

**GEORGIA****Clarke County**

Jackson Street Cemetery, S. Jackson St.,  
University of Georgia campus, Athens,  
09000779

**ILLINOIS****Cook County**

Calhoun Family, Mr. James Kent, House, 740  
Greenwood Ave., Glencoe, 09000780  
Dilg, Herbert A., House, 8544 Callie, Morton  
Grove, 09000781

**MARYLAND****Anne Arundel County**

Robinson House, 102 Evon Ct., Severna Park,  
09000782

**Baltimore County**

Rodgers Forge Historic District, Roughly  
bounded by Stanmore Rd., Stevenson La.,  
York Rd., Regester Ave., and Bellona Ave.,  
Baltimore, 09000783

**MISSISSIPPI****Clay County**

West Point Unified Historic District, Roughly  
bounded by the rear property lines of  
resources along E. Main St. to the N.,  
McCord St. to the W., Forest St., West  
Point, 09000784

**Leflore County**

Itta Bena Historic District, Roughly bounded  
by Cemetery St. to the N., Lake Shore Dr.  
to the E., Lake Side St. to the S., Dewey St.  
to the W., Itta Bena, 09000785

**MISSOURI****Cole County**

Moreau Park Historic District, 3714 Old  
Wardsville Rd., Jefferson City, 09000786

**St. Louis County**

Moorlands Addition Apartment District,  
Roughly bounded by Clayton Rd.,  
Glenridge Ave., Wydown Blvd. and (both  
sides) Westwood Dr., Clayton, 09000787

**MONTANA****Carbon County**

Smith Mine Historic District, MT 308,  
Bearcreek, 09000788

**PUERTO RICO****San Juan Municipality**

San Antonio Railroad Bridge (Historic  
Bridges of Puerto Rico MPS), Spanning San  
Antonio Channel at PR 1 E. of San Juan  
Islet, San Juan, 09000789

**SOUTH CAROLINA****Richland County**

Hopkins Family Cemetery, Address  
Restricted, Hopkins, 09000790

**VIRGINIA****Alleghany County**

Galt's Mill Complex, 1133 Galt's Mill Rd.,  
Madison Heights, 09000791

**Buena Vista Independent City**

Buena Vista Downtown Historic District,  
2000 & 2100 blocks of Magnolia Ave. and  
adjacent blocks, Buena Vista, 09000792

**Dinwiddie County**

Zehmer Farm, 9818 Jack Zehmer Rd.,  
McKenney, 09000793

**Newport News Independent City**

Whittaker Memorial Hospital, 1003 Twenty-  
Eighth St., Newport News, 09000794

**Northampton County**

Eastville Historic District, Area includes VA  
Rt. 13, Old Town Neck Dr., Courthouse  
Rd., Willow Oak Rd., Rockefeller La., and  
Stumptown Dr., Eastville, 09000795

**Richmond County**

Woodland Heights Historic District, Bounded  
by James River, W. 24th St., Bainbridge St.  
and Forest Hill Ave., and W. 32nd and  
34th Sts., Richmond, 09000796

**WISCONSIN****Dodge County**

Fountain Inn, 203 Front St., Beaver Dam,  
09000797

[FR Doc. E9-21480 Filed 9-4-09; 8:45 am]

**BILLING CODE P****DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

**[FWS-R3-ES-2009-N180; 33430-1122-0000  
F2]**

**Proposed Low Effect Habitat  
Conservation Plan for Quad Cities  
Nuclear Station, Rock Island County, IL**

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

**ACTION:** Notice: Receipt of application  
for an incidental take permit; notice of  
availability.

**SUMMARY:** Exelon Inc. (Applicant) has  
applied to the U.S. Fish and Wildlife  
Service (us, Service) for an incidental  
take permit (ITP) under the Endangered  
Species Act of 1973, as amended (Act).  
The proposed permit duration is 24  
years. The Applicant has prepared a  
Habitat Conservation Plan (HCP) to  
address potential impacts to two mussel  
species. We have made a preliminary  
determination that the HCP and permit  
application are eligible for categorical  
exclusion under the National  
Environmental Policy Act of 1969  
(NEPA). The basis for this determination  
is contained in an Environmental  
Action Statement and low-effect  
screening form, which are also available  
for public review.

**DATES:** To ensure consideration, please  
send your written comments by October  
8, 2009.

**ADDRESSES:** Send written comments to  
Richard C. Nelson, Field Supervisor, by  
U.S. mail at U.S. Fish and Wildlife  
Service, Rock Island Field Office, 1511  
47th Ave. Moline, IL 61265, or by fax to  
(309) 757-5807.

**FOR FURTHER INFORMATION CONTACT:** Ms.  
Jody Millar (309) 757-5800.

**SUPPLEMENTARY INFORMATION:** Exelon  
Inc. (Applicant) has applied to the U.S.  
Fish and Wildlife Service (us, Service)  
for an incidental take permit (ITP) under  
the Act (16 U.S.C. 1531 *et seq.*) The  
proposed duration of the permit is 24  
years. The Applicant has prepared a  
Habitat Conservation Plan (HCP) to  
address potential impacts to two mussel  
species: *Lampsilis higginsii* (Higgins eye  
pearly mussel), federally listed as  
endangered, and *Plethobasus cyphus*  
(sheepnose mussel), a candidate for  
listing. Exelon's draft HCP addresses  
three specific proposed covered  
activities:

(1) Implementation of an alternate  
thermal standard (ATS) for discharge  
waters associated with the operation of  
the Quad Cities Nuclear Station,

(2) Maintenance dredging associated  
with water intake structures, and

(3) Removal of Edison Pier.  
We have made a preliminary  
determination that the HCP and permit  
application are eligible for categorical  
exclusion under NEPA (42 U.S.C. 4321  
*et seq.*). The basis for this determination  
is contained in an Environmental  
Action Statement and low-effect  
screening form, which are also available  
for public review.

**Availability of Documents**

Individuals requesting copies of the  
application and draft HCP should  
contact the U.S. Fish and Wildlife  
Service by telephone at (309) 757-5800  
or by letter (*see ADDRESSES*). Copies of  
the draft HCP are also available for  
public inspection during regular  
business hours at the Rock Island Field  
Office (*see ADDRESSES*), or at the  
Service's Regional Web site at [http://  
www.fws.gov/midwest/Endangered/  
permits/hcp/index.html](http://www.fws.gov/midwest/Endangered/permits/hcp/index.html).

**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.

## 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 to attempt to engage in such conduct (16 U.S.C. 1538). We have principal trust responsibility for the conservation and protection of threatened and endangered species under the Act. Section 10 of the Act, 16 U.S.C. 1539, establishes a program whereby persons seeking to pursue activities that otherwise could give rise to liability for unlawful "take" of federally protected species may receive an ITP, which protects them from such liability. To obtain an ITP, the applicant must submit an HCP and the taking must be incidental to, and not the purpose of, an otherwise lawful activity, *Id.* §§ 1539(a)(1)(B), 1539(a)(2)(A). Once we have determined that the applicant has satisfied these and other statutory criteria, we may issue the ITP.

Exelon Inc. owns and operates Quad Cities Nuclear Station (QCNS), a nuclear power station located on the east (Illinois) shoreline of Pool 14 on the Mississippi River, at River Mile (RM) 506.7, approximately halfway between Lock and Dam 13 (upstream) at RM 522.5 and Lock and Dam 14 (downstream) at RM 493.3.

## Covered Activities

Exelon Inc. is requesting that an alternate thermal standard (ATS) be issued for Quad Cities Nuclear Station under section 316(a) of the Clean Water Act, (33 U.S.C. Sec. 1326(a)). The ATS would include:

(1) Changing the method for tracking and regaining excursion hours (during which the plant currently is authorized to exceed thermal limits by up to 3 °F) from a rolling 12-month basis to a calendar year basis (January through December).

(2) Increasing the number of excursion hours available per year from 1 percent (87.6 hours), which is currently allowed by the plant's National Pollutant Discharge Elimination System (NPDES) Permit, to 3 percent (262.8 hours), of which only 1.5 percent (131.4 hours) of those hours may be between 89 °F and 91 °F.

(3) Increasing the excursion hour downstream temperature limit by no more than 5 °F (*i.e.*, 91 °F downstream instead of current NPDES Permit limit of 89 °F in July and August, and 90 °F

downstream rather than current NPDES Permit limit of 88 °F in September).

QCNS currently operates under NPDES permit conditions that allow 87.6 excursion hours per year, during which the plant may cause river temperatures to exceed maximum temperature standards by up to 3 °F. QCNS operated within permit conditions during the period 2000–2005. Excursion hours were only used in 2001 (57.35 hours) and 2005 (42.50 hours). In July and August 2006, QCNS was granted a provisional variance from these permit conditions to address periods of low Mississippi River flows and high ambient river temperatures experienced in the summer of 2006. The provisional variance allowed additional excursion hours (beyond the annual allotment of 87.6 hours) at temperatures up to 5 °F. QCNS used 222.75 excursion hours in 2006, but water temperature during excursion hour events were not allowed to exceed a 5 °F increase, which equates to 91 °F downstream in July, 91 °F in August and 90 °F in September. In 2007, QCNS operated within permit conditions, and 74.0 excursion hours were used in early August.

The new ATS would be adopted following proceedings before the Illinois Pollution Control Board pursuant to the Board's authority to issue ATS under section 316 of the Clean Water Act. Following the Board's decision, the Environmental Protection Agency would incorporate the standards in the NPDES (discharge) permit.

A second covered activity described in the draft HCP involves maintenance dredging activities in front of the plant's intake. QCNS requires a consistent supply of water for safe operations of the two nuclear reactors. Over the past few years (2005, 2007, and 2008), dredging in front of the intake forebay has been a maintenance necessity to achieve the consistent water supply. High water events deposit coarse materials in front of the intake. In October 2005, QCNS contracted a mussel survey in the intake area. Results of the survey indicated that impacts associated with maintenance dredging would be limited to a few common species (threehorn, threeridge, hickorynut, and plain pocketbook) of freshwater mussels. All other species were represented by two individuals or less. One butterfly mussel was also found in the survey. An existing dredging permit (CEMVR-OD-P-2006-1856) allows dredging within a 500' × 700' area in front of the station's forebay. QCNS does not expect to increase the size of the dredging area. QCNS anticipates that dredging will be necessary in the near future;

consequently, this activity is being included in the draft HCP. Maintenance dredging is assumed to occur once every 2 years over the life of the proposed permit. If the dredging area needs to be expanded from the current levels in the future, Exelon will consult with us prior to such activities.

A third covered activity in the draft HCP involves the removal of a structure known as the Edison Pier (RM 506.8L), which has been in existence since the initial building process of QCNS in the late 1960s. Although there are no immediate plans to remove this structure, preliminary demolition planning has occurred and this project could begin in the next few years. The process of removing this structure would extend a minimal distance out into the river channel, and could potentially impact any mussels in the area. It is important to note that coverage by this HCP does not exempt an activity from other local, State and Federal regulations, including permits issued by the U.S. Army Corps of Engineers.

## Impact Assessment

The purpose of an HCP is to ensure incidental take will be minimized and mitigated to the maximum extent practicable and will not appreciably reduce the likelihood of the survival and recovery of this species in the wild. Exelon designed the draft HCP in close consultation with us to ensure the planning area will continue to support suitable habitat for the species, while allowing for incidental take from the proposed activities.

To facilitate the development of the HCP, Exelon retained Ecological Specialists, Inc. (ESI) to evaluate potential direct and indirect impacts associated with adopting an Alternative Thermal Standard on covered species within the study area (RM 503.0 to 506.9). A copy of ESI's report is appended to the draft HCP. ESI was also retained to conduct mussel surveys in the area associated with maintenance dredging and Edison Pier.

Exelon proposes to minimize, mitigate, and monitor the impacts of taking listed species by implementing the following measures:

(1) Fish propagated at the QCNS will be inoculated with Higgins eye pearl mussel and sheepsnose mussel glochidia. QCNS will work with the Service and other partners to develop parameters for determining appropriate species augmentation/reintroduction sites and rates with regard to protection of native resident genetics. Methods include free release of fish inoculated with Higgins eye pearl mussel and

sheepnose mussel glochidia in select locations, and use of cage culture techniques for rearing of Higgins eye pearl mussel and sheepnose mussel in select locations.

(2) Outreach to universities focused on soliciting studies related to temperature and mussels, in situ or in conjunction with the lab facilities at QCNS.

(3) Implementation, effectiveness, and validation monitoring, including mussel bed monitoring, monitoring of temperature studies, long-term fish monitoring (ongoing), and use of adaptive management techniques will be used throughout the length of the permit.

#### Decisions

We will evaluate the permit application, the HCP, and received comments to determine whether the application meets the requirements of section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended. If the requirements are met, we will issue an incidental take permit to the Applicant for take of the Higgins eye pearl mussel and sheepnose mussel incidental to the otherwise lawful activities of the project. We will not make a final decision until after the end of the 30-day comment period and will fully consider all comments we receive during the comment period.

Dated: August 25, 2009.

**Richard C. Nelson,**

*Field Supervisor, U.S. Fish and Wildlife Service.*

[FR Doc. E9-21513 Filed 9-4-09; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R9-IA-2009-N179; 96300-1671-0000-P5]

#### Receipt of Applications for Permit

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

**ACTION:** Notice of receipt of applications for permit.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for permits to conduct certain activities with endangered species and/or marine mammals. Both the Endangered Species Act and the Marine Mammal Protection Act require that we invite public comment on these permit applications.

**DATES:** Written data, comments or requests must be received by October 8, 2009.

**ADDRESSES:** Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 212, Arlington, Virginia 22203; fax 703/358-2281.

**FOR FURTHER INFORMATION CONTACT:** Division of Management Authority, telephone 703/358-2104.

#### SUPPLEMENTARY INFORMATION:

##### Endangered Species

The public is invited to comment on the following applications for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). Submit your written data, comments, or requests for copies of the complete applications to the address shown in **ADDRESSES**.

Applicant: Texas Tech University, Department of Biological Sciences, Lubbock, TX, PRT-219951

The applicant requests a permit to import unlimited numbers of biological specimens from crocodiles, alligators, caimans, and gavials (Order: Crocodylia) for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a five-year period.

Applicant: Florida Fish and Wildlife Conservation Commission, Port Charlotte, FL, PRT-221391

The applicant requests a permit to export biological samples from smalltoothed sawfish (*Pristis pectinata*) to the Great Lakes Institute for Environmental Research, Windsor, Ontario, Canada, for the purpose of scientific research.

Applicant: Atlanta-Fulton County Zoo, Atlanta, GA, PRT-222610

The applicant requests a permit to export one female captive-bred giant panda (*Ailuropoda melanoleuca*) born at the zoo in 2006 and owned by the Government of China, to the Chengdu Research Base of Giant Panda Breeding, Sichuan, China, under the terms of their loan agreement with the Chinese Association of Zoological Gardens. This export is part of the approved loan program for the purpose of enhancement of the survival of the species through scientific research as

outlined in Zoo Atlanta's original permit (MA008519).

Applicant: Earth Promise, doing business as Fossil Rim Wildlife Center, Glen Rose, TX, PRT-223400

The applicant requests a permit to export one male captive-born black rhinoceros (*Diceros bicornis*) to the Africam Safari, Puebla, Mexico, for the purpose of the enhancement of the survival of the species.

Applicant: New York University College of Dentistry, New York, NY, PRT-225797

The applicant requests a permit to import biological samples of skeletal parts salvaged from both captive and wild populations of black rhinoceros (*Diceros bicornis*), mountain gorilla (*Gorilla gorilla beringei*), chimpanzee (*Pan troglodytes*), leopard (*Panthera pardus*), and L'Hoest's monkey (*Cercopithecus lhoesti*) from the Office Rwandais du Tourisme et des Parcs Nationaux, Kigali, Rwanda, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a five-year period.

Applicant: Ferdinand and Anton Fercos-Hantig, Las Vegas, NV, PRT-809334

On July 28, 2009, we published a **Federal Register** notice inviting the public to comment on several applications for permits to conduct certain activities with endangered species (74 FR 37240). We made an error in reporting the species of one animal in the Ferdinand and Anton Fercos-Hantig applications, which starts at the bottom of column 1 on page 37241. The animal named Sarina (PRT-809334) is not a female captive-born tiger (*Panthera tigris*) as we reported in 74 FR 37240, but rather a female captive-born leopard (*Panthera pardus*). All the other information we printed was correct. With this notice, we correct that error and reopen the comment period for PRT-809334. The corrected entry for this application is as follows: The applicant requests re-issuance of their permit to export/re-export and re-import one female captive-born leopard (*Panthera pardus*), "Sarina," to worldwide locations for the purpose of enhancement of the species through conservation education. This notification covers activities to be conducted by the applicant over a 3-year period and the import of any potential progeny born while overseas.

The following applicants request a permit to import the sport-hunted trophy of one male bontebok