enhancement of survival permit (permit) for the Utah prairie dog within the species' range in Utah under the Endangered Species Act of 1973, as amended (Act). This permit application includes a safe harbor agreement (SHA) between the applicant and us, with the ability for the applicant to issue certificates of inclusion to private landowners. We request information, views, and opinions from the public via this notice. Further, we are soliciting information regarding the adequacy of the SHA as measured against our Safe Harbor Policy and the regulations that implement it.

DATES: We must receive any written comments on the permit application and SHA on or before October 9, 2007.

ADDRESSES:

- *Mail:* Utah Field Office, 2369 West Orton Circle, West Valley City, Utah 84119.
- *Internet: http://mountain-prairie.fws.gov/species/mammals/utprairiedog/.*
- *E-mail: utahprairiedogSHA@fws.gov.*

FOR FURTHER INFORMATION CONTACT: Larry Crist, Utah Field Supervisor (see **ADDRESSES**), telephone (801) 975–3330.

SUPPLEMENTARY INFORMATION: The Utah prairie dog is the westernmost member of the genus *Cynomys.* The species' range, which is limited to the southwestern quarter of Utah, is the most restricted of all prairie dog species in the United States. Distribution of the Utah prairie dog has been greatly reduced due to disease (plague), poisoning, drought, and human-related habitat alteration. Protection of this species and enhancement of its habitat on private land will benefit recovery efforts.

The primary objective of this SHA is to promote conservation of a threatened species through voluntary conservation, enhancement, and management of the species on private land throughout the range of the species. Through this SHA, the applicant receives the ability to oversee a safe harbor program working under a permit. We will authorize the applicant to enroll willing individual landowners (cooperators) into the program, which will require that each cooperator enter a cooperative agreement with the Panoramaland Resource Conservation and Development Council, with associated management activities, in exchange for a certificate of inclusion under the permit. This certificate will provide relief from any additional section 9 liabilities under the Act beyond those which exist at the time the cooperative agreement is signed (''regulatory baseline'').

All cooperative agreements shall include the following: (1) Use of pesticides within 100 feet (31 meters) of an active Utah prairie dog colony must be limited to only those approved for this purpose by the Service; (2) All applied practices (see below) must be planned and applied in a manner that will not adversely affect other wildlife, including threatened or endangered species; (3) Monitoring of habitat restoration activities (see below) must occur to assess the general condition of the habitat, use of the habitat by the Utah prairie dog, progress of ongoing management activities, and satisfaction of the cooperator with the project.

In addition to the above management activities, at least two of the following activities must be included in all cooperative agreements: (1) Brush management to restore plant community balance, increase visual surveillance, and increase forage quantity and quality; (2) Prescribed grazing to increase visual surveillance, increase forage quantity and quality and deferment to create vegetative varies to limit expansion to undesirable locations; (3) Seeding to restore degraded rangelands or pasturelands and bare ground and increase forage quantity and quality; (4) Prescribed burning to increase forage quantity and quality; or (5) Noxious weed control to facilitate restoration of rangelands or pasturelands, increase visual surveillance, and increase forage quantity and quality. The habitat improvements will be maintained throughout the term of the cooperative agreement. The cooperator will receive a certificate of inclusion that authorizes implementation of the conservation actions and other provisions of the cooperative agreement and authorizes incidental take and limited control of the covered species above the cooperator's baseline responsibilities, as defined in the cooperative agreement. The SHA and permit would become effective upon signature of the SHA, and issuance of the permit and would remain in effect for 50 years.

We have evaluated the impacts of this action under the National Environmental Policy Act (NEPA) and determined that it warrants categorical exclusion as described in 516 DM 8.5, and/or 516 DM 2, Appendix 1. This notice is provided pursuant to NEPA, section 10 of the Act, and our Safe Harbor Policy (64 FR 32717, June 17, 1999). We will evaluate whether the issuance of the permit complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the result of the biological opinion, in combination with our finding that will take into consideration any public comments, in the final analysis to determine whether or not to issue the requested permit, pursuant to the regulations that guide permit issuance.

Public Review of Documents

Persons wishing to review the SHA and the application may obtain a copy by writing our Utah Field Office (see **ADDRESSES**) or by visiting during normal business hours. The SHA also will be posted on the Internet at *http://mountain-prairie.fws.gov/species/mammals/utprairiedog/.*

Public Comments

Send any written data or comments concerning the SHA or application to the Utah Field Office (see **ADDRESSES**). Comments must be submitted in writing to be adequately considered in the Service's decisionmaking process. Please reference permit number TE–155376 in your comments, or in the request for the documents discussed herein.

Public Availability of Comments

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.

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: August 8, 2007.

James J. Slack,

Deputy Regional Director, Denver, Colorado.

[FR Doc. E7–17590 Filed 9–5–07; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Tidal Restoration of the Cullinan Ranch Unit of San Pablo Bay National Wildlife Refuge

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent to prepare an environmental impact statement; request for public comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are preparing an environmental impact statement (EIS) for the tidal restoration of the Cullinan Ranch Unit of the San Pablo Bay National Wildlife Refuge, located in Solano County, California. This notice advises the public that we intend to gather information necessary to prepare an EIS pursuant to the National Environmental Policy Act (NEPA). We encourage the public and other agencies to participate in the planning process by sending written comments on management actions we should consider.

DATES: To ensure that we have adequate time to evaluate and incorporate suggestions and other input into the planning process, we must receive your comments on or before October 22, 2007.

ADDRESSES: Send written comments or requests to be added to the mailing list to: Christy Smith, Refuge Manager, San Pablo Bay National Wildlife Refuge, 7715 Lakeville Highway, Petaluma, CA 94954. Alternatively, fax written comments to (707) 769–8106, or send comments by e-mail to *christy_smith@fws.gov*.

FOR FURTHER INFORMATION CONTACT: Christy Smith, Refuge Manager, (707) 769–4200.

SUPPLEMENTARY INFORMATION:

Background

The Cullinan Ranch restoration project would restore approximately 1,500 acres (ac) of diked baylands back to historic tidal conditions by reintroducing tidal flow into the project area. Cullinan Ranch is located in an area of the Napa River Delta that was historically defined by a network of meandering sloughs and extensive estuarine tidal marshes. Reintroduction of tidal flow will restore vital salt marsh habitat for endangered species, including the salt marsh harvest mouse (*Reithrodontomys raviventris*) and the California clapper rail (*Rallus longirostris obsoletus*), as well as provide foraging and roosting habitat for fish, migratory waterfowl, and waterbirds.

In keeping with one of the purposes of the Refuge—''to conserve fish, wildlife, or plants which are listed as endangered species or threatened species''—the Cullinan Ranch restoration project would restore historic salt marsh habitat for the benefit of threatened and endangered species, as well as many other estuarine-dependent species.

We published a notice of intent to prepare an environmental assessment (EA) and hold a public meeting on July 15, 2002 (67 FR 46538). We held public meetings on August 7, 2002, and March 9, 2007. All meetings were announced in local newspapers. Four members of the public attended the first meeting and provided comments. One person attended the second meeting and provided no comments. All of the comments we received on the EA will go forward into the EIS planning process. During the EA planning process, we determined that possible impacts to traffic flows on Highway 37 required that we complete an environmental impact statement. In addition, since some of the project would take place on State lands belonging to California Department of Fish and Game (CDFG), an environmental impact report (EIR) under the California Environmental Quality Act (CEQA) will be prepared. California Department of Fish and Game is the lead State agency for this project under the CEQA.

Thus far, the Service and CDFG have identified and analyzed a total of eight alternatives based on a set of criteria including the following factors: effects to adjacent habitats, effects to the existing levees, effects on the hydrology of the existing slough channels and adjacent water bodies, costs of implementing restoration activities and long-term maintenance, and effects of project construction on existing uses on and adjacent to the Cullinan Ranch Site. Five of these alternatives were removed from further consideration because they did not meet the cost and engineering feasibility criteria as set forth by the lead agencies. Many of the alternatives considered were formulated with optional implementation features in order to minimize effects on adjacent habitats (such as the fringe marshes along Dutchman Slough and Pritchett Marsh), such as staging the Proposed Action and/or limiting the amount of tidal exchange. These features were analyzed but removed from further consideration because hydrologic modeling revealed that they would not significantly reduce adverse effects to adjacent habitats.

The lead agencies will carry forward three possible restoration alternatives to environmental analysis: the No-Action Alternative, the Preferred Restoration Alternative, and the Partial Restoration Alternative. The lead agencies will consider public input from the scoping period to determine whether any modification should be made to the alternatives or whether any additional issues should be addressed in the EIS.

Summary of Alternatives

No-Action Alternative

Under the No-Action Alternative, the lead agencies would take no action to restore tidal influence to the Site; however, the lead agency would be required to maintain the northern levee along Dutchman and South Sloughs in perpetuity. Maintenance activities would likely be increased as the levees age and erosive action increases in response to activities undertaken by the Napa Sonoma Restoration Project, a tidal restoration project conducted by the State of California adjacent to Cullinan Ranch.

Preferred Restoration Alternative

The Preferred Restoration Alternative would restore the entire 1,525-ac Cullinan Ranch Site, with implementation of the following project components:

Component 1: Construct boardwalk to provide access to existing electrical towers.

Component 2: Block drainage ditches to promote redevelopment of natural sloughs.

Component 3: Improve the CDFG Pond 1 levee and install water control structures.

Component 4: Protect Highway 37 from project induced flooding and erosion.

Component 5: Construct public access areas.

Component 6: Breach the levees along Dutchman and South Sloughs and Guadalcanal Village.

Component 7: Implement long-term monitoring.

Partial Restoration Alternative

The Partial Restoration Alternative would restore 300 ac of the Cullinan Ranch Site. The Service developed the Partial Restoration Alternative in order to limit potential impacts to the hydrology of Dutchman Slough. While it would meet the purpose and need of the project, a smaller overall area within Cullinan Ranch would be restored, and connectivity with other adjacent restoration projects would be limited.

The Partial Restoration Alternative would include implementation of the following project components:

Component 1: Block drainage ditches to promote redevelopment of the natural sloughs.

Component 2: Construct internal levee.

Component 3: Protect Highway 37 from project-induced flooding and erosion.

Component 4: Breach the levee along Dutchman Slough.

Component 5: Long-term monitoring.

Public Comment

Comments we receive will help us identify key concerns and issues to be evaluated in the EIS. Opportunities for public participation will occur throughout the process. 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.

Dated: August 30, 2007.

Kenneth McDermond,

Acting Manager, California/Nevada Operations, Sacramento, California.

[FR Doc. E7–17587 Filed 9–5–07; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Habitat Conservation Plan for the Santa Clara Valley, Santa Clara County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent to prepare an Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) and notice of public meeting.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), we, the Fish and Wildlife Service (Service), advise the public that we intend to gather information necessary to prepare, in coordination with Santa Clara County, a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) on the Habitat Conservation Plan for the Santa Clara Valley (Plan). The Plan is being prepared under Section 10(a)(1)(B) of the Federal Endangered Species Act of 1973, as amended, (Act). Santa Clara County (County) is facilitating preparation of the Plan with local partners and is the lead agency under the California Environmental Quality Act (CEQA). The County in accordance with CEQA is publishing a similar notice. The County and their local partners intend to apply for a 50-year incidental take permit from the Service and from the National Marine Fisheries Service (NMFS). These permits are needed to authorize the incidental take of threatened and endangered species that could result from activities covered under the Plan.

We provide this notice to (1) describe the proposed action and possible alternatives; (2) advise other Federal and State agencies, affected Tribes, and the public of our intent to prepare an EIS/EIR; (3) announce the initiation of a public scoping period; and (4) obtain suggestions and information on the scope of issues and alternatives to be included in the EIS/EIR.

DATES: Submit written comments on or before October 22, 2007. One public scoping meeting will be held on Wednesday, September 26, 2007, from 7 p.m. to 9 p.m. The public scoping meeting will be combined with a pre-scheduled community meeting for the Plan.

ADDRESSES: The public meeting will be held at the Morgan Hill Community and Cultural Center, 17000 Monterey Road, Morgan Hill, CA 95037. Submit written comments to Lori Rinek, Chief, Conservation Planning and Recovery Division, Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, Room W–2605, Sacramento, CA 95825. Comments may also be sent by facsimile to (916) 414–6713.

FOR FURTHER INFORMATION CONTACT: Cori Mustin, Senior Fish and Wildlife Biologist, Sacramento Fish and Wildlife Office at (916) 414–6600.

SUPPLEMENTARY INFORMATION:

Reasonable Accommodation

Persons needing reasonable accommodations in order to attend and participate in the public meeting should contact Cori Mustin at (916) 414–6600 as soon as possible. In order to allow sufficient time to process requests, please call no later than one week before the public meeting. Information regarding this proposed action is available in alternative formats upon request.

Background

The Plan is both a habitat conservation plan (HCP), intended to fulfill the requirements of the Endangered Species Act, and a natural community conservation plan (NCCP), to fulfill the requirements of the California Natural Community Conservation Planning Act (NCCP Act). The Plan is being prepared under the combined efforts of eight local and state agencies: Santa Clara County, the City of San José, the City of Morgan Hill, the City of Gilroy, the Santa Clara Valley Water District (SCVWD), the Santa Clara Valley Transportation Authority (VTA), the Santa Clara County Open Space Authority, and the California Department of Parks and Recreation, collectively referred to as the Local Partners. Furthermore, efforts have included coordination with the California Department of Fish and Game (CDFG) as a CEQA Responsible and Trustee Agency and the National Oceanic and Atmospheric Administration, NMFS is a Cooperating Agency under NEPA.

Species proposed for coverage in the Plan are species that are currently listed as federally threatened or endangered or have the potential to become listed during the life of this Plan and have some likelihood to occur within the project area. Should any of these unlisted covered wildlife species become listed under the Act during the term of the permit, take authorization for those species would become effective upon listing. The Plan will provide long-term conservation and management of these species. Species may be added or deleted during the course of the development of the Plan based on further analysis, new information, agency consultation, and public comment. The Plan addresses 30 listed and non-listed species: 15 wildlife species and 15 plant species. Federally listed species proposed for coverage under the Plan include: the bay checkerspot butterfly (*Euphydryas editha bayensis*), south-central California coastal steelhead (*Oncorhynchus mykiss*), central California coastal steelhead (*O. mykiss*), central valley fall-run Chinook salmon (*O. tshawytscha*), California tiger salamander (*Ambystoma californiense*), California red-legged frog (*Rana aurora draytonii*), least Bell's vireo (*Vireo bellii pusillus*), San Joaquin kit fox (*Vulpes macrotis mutica*), Tiburon Indian paintbrush (*Castilleja affinis* ssp. *neglecta*), coyote ceanothus (*Ceanothus ferrisae*), Santa Clara Valley dudleya (*Dudleya setchellii*), and Metcalf Canyon jewelflower (*Streptanthus albidus* ssp. *albidus*). The unlisted species proposed for coverage under the Plan include: Pacific lamprey (*Lampetra tridentata*), foothill yellow-legged frog (*Rana boylii*), western pond turtle (*Clemmys marmorata*), golden eagle (*Aquila chrysaetos*), western burrowing owl (*Athene cunicularia hypugaea*), tricolored blackbird (*Agelaius tricolor*), Pacific Townsend's [=western] big-eared bat (*Corynorhinus townsendii townsendii*), big scale balsamroot (*Balsamorhiza macrolepis*), chaparral harebell (*Campanula exigua*), Mount Hamilton thistle (*Cirsium fontinale* var. *campylon*), San Francisco collinsia (*Collinsia multicolor*), fragrant fritillary