. Much of the historic commercial and residential development has occurred on the dry soils that previously supported scrub-jay habitat. Based on existing soils data, much of the current scrub-jay habitat of central Florida occurs in what was once the coastal sand dunes created over the millennia due to rising and falling oceans. These ancient dunes are most prevalent from southern Highlands County north to Marion County. Much of this area of Florida was settled early because few wetlands restricted urban and agricultural development. Due to the effects of urban and agricultural development over the past 100 years, much of the remaining scrub-jay habitat is now relatively small and isolated. What remains is largely degraded, due to interruption of the natural fire regime that is needed to maintain xeric uplands in conditions suitable for scrub-jays.

Residential construction would take place within Section 21, Township 16 South, Range 21 East, Marion County, Florida. Surveys conducted by the Applicant indicated that scrub-jays occupied 93 of the 137 acres proposed to be developed as a residential community. The clearing of vegetation for infrastructure and home construction would destroy feeding, breeding, and sheltering habitat of the scrub-jay.

The Applicant has not proposed to minimize impacts to scrub-jays at the proposed construction site because small, on-site scrub-jay preserves may

actually harm scrub-jays by concentrating birds into an area where predators may attack them, increasing their susceptibility to collisions with automobiles, and increasing the incidence of competition with other more urban-adapted bird species. Instead of protecting habitat within the future residential community, the Applicant is proposing to acquire 158 acres, of which 102 acres is considered suitable for scrub-jays. The U.S. Forest Service has tentatively agreed to accept fee title and management responsibilities for the 158 acres which would be acquired by the Applicant. Although the Forest Service must work through processes and procedures prior to accepting the land donation and agreeing to restoration and management of the tract, it does not anticipate any issues to arise that would prevent this from happening. In addition, the acquisition and subsequent transfer of fee title would allow the U.S. Forest Service access to an additional 87 acres it currently owns but has been unable to manage due to restricted access.

In combination with the acquisition of the 158 acres described above, the Applicant proposes to contribute \$366,758 to the Florida Scrub-jay Conservation Fund (Fund), administered by the National Fish and Wildlife Foundation (NFWF). Through an agreement between the Service and NFWF, scrub-jay mitigation funds deposited into the Fund are available for the conservation of Florida scrub-jays. Conservation efforts may include habitat acquisition, habitat restoration and habitat management.

The Service has made a preliminary determination that the issuance of the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(C) of NEPA. This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the environmental assessment and HCP.

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a)(1)(B) of the Act. If it is determined that those requirements are met, the ITP will be issued for incidental take of the Florida scrub-jay. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to

determine whether or not to issue the ITP.

Dated: September 27, 2005.

**Cynthia K. Dohner,**

*Acting Regional Director.*

[FR Doc. 05-20500 Filed 10-12-05; 8:45 am]

**BILLING CODE 4310-55-P**

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Meeting of the Trinity Adaptive Management Working Group

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

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App), this notice announces a meeting of the Trinity Adaptive Management Working Group (TAMWG). The TAMWG affords stakeholders the opportunity to give policy, management, and technical input concerning Trinity River restoration efforts to the Trinity Management Council. Primary objectives of the meeting will include: History of restoration efforts on the Trinity River; Introduction to the Trinity River Restoration Program (TRRP); TAMWG priorities, procedures, organization, operations and interaction with other TRRP entities; and status of wildlife in TRRP policy and budget. Completion of the agenda is dependent on the amount of time each item takes. The meeting could end early if the agenda has been completed. The meeting is open to the public.

**DATES:** The Trinity Adaptive Management Working Group will meet from 8:30 a.m. to 4 p.m. on Friday, November 4, 2005.

**ADDRESSES:** The meeting will be held at the Weaverville Victorian Inn, 1709 Main Street, Weaverville, CA 96093. Telephone: (530) 623-4432.

**FOR FURTHER INFORMATION CONTACT:** Mike Long of the U.S. Fish and Wildlife Service, Arcata Fish and Wildlife Office, 1655 Heindon Road, Arcata, California 95521, (707) 822-7201. Mike Long is the working group's Designated Federal Official.

**SUPPLEMENTARY INFORMATION:** For background information and questions regarding the Trinity River Restoration Program, please contact Douglas Schleusner, Executive Director, Trinity River Restoration Program, P.O. Box 1300, 1313 South Main Street, Weaverville, California 96093, (530) 623-1800.

Dated: October 6, 2005.

**John Engring,**

*Manager, California/Nevada Operations  
Office, Sacramento, CA.*

[FR Doc. 05-20492 Filed 10-12-05; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**Advisory Board for Exceptional  
Children**

**AGENCY:** Bureau of Indian Affairs,  
Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, the Bureau of Indian Affairs announces that the Advisory Board for Exceptional Children will hold its next meeting in Albuquerque, New Mexico. The purpose of the meeting is to discuss the impact of the Individuals with Disabilities Education Improvement Act Amendments of 2004 on Indian children with disabilities.

**DATES:** The Board will meet Tuesday, November 8, 2005, from 8 a.m. to 4:30 p.m., Wednesday, November 9, 2005, from 8 a.m. to 4:30 p.m. and Thursday, November 10, 2005, from 8 a.m. to 12 noon (MST).

**ADDRESSES:** The meetings will be held at the Center for School Improvement, 500 Gold Avenue SW., 7th Floor, Albuquerque, New Mexico.

Written statements may be submitted to Mr. Edward F. Parisian, Director, Office of Indian Education Programs, Bureau of Indian Affairs, 1849 C Street, NW., MS-3512, Washington, DC 20240; Telephone (202) 208-6123; Fax (202) 208-3312.

**FOR FURTHER INFORMATION CONTACT:** Gloria Yepa, Supervisory Education Specialist, Special Education, Bureau of Indian Affairs, Office of Indian Education Programs, Center for School Improvement, PO Box 1088, Albuquerque, New Mexico 87103; Telephone (505) 248-7541.

**SUPPLEMENTARY INFORMATION:** The Advisory Board for Exceptional Children was established to advise the Secretary of the Interior, through the Assistant Secretary-Indian Affairs, on the needs of Indian children with disabilities, as mandated by the Individuals with Disabilities Education Improvement Act Amendments of 2004, Public Law 108-446.

The agenda for this meeting will cover public comments, new appointees, and new business: (1) Annual report including Office of Special Education

Programs feedback, (2) comprehensive system of personnel development, (3) new organizational information, (4) procedures for complaint investigations, and (5) Elementary and Secondary Education Act. Meetings are open to the public.

Dated: October 6, 2005.

**Michael D. Olsen,**

*Acting Principal Deputy Assistant Secretary—  
Indian Affairs.*

[FR Doc. 05-20523 Filed 10-12-05; 8:45 am]

**BILLING CODE 4310-6W-P**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Consent Decree  
Under the Comprehensive  
Environmental Response,  
Compensation, and Liability Act**

Under 28 CFR 50.7, notice is hereby given that on September 26, 2005, a proposed Consent Decree in *United States v. FTR, LP, et al.*, Civil Action No. 04-CV-930 was lodged with the United States District Court for the District of South Carolina, Rock Hill Division.

In this action, brought pursuant to Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("the Act"), 42 U.S.C. 9607, the United States sought reimbursement for response costs incurred by EPA at the Carolina Steel Drum Superfund Site ("Site") located in Rock Hill, York County, South Carolina against twenty Defendants who, the United States alleges, arranged for disposal of hazardous substances at this Site. Under the decree, the five remaining Defendants in this action—ABB, Inc.; Bullington Family Partnership; Crown Metro Chemicals, Inc.; Eastman Chemical Company; and FTR, LP will make a collective payment of \$1,450,000 to resolve their liability for EPA costs incurred to clean up the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. FTR, LP et al.*, D.J. REF. 90-11-2-07733.

The proposed Consent Decree may be examined at the Office of the United States Attorney, District of South Carolina, 1441 Main Street, Suite 500, Columbia, South Carolina, 29201, and at U.S. EPA Region IV, Atlanta Federal

Building, 61 Forsyth Street, Atlanta, Georgia 30303. During the public comment period, the proposed consent decree may also be examined on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$5.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen M. Mahan,**

*Assistant Chief, Environmental Enforcement  
Section, Environment and Natural Resources  
Division.*

[FR Doc. 05-20536 Filed 10-12-05; 8:45 am]

**BILLING CODE 4410-15-M**

**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Settlement  
Agreement Pursuant to the  
Comprehensive Environmental  
Response Compensation and Liability  
Act ("CERCLA")**

Notice is hereby given that on September 27, 2005, a proposed Settlement Agreement in *In re FV Steel and Wire*, No. 04-22421, was lodged with the United States Bankruptcy Court for the Eastern District of Wisconsin.

On August 19, 2004, the United States, on behalf of the Environmental Protection Agency ("EPA"), filed a Proof of Claim under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Recovery Act, as amended ("CERCLA"), 42 U.S.C. 9607(a), against the Debtor seeking recovery of \$2,441,702 in past costs incurred by EPA in responding to the release or threat of release of hazardous substances at the Pascale Property Site ("Site") in Washington Township, New Jersey. The Settlement Agreement provides that the United States will have an allowed general unsecured claim against the Debtor in the amount of \$732,000, and that the United States Army will pay \$1,098,765 in reimbursement of EPA's response costs at the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the