

fly (*Rhaphiomidas terminatus abdominalis*) associated with the proposed commercial development on a 3.2-acre site in the City of Rialto, San Bernardino County, California. A conservation program to mitigate for the project activities would be implemented as described in the proposed 3.2-acre Crown Enterprise Site, City of Rialto, San Bernardino County, California Low Effect Habitat Conservation Plan (proposed HCP), which would be implemented by the applicant.

We are requesting comments on the permit application and on the preliminary determination that the proposed HCP qualifies as a "Low-effect" Habitat Conservation Plan, eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended. The basis for this determination is discussed in the Environmental Action Statement (EAS) and the associated Low Effect Screening Form, which are also available for public review.

DATES: Written comments should be received on or before July 12, 2007.

ADDRESSES: Comments should be addressed to the Field Supervisor, Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92011. Written comments may be sent by facsimile to (760) 918-0638.

FOR FURTHER INFORMATION CONTACT: Ms. Karen Goebel, Assistant Field Supervisor, Carlsbad Fish and Wildlife Office (see **ADDRESSES**); telephone: (760) 431-9440.

SUPPLEMENTARY INFORMATION:

Availability of Documents

Individuals wishing copies of the application, proposed HCP, and EAS should immediately contact the Service by telephone at (760) 431-9440 or by letter to the Carlsbad Fish and Wildlife Office. Copies of the proposed HCP and EAS also are available for public inspection during regular business hours at the Carlsbad Fish and Wildlife Office [see **ADDRESSES**].

Background

Section 9 of the Act and its implementing Federal regulations prohibit the take of animal species listed as endangered or threatened. Take is defined under the Act as 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 threatened and endangered species, respectively, are found in the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.

The applicant is seeking a permit for take of the Delhi Sands flower-loving fly during the life of the permit. This species is referred to as the "DSF" in the proposed HCP.

The applicant proposes to construct a commercial development on 3.2 acres of land located along the west side of Riverside Avenue between Santa Ana and Jurupa avenues in the City of Rialto, San Bernardino County, California. We anticipate that all DSF would be lost within the project site. The project site does not contain any other rare, threatened or endangered species or habitat. No critical habitat for any listed species occurs on the project site.

The applicant proposes to mitigate the effects to the DSF associated with the covered activities by fully implementing the HCP. The purpose of the proposed HCP's conservation program is to promote the biological conservation of the DSF. The applicant proposes to mitigate impacts to the DSF through purchase of 1 acre of credit within the Colton Dunes Conservation Bank in the City of Colton, San Bernardino County, California.

The Proposed Action consists of the issuance of an incidental take permit and implementation of the proposed HCP, which includes measures to mitigate impacts of the project on the DSF. One alternative to the taking of the listed species under the Proposed Action is considered in the proposed HCP. Under the No Action Alternative, no permit would be issued, and no construction would occur.

The Service has made a preliminary determination that approval of the proposed HCP qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1) 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 HCP would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) Implementation of the proposed HCP would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the proposed HCP, considered together with

the impacts of other past, present and reasonably foreseeable similarly situated projects, would not result, over time, 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.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the proposed HCP, 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 the Crown Enterprises for the incidental take of the Delhi Sands flower-loving fly from the commercial development in the City of Rialto, San Bernardino County, California.

Dated: June 6, 2007.

Jim A. Bartel,

Field Supervisor, Carlsbad Fish and Wildlife Office, California/Nevada Operations, Carlsbad, California.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Trempealeau National Wildlife Refuge, Buffalo and Trempealeau Counties, WI

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of a draft comprehensive conservation plan and environmental impact statement; request for comments.

SUMMARY: The U.S. Fish and Wildlife Service (Service), announces that a Draft Comprehensive Conservation Plan (CCP) and associated Environmental Impact Statement are available for the Trempealeau National Wildlife Refuge (NWR). This notice is furnished in compliance with our CCP policy to

advise other agencies and the public of their opportunity to comment on the draft documents.

DATES: To ensure consideration, your written comments must be received by August 11, 2007. A public open house meeting will be held to accept comments in person; the date, time, and location of the meeting will be announced in local media.

ADDRESSES: Copies of the Draft CCP are available on compact disk or hard copy. You may access and download a copy via the planning Web site at <http://www.fws.gov/midwest/planning/Trempealeau> or you may obtain a copy by writing to the following address: U.S. Fish and Wildlife Service, Division of Conservation Planning, Bishop Henry Whipple Federal Building, 1 Federal Drive, Fort Snelling, Minnesota 55111.

Send your comments to Trempealeau National Wildlife Refuge, W28488 Refuge Road, Trempealeau, Wisconsin, 54661 or direct e-mail to r3planning@fws.gov. Comments may also be submitted through the Service's regional Web site at: <http://www.fws.gov/midwest/planning>.

FOR FURTHER INFORMATION CONTACT: Vickie Hirschboeck, 608-539-2311 extension 12.

SUPPLEMENTARY INFORMATION: With this notice, the Service announces the availability of the Draft CCP/EIS for the Trempealeau NWR with headquarters in Trempealeau, WI.

Background

The CCP Process

The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee), requires the Service to develop a comprehensive conservation plan for each national wildlife refuge. The purpose in developing a comprehensive conservation plan is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies. In addition to outlining broad management direction on conserving wildlife and their habitats, plans identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation.

Each unit of the National Wildlife Refuge System is established with

specific purposes. The Service uses these purposes to develop and prioritize management goals and objectives within the National Wildlife Refuge System mission, and to guide which public uses will occur on these Refuges. The planning process is a way for us and the public to evaluate management goals and objectives for the best possible means to conserve the Refuge's important wildlife habitat, while providing for wildlife-dependent recreation opportunities that are compatible with the Refuges' establishing purposes and the mission of the National Wildlife Refuge System.

The environmental review of this project is being conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*); NEPA Regulations (40 CFR parts 1500-1508); other appropriate Federal laws and regulations; and our policies and procedures for compliance with those regulations. All comments we receive from individuals on our environmental impact statements become part of the official public record. We will handle requests for such comments in accordance with the Freedom of Information Act, NEPA (40 CFR 1506.6(f)), and other Departmental and Service policies and procedures.

Trempealeau National Wildlife Refuge

The Refuge, established by an Executive Order in 1936 to provide a refuge and breeding ground for migratory birds and other wildlife, encompasses 6,226 acres. The Refuge is part of the Upper Mississippi River National Wildlife and Fish Refuge Complex. An estimated 70,000 visitors enjoy birding, hiking, biking, hunting, fishing, or photography at the Refuge. Over 2,000 young people learn about their environment each year through education programs. A dedicated force of volunteers contributes to the quality of the visitor experience, as well as successful habitat management.

In September 2002 and March 2003, public meetings were held and written comments were accepted to identify issues and concerns relevant to the Refuge. The issues were grouped into five topic areas: Landscape; wildlife and habitat; public use; neighboring landowners and communities; and administration and operations.

The focus of the CCP over the next 15 years will be on enhancing forest and wetland habitat; improving outreach, access, and wildlife-dependent recreation opportunities; and improving staffing and infrastructure capability.

Three alternatives were evaluated in the EIS: (1) No action or current

direction; (2) wildlife and habitat focus; and (3) integrated public use and wildlife and habitat focus (preferred). The alternatives differ mainly in the level of effort and resources given to fish, wildlife, and habitat management and public use opportunities and programs. Under the preferred alternative all current recreational uses would continue, and regulations would be reviewed to ensure consistency with existing laws and policy.

Dated: February 15, 2007.

Charles M. Wooley,

Acting Regional Director, Region 3, U.S. Fish and Wildlife Service, Fort Snelling, Minnesota.

This document was received at the Office of the Federal Register on June 7, 2007.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[F-14937-A, F-14937-A2; AK-964-1410-HY-P]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of decision approving lands for conveyance.

SUMMARY: As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to St. Mary's Native Corporation. The lands are in the vicinity of St. Mary's, Alaska, and are located in:

Seward Meridian, Alaska

T. 24 N., R. 76 W., Secs. 1 to 14, inclusive; Secs. 17 to 20, inclusive; Secs. 29, 30, and 31.

Containing 13,197.42 acres.

T. 25 N., R. 76 W., Sec. 17; Secs. 20 to 29, inclusive; Secs. 32 to 36 inclusive.

Containing 10,000.00 acres.

Aggregating 23,197.42 acres.

The subsurface estate in these lands will be conveyed to Calista Corporation when the surface estate is conveyed to St. Mary's Native Corporation. Notice of the decision will also be published four times in the *Tundra Drums*.

DATES: The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until July 12, 2007 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30