

activities specified in the cooperative agreements, incidental to other lawful uses of the properties, including normal routine land management activities, and/or to return to pre-Agreement conditions. To benefit the flycatcher, Program Participants will agree to undertake site-specific management activities, which will be specified in their written cooperative agreements.

Management activities that could be included in the Cooperative Agreements will provide for the restoration, enhancement and management of native riparian habitats in the range of the flycatcher in Utah. The object of such activities is to enhance populations of flycatchers by increasing the amount and quality of suitable habitat on the enrolled properties. Take of flycatchers incidental to the aforementioned activities is unlikely; however, it is possible that in the course of such activities or other lawful activities on the enrolled property, a Program Participant could incidentally take flycatcher thereby necessitating take authority under the permit.

Pre-Agreement conditions (baseline), consisting of survey for flycatchers and documentation on the extent of habitat shall be determined for each enrolled property as provided in the Agreement. In order to receive the above assurances regarding incidental take of flycatchers, a Program Participant must maintain baseline on the enrolled property. The Agreement and requested permit would allow each Program Participant to return to baseline conditions after the end of the term of the cooperative agreement (minimum of 15 years) and prior to the expiration of the 50-year permit, if so desired by the Applicants.

#### Public Review and Comments

The Service has made a preliminary determination that the proposed Agreement and permit application are eligible for categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). We explain the basis for this determination in an Environmental Action Statement, which also is available for public review.

Individuals wishing copies of the permit application, copies of our draft Environmental Action Statement, and/or copies of the Agreement, including a map of the proposed permit area and references, should contact the office and personnel listed in the **ADDRESSES** section above.

If you wish to comment on the permit application or the Agreement, you may submit your comments to the address listed in the **ADDRESSES** section of this document. Comments and materials received, including names and

addresses of respondents, will be available for public review, by appointment, during normal business hours at the address in the **ADDRESSES** section above and will become part of the public record, pursuant to section 10(c) of the Act. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment.

Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

We will evaluate this permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the Act and NEPA regulations at 40 CFR 1506.6. If we determine that the requirements are met, we will sign the proposed Agreement and issue a permit under section 10(a)(1)(A) of the Act to the Applicants for take of the flycatcher incidental to otherwise lawful activities in accordance with the terms of the Agreement. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

The Service provides this notice pursuant to section 10(c) of the Act and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: March 6, 2008.

Larry Crist,

Field Supervisor, Utah Field Office, West Valley City, Utah.

[FR Doc. E8-10055 Filed 5-6-08; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of 41 Applications for Incidental Take Permits for Single Family and Duplex Residential Developments on the Fort Morgan Peninsula, Baldwin County, AL

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

**ACTION:** Notice.

**SUMMARY:** The applicants (Ms. Shirley Baird, Mr. Edward Boykin, Mr. Richard Dorsey, Mr. Richard Eastman, Mr. Terry Elkins, Mr. Medford Foster, Mr. Ted Giles, Mr. John Griffin, Harrison Building, Mr. Kenneth Howald, Mr. Gary Hudson, Mr. Jerry Hutcherson, Mr. Dean Jones, Mr. Bobby Junkins, K-Developers LLC, Mr. James Keeling, Mr. James Klimback, Mr. Marshall Newport, Ms. Mary Powers, Mr. Bradley Redwine, Mr. Edwin Spence, Mr. Jackie Stokley, Mr. Olin Tumlin, and Mr. James Walker) have applied to the Fish and Wildlife Service (Service) for incidental take permits (ITP) under section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (Act), as amended for the take of Alabama beach mouse (*Peromyscus polionotus ammobates*) (ABM). The proposed take would be incidental to the otherwise lawful activity of constructing 37 single-family and 5 duplex residences on the Fort Morgan Peninsula in Baldwin County, Alabama.

The applicants have prepared Habitat Conservation Plans (HCPs) in accordance with section 10(a)(2)(A) of the Act, specifying, among other things, the impacts that are likely to result from the taking and the measures each applicant would undertake to minimize and mitigate such impacts. A detailed description of the proposed minimization and mitigation measures is provided in the applicants' HCPs and in our Environmental Assessment (EA). The proposed action would involve approval of the HCPs if the statutory issuance criteria are satisfied. The EA considers the environmental impacts of the proposed projects on the environment.

**DATES:** Written comments on the ITP applications, HCPs, and EA should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before June 6, 2008.

**ADDRESSES:** Persons wishing to review the applications, HCPs, and EA may obtain an electronic copy on compact disk by writing the Service's Southeast Regional Office, Atlanta, Georgia, at the address below. Documents will also be available for public inspection by appointment during normal business hours at the Service's Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or the Daphne Ecological Services Field Office, 1208-B Main Street, Daphne, Alabama 36526. Written data or comments concerning the applications or HCPs should be submitted to the Regional

Office. Please reference Batch IV ITPs for 41 applications in requests for the documents discussed herein.

**FOR FURTHER INFORMATION CONTACT:** Mr. Aaron Valenta, Regional HCP Coordinator (see **ADDRESSES**), telephone: 404-679-4144, or Mr. Darren LeBlanc, Fish and Wildlife Service Biologist, Daphne Field Office (see **ADDRESSES**), telephone: 251-441-5859.

**SUPPLEMENTARY INFORMATION:** We announce applications for 41 ITPs, including the HCPs, and the availability of an EA. The EA is a combined assessment addressing the environmental impacts associated with these projects both individually and cumulatively. Copies of these documents may be obtained by making a request, in writing, to the Service's Regional Office (see **ADDRESSES**). This notice advises the public that we have opened the comment period on the ITP applications, the HCPs, and the EA. This notice is provided pursuant to section 10 of the Act and National Environmental Policy Act regulations at 40 CFR 1506.6.

We specifically request information, views, and opinions from the public on the Federal action, including the identification of any other aspects of the human environment not already identified in our EA. Further, we specifically solicit information regarding the adequacy of the HCPs as measured against our ITP issuance criteria found in 50 CFR parts 13.21 and 17.22.

If you wish to comment, you may submit comments by any one of several methods. Please reference Batch IV ITPs for 41 applications for residential development in such comments. You may mail comments to our Regional Office (see **ADDRESSES**). You may also comment via the Internet to [aaron\\_valenta@fws.gov](mailto:aaron_valenta@fws.gov). Please include your name and return mailing address in your Internet message. If you do not receive a confirmation from us that we have received your Internet message, contact us directly at either telephone number listed (see **FOR FURTHER INFORMATION CONTACT**).

Finally, you may hand-deliver comments to either Service office listed (see **ADDRESSES**). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the administrative record. We will honor such requests to the extent allowable by law. There may also be other circumstances in which we would withhold from the administrative

record a respondent's identity, as allowable by 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 ITPs would cover 41 discrete lots totaling 23.2 acres on the Fort Morgan Peninsula. Under the preferred alternative, project development would result in the overall loss of 4.25 acres of ABM habitat. Minimization and mitigation of impacts includes: reduced project impacts, maintenance of ABM habitat on-site, prohibition of cats, preservation of dune habitat, and elimination of debris.

We will evaluate the HCPs, applications, and any received comments to determine whether the applications meet the requirements of section 10(a) of the Act. If it is determined that those requirements are met, the ITPs will be issued for the incidental take of the ABM. We will also evaluate whether issuance of the section 10(a)(1)(B) ITPs comply with section 7 of the Endangered Species 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 ITPs.

Dated: April 30, 2008.

**Noreen E. Walsh,**

*Acting Regional Director.*

[FR Doc. E8-10052 Filed 5-6-08; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Land Acquisitions; Federated Indians of Graton Rancheria, California

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

**ACTION:** Notice of Final Agency Determination To Take Land into Trust under 25 CFR Part 151.

**SUMMARY:** The Assistant Secretary—Indian Affairs made a final agency determination to acquire approximately 254 acres of land into trust for the Federated Indians of Graton Rancheria of California on April 18, 2008. This notice is published in the exercise of authority delegated by the Secretary of

the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.1.

**FOR FURTHER INFORMATION CONTACT:** George Skibine, Director, Office of Indian Gaming, MS-3657 MIB, 1849 C Street, NW., Washington, DC 20240; Telephone (202) 219-4066.

**SUPPLEMENTARY INFORMATION:** This notice is published to comply with the requirement of 25 CFR Part 151.12(b) that notice be given to the public of the Secretary's decision to acquire land in trust at least 30 days prior to signatory acceptance of the land into trust. The purpose of the 30-day waiting period in 25 CFR 151.12(b) is to afford interested parties the opportunity to seek judicial review of final administrative decisions to take land in trust for Indian tribes and individual Indians before transfer of title to the property occurs. On April 18, 2008, the Assistant Secretary—Indian Affairs decided to accept approximately 254 acres of land into trust for the Federated Indians of Graton Rancheria of California. The Graton Rancheria was restored to federal recognition pursuant to Title XIV of Public Law 106-568 (the Graton Rancheria Restoration Act), 25 U.S.C. 1300n-3, which mandates that, "the Secretary shall accept into trust for the benefit of the Tribe any real property located in Marin or Sonoma County...". The 254 acre parcel is located in Sonoma County, California.

The legal description of the property is as follows:

#### Tract One

Farms 102, 103, 104, 105, 106, 124, 125, 126 and 127, as shown upon the Map of Plan of Subdivision of Santa Rosa Farms No. 2, filed March 7, 1910 in the Office of the County Recorder of Sonoma County in Book 21 of Maps, Page 14, Sonoma County Records. Certificate of Compliance recorded January 28, 1998 as Document No.'s 1998 0008588 through 1998 0008596, Sonoma County Records. Being Assessors Parcel No. 045-073-001

#### Tract Two

##### *Parcel One*

Farms 130 and 131 as shown upon the Map of Plan of Subdivision of Santa Rosa Farms No. 2 filed March 7, 1910 in the Office of the County Recorder of Sonoma County in Book 21 of Maps, Page 14, Sonoma County Records. Certificate of Compliance recorded January 28, 1998 as Document No.'s 1998 0008597 and 1998 0008598, Sonoma County Records. Being a portion of Assessor's Parcel No. 045-074-009.