

## MARINE MAMMALS

Permit number	Applicant	Receipt of application Federal Register notice	Permit issuance date
078744 .....	Texas A&M University, Dr. Randall Davis .....	76 FR 2408; January 13, 2011 .....	May 19, 2011.

**Availability of Documents**

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 to:

**Brenda Tapia,**

*Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.*

[FR Doc. 2011-13805 Filed 6-2-11; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

[FWS-R9-IA-2011-N118; 96300-1671-0000-P5]

**Endangered Species; 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 to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibit activities with listed species unless a Federal permit is issued that allows such activities. The ESA law requires that we invite public comment before issuing these permits.

**DATES:** We must receive comments or requests for documents on or before July 5, 2011.

**ADDRESSES:** Brenda Tapia, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 358-2280; or e-mail [DMAFR@fws.gov](mailto:DMAFR@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Brenda Tapia, (703) 358-2104 (telephone); (703) 358-2280 (fax); [DMAFR@fws.gov](mailto:DMAFR@fws.gov) (e-mail).

**SUPPLEMENTARY INFORMATION:****I. Public Comment Procedures****A. How do I request copies of applications or comment on submitted applications?**

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an e-mail or address not listed under **ADDRESSES**. If you provide an e-mail address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

**B. May I review comments submitted by others?**

Comments, including names and street addresses of respondents, will be available for public review at the address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. 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.

**II. Background**

To help us carry out our conservation responsibilities for affected species, the Endangered Species Act of 1973, section 10(a)(1)(A), as amended (16 U.S.C. 1531 *et seq.*), requires that we invite public comment before final action on these permit applications.

**III. Permit Applications****A. Endangered Species****Multiple Applicants**

The following applicants each request a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

*Applicant:* James Bibler, Russellville, AR; PRT-43716A.

*Applicant:* Keith Jefferson, Riverview, FL; PRT-43070A.

*Applicant:* Larry Hildreth, Tyler, TX; PRT-44242A.

*Applicant:* Scott McConnell, Poynette, WI; PRT-44162A.

*Applicant:* Lee Moore, Baker, MT; PRT-43956A.

**Brenda Tapia,**

*Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.*

[FR Doc. 2011-13804 Filed 6-2-11; 8:45 am]

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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

[FWS-R4-ES-2011-N102; 40120-1112-0000-F2]

**Final Supplemental Environmental Impact Statement and Record of Decision for Incidental Take of the Endangered Alabama Beach Mouse**

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

**ACTION:** Notice of availability.

**SUMMARY:** The Fish and Wildlife Service (Service), announces the availability of a final supplemental environmental impact statement (SEIS) which analyzes the environmental impacts associated with incidental take permits requested under the Endangered Species Act of 1973 (Act), as amended, for take of Alabama beach mouse (*Peromyscus polionotus ammobates*). For record of decision (ROD) availability, see **DATES**.

**DATES:** The ROD will be available no sooner than July 5, 2011.

**ADDRESSES:** Documents and other information submitted with the 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 to either of the following offices within 30 days of the date of publication of this notice: David Dell, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345; or Field Supervisor, Fish and Wildlife Service, 1208-B Main Street, Daphne, AL 36526.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional HCP Coordinator (See **ADDRESSES**), telephone: 404/679-7313; or Ms. Shannon Holbrook, Field Office Project Manager, at the Daphne Field Office (See **ADDRESSES**), telephone: 251/441-5871.

**SUPPLEMENTARY INFORMATION:** The Final SEIS analyzes the consequences of the proposed action and alternatives to the proposed action. The incidental take permits requested by Gulf Highlands LLC and Beach Club West, involve the construction, occupancy, use, operation, and maintenance of two residential and recreational condominium development projects on the Fort Morgan Peninsula in Baldwin County, Alabama.

On April 28, 2006, we published a notice of availability for a draft EIS (71 FR 25221). A Final EIS and ROD were advertised November 29, 2006 (71 FR 69141). Based on that Final EIS and review under the Act, two incidental take permits were issued by the Service in January 2007. As a result of legal challenges to the Service's decision to issue the incidental take permits, a preliminary injunction against the two developments was imposed May 3, 2007. Reevaluation of the projects on voluntary remand led to their withdrawal by the applicants for redesign. The applicants repositioned the proposed condominium projects about 600 feet further inland to avoid habitats considered essential for Alabama beach mouse survival and continued existence. This redesigned project would result in wetland fill

under jurisdiction of the Clean Water Act, so the Corps of Engineers became a cooperating agency in developing the SEIS. Revised project plans were submitted by the applicants in February 2009. A notice of availability for the Draft SEIS, incorporating the revised project plans, was published June 17, 2010 (75 FR 34476), for a 90-day public comment period. For ROD availability, see **DATES**.

The SEIS analyzes the preferred alternative, as well as a full range of reasonable alternatives, and the associated impacts of each. Alternative 3 (Preferred Alternative) concentrates the development on the eastern portion of the site and provides for dedication of 135 acres of Permittee-owned lands into conservation status via covenants, conditions, and restrictions attached to the property, and conditions on any incidental take permit that might be issued.

**Authority:** 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.*) and its implementing regulations (40 CFR parts 1500 through 1508), and with other appropriate Federal laws and regulations, policies, and procedures of the Service for compliance with those regulations.

Dated: May 17, 2011.

**Patrick J. Leonard,**

*Acting Regional Director.*

[FR Doc. 2011-13761 Filed 6-2-11; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Migratory Birds; Take of Migratory Birds by the Armed Forces

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

**ACTION:** Notice.

**SUMMARY:** The 2003 National Defense Authorization Act (Authorization Act) provided interim authority to members of the Armed Forces to incidentally take migratory birds during approved military readiness activities without violating the Migratory Bird Treaty Act (MBTA). The Authorization Act provided this interim authority to give the Secretary of the Interior (Secretary) time to exercise his/her authority under Section 704(a) of the MBTA to prescribe regulations authorizing such incidental take. The Secretary delegated this task to the U.S. Fish and Wildlife Service (Service). On February 28, 2007, the Service issued a final military readiness rule authorizing members of the Armed

Forces to incidentally take migratory birds.

The Authorization Act also stated that the period of application of interim incidental take authority would expire when the Service publishes a notice in the **Federal Register** that: (1) Prescribes regulations authorizing incidental take of migratory birds by the Armed Forces; (2) all legal challenges to the regulations have been exhausted; and (3) the regulations have taken effect. The Service hereby provides the notice required by the Authorization Act that the period of application for interim incidental take authority has expired. The Service prescribed the necessary regulations on February 28, 2007, the regulations took effect on March 30, 2007, and there were no challenges to those regulations filed during the allotted time period.

**FOR FURTHER INFORMATION CONTACT:** Dr. George Allen, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, at 703-358-1825.

**SUPPLEMENTARY INFORMATION:** On December 2, 2002, the President signed the 2003 National Defense Authorization Act (Authorization Act). Section 315 of the Authorization Act provided that, not later than one year after its enactment, the Secretary of the Interior (Secretary) should exercise his/her authority under Section 704(a) of the MBTA to prescribe regulations authorizing the Armed Forces to incidentally take migratory birds during those military readiness activities authorized by the Secretary of Defense or the Secretary of the military department concerned. The Authorization Act further required the Secretary to promulgate such regulations with the concurrence of the Secretary of Defense. The Secretary delegated this task to the Service.

The Authorization Act also provided interim authority allowing members of the Armed Forces to incidentally take migratory birds during military readiness activities for a period beginning on the date of enactment of the Act (December 2, 2002) and ending on the date on which the Secretary publishes in the **Federal Register** a notice that—

(1) Regulations authorizing the incidental taking of migratory birds by members of the Armed Forces have been prescribed in accordance with the requirements of the Act;

(2) All legal challenges to the regulations and to the manner of their promulgation (if any) have been exhausted as provided in subsection (e) [which states that all challenges must be filed in Federal court within 120 days