

Applicant: Whitetail Junction Ranch, Junction, TX; 82527A

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the barasingha (*Rucervus duvaucelii*), Eld's deer (*Rucervus eldii*), scimitar-horned oryx (*Oryx dammah*), Arabian oryx (*Oryx leucoryx*), addax (*Addax nasomaculatus*), dama gazelle (*Nanger dama*), and red lechwe (*Kobus leche*) to enhance the species' propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Whitetail Junction Ranch, Junction, TX; 82897A

The applicant requests a permit authorizing interstate and foreign commerce, export, and cull of excess scimitar-horned oryx (*Oryx dammah*), addax (*Addax nasomaculatus*), and dama gazelle (*Nanger dama*) from the captive herd maintained at their facility, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Elizabeth Lyons Trust, San Antonio, TX; PRT-83159A

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the scimitar-horned oryx (*Oryx dammah*) to enhance the species' propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Elizabeth Lyons Trust, San Antonio, TX; PRT-83160A

The applicant requests a permit authorizing interstate and foreign commerce, export, and cull of excess scimitar-horned oryx (*Oryx dammah*) from the captive herd maintained at their facility, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Lawrence Lerner, Staten Island, NY; PRT-220871

The applicant requests renewal of their captive-bred wildlife registration under 50 CFR 17.21(g) for the red siskin (*Carduelis cucullata*) to enhance the species' propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Star S Ranch Inc., Mason, TX; PRT-77537A

The applicant requests a captive-bred wildlife registration under 50 CFR

17.21(g) for the scimitar-horned oryx (*Oryx dammah*), dama gazelle (*Nanger dama*) and Grevy's zebra (*Equus grevyi*) to enhance the species' propagation or survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Star S Ranch Inc., Mason, TX; PRT-77536A

The applicant requests a permit authorizing interstate and foreign commerce, export, and cull of excess scimitar-horned oryx (*Oryx dammah*) and dama gazelle (*Nanger dama*) from the captive herd maintained at their facility, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: John Fry, Carson City, NV; PRT-82592A

The applicant requests a permit to import a 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.

Brenda Tapia,

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

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2010-N214; 1112-0000-81440-F2; FXES1112080000F2-123-FF08EVEN00]

Longworth Low-Effect Habitat Conservation Plan for the Morro Shoulderband Snail, Community of Los Osos, San Luis Obispo County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have received an application from Scott and Rita Longworth for a 10-year incidental take permit under the Endangered Species Act of 1973, as amended (Act). The application addresses the potential for "take" of the federally endangered Morro shoulderband snail that is likely to occur incidental to the construction, maintenance, and occupation of a

single-family residence on a legally created single-family zoned parcel in the unincorporated community of Los Osos, San Luis Obispo County, California. The applicants would implement a conservation program to minimize and mitigate project activities that are likely to result in take of the Morro shoulderband snail as described in their plan. We invite comments from the public on the application, which includes the Longworth Low-Effect Habitat Conservation Plan for the Morro Shoulderband Snail. This proposed action has been determined to be eligible for a Categorical Exclusion under the National Environmental Policy Act of 1969, as amended (NEPA).

DATES: To ensure consideration, please send your written comments by October 5, 2012.

ADDRESSES: You may download a copy of the habitat conservation plan, draft environmental action statement and low-effect screening form, and related documents on the Internet at <http://www.fws.gov/ventura/>, or you may request copies of the documents by U.S. mail or phone (see below). Please address written comments to Diane K. Noda, Field Supervisor, Ventura Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, CA 93003. You may alternatively send comments by facsimile to (805) 644-3958.

FOR FURTHER INFORMATION CONTACT: Julie M. Vanderwier, Fish and Wildlife Biologist, at the above address or by calling (805) 644-1766.

SUPPLEMENTARY INFORMATION:

Background

The Morro shoulderband snail (= banded dune snail; *Helminthoglypta walkeriana*) was listed by the Service as endangered on December 15, 1994 (59 FR 64613). Section 9 of the Act and its implementing regulations (16 U.S.C. 1531 *et seq.*) prohibit the take of fish or wildlife species listed as endangered or threatened. "Take" is defined under the Act to include the following activities: "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct" (16 U.S.C. 1532); however, under section 10(a)(1)(B) of the Act, we may issue permits to authorize incidental take of listed species. "Incidental take" is defined by the Act as take that is not the purpose of carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are provided in the Code of Federal Regulations at 50 CFR 17.32 and 17.22. Issuance of an

incidental take permit must not jeopardize the existence of federally listed fish, wildlife, or plant species.

Take of listed plants is not prohibited under the Act unless such take would violate State law. As such, take of plants cannot be authorized under an incidental take permit. Plant species may be included on a permit in recognition of the conservation benefits provided them under a habitat conservation plan. All species, including plants, covered by the incidental take permit receive assurances under our "No Surprises" regulations (50 CFR 17.22(b)(55) and 17.32(b)(5)). In addition to meeting other specific criteria, actions undertaken through implementation of the HCP must not jeopardize the continued existence of federally listed animal or plant species. The applicants have submitted a low-effect habitat conservation plan (HCP) in support of their application for an incidental take permit (ITP) that would address take of Morro shoulderband snail that is likely to occur as the result of direct impacts to up to 0.46 acre (20,038 square feet) of disturbed and intact coastal dune scrub occupied by the species. Take would be associated with the construction, maintenance, and occupation of a single-family residence on an existing parcel legally described as Assessor Parcel Number 074-483-036 and located at the eastern terminus of Madera Street Road in western portion of Los Osos, an unincorporated community of San Luis Obispo County, California. The applicants are requesting a permit for take of Morro shoulderband snail that would result from "covered activities" in the HCP that include the construction, maintenance, and occupation of a single-family residence and associated landscaping/infrastructure.

The applicants propose to minimize and mitigate take of Morro shoulderband snail associated with the covered activities by fully implementing the HCP. The following measures would be implemented to minimize the effects of the taking: (1) Pre-construction and concurrent construction monitoring surveys for Morro shoulderband snail would be conducted; (2) all identified individuals of any life stage of Morro shoulderband snail would be captured and moved out of harm's way to a Service-approved receptor site by an individual in possession of a current valid recovery permit for the species; and (3) a contractor and employee training program for Morro shoulderband snail would be developed and presented. To mitigate for unavoidable take, the applicants would

contribute \$10,200 to an impact-directed environmental account held and administered by the National Fish and Wildlife Foundation. These funds would be used to implement recovery tasks identified in the *Recovery Plan for the Morro Shoulderband Snail and Four Plants from Western San Luis Obispo County, California* (USFWS 1998). The applicants would fund up to \$16,710, as needed, to ensure implementation of all of the minimization measures identified in the HCP.

In the proposed HCP, the applicants consider two alternatives to the proposed action: "No Action" and "Project Design." Under the "No Action" alternative, an ITP for the Longworth single-family residence would not be issued. The Longworth single-family residence would not be built, and a contribution of in-lieu fees would not be provided to effect recovery actions for Morro shoulderband snail. Since the property is privately owned, there are ongoing economic considerations associated with continued ownership without use, which include payment of associated taxes. The sale of the properties for purposes other than the identified activity is not economically feasible. Because of economic considerations and because the proposed action results in a net benefit for the covered species, the Morro shoulderband snail, the No Action Alternative has been rejected.

Under the "Project Redesign" alternative, the project would be redesigned to avoid or further reduce take of Morro shoulderband snail. Because the coastal dune scrub occupied by Morro shoulderband snail is in the center of the property, and 6,252 square feet (31 percent) of the parcel along the eastern boundary is constrained by an easement where no structures may be placed, it is not feasible to implement a project such that take could be avoided. Further reducing the footprint of the house would not meet the applicants' needs and would not significantly reduce impacts to Morro shoulderband snail such that there would be a greater benefit to the species. For these reasons, the alternate design alternative has also been rejected.

We are requesting comments on our preliminary determination that the applicants' proposal will have a minor or negligible effect on the Morro shoulderband snail and that the plan qualifies as a low-effect HCP as defined by our Habitat Conservation Planning Handbook (November 1996). We base our determinations on three criteria: (1) Implementation of the proposed project as described in the HCP would result in

minor or negligible effects on federally listed, proposed, and/or candidate species and their habitats; (2) implementation of the HCP would result in minor negligible effects on other environmental values or resources; and (3) HCP impacts, considered together with those of other past, present, and reasonably foreseeable future projects, would not result in cumulatively significant effects. In our analysis of these criteria, we have made a preliminary determination that the approval of the HCP and issuance of an ITP qualify for categorical exclusion under the NEPA (42 U.S.C. 4321 *et seq.*), as provided by the Department of Interior Manual (516 DM 2 Appendix 2 and 516 DM 8); however, based upon our review of public comments that we receive in response to this notice, this preliminary determination may be revised.

Next Steps

We will evaluate the permit application, including the plan and comments we receive, to determine whether the application meets the requirements of section 10(a)(1)(B) of the Act. We will also evaluate whether issuance of the ITP would comply with section 7(a)(2) of the Act by conducting an intra-Service Section 7 consultation for the plan.

Public Review

We provide this notice under section 10(c) of the Act and the NEPA public involvement regulations (40 CFR 1500.1(b), 1500.2(d), and 1506.6). We are requesting comments on our determination that the applicants' proposal will have a minor or negligible effect on the Morro shoulderband snail and that the plan qualifies as a low-effect HCP. We will evaluate the permit application, including the plan and comments we receive, to determine whether the application meets the requirements of section 10(a)(1)(B) of the Act. We will use the results of our internal Service consultation, in combination with the above findings, in our final analysis to determine whether or not to issue the permits. If the requirements are met, we will issue an ITP to the applicants for the incidental take of Morro shoulderband snail. We will make the final permit decision no sooner than 30 days after the date of this notice.

Public Comments

If you wish to comment on the permit applications, plans, and associated documents, you may submit comments by any one of the methods in **ADDRESSES**.

Public Availability of Comments

Before including your address, phone number, email 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 view, we cannot guarantee that we will be able to do so.

Authority: We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: August 29, 2012.

Diane K. Noda,

Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California.

[FR Doc. 2012-21823 Filed 9-4-12; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****Proclaiming Certain Lands, Dafter Parcel, as an Addition to the Bay Mills Indian Reservation for the Bay Mills Indian Community of Michigan**

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Reservation Proclamation.

SUMMARY: This notice informs the public that the Assistant Secretary—Indian Affairs proclaimed approximately 110.06 acres, more or less, to be added to the Bay Mills Indian Reservation for the Bay Mills Indian Community of Michigan.

FOR FURTHER INFORMATION CONTACT: Ben Burshia, Bureau of Indian Affairs, Division of Real Estate Services, Mail Stop 4639–MIB, 1849 C Street NW., Washington, DC 20240, telephone (202) 208–7737.

SUPPLEMENTARY INFORMATION: This Notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual.

A proclamation was issued according with Section 7 of the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 467), for the land described below. The land was proclaimed to be an addition to the Bay Mills Indian Reservation and part of the Bay Mills Indian Community of Michigan for the exclusive use of Indians on that Reservation who are entitled to reside at the Reservation by enrollment or tribal membership.

Bay Mills Indian Community Reservation

Township of Dafter, Chippewa County, Michigan

A parcel of land located in the South ½ of Section 15, Township 46 North, Range 1 West, Dafter Township, Chippewa County, Michigan, more particularly described as commencing at the Southwest corner of said Section 15; thence North 89°20'34" E along the South line of said Section 15 a distance of 1139.96 feet; thence North 00°39'26" W a distance of 75.00 feet to a point on the Northerly right of way line of M–28, said point is the POINT OF BEGINNING; Thence S 89°20'34" W along said Northerly right of way line a distance of 98.76 feet; Thence N 00°00'36" E a distance of 200.00 feet; thence N 8°20'34" E a distance of 273.00 feet to a point on the West line of the East ½ of the Southwest ¼ of said Section 15; Thence N 00°00'36" E along said West line a distance of 2461.49 feet to the Northwest corner of said East ½, said point is on the East-West ¼ line of said Section 15; Thence N 83°41'56" E along said East-West ¼ line a distance of 2340.11 feet to a point the Westerly Limited Access Right of Way line of Highway I–75; Thence the following six courses and distances along said Westerly right of way line; Thence Southwesterly 1271.34 feet along the arc of a non-tangent curve, concave to the Southeast, said curve has a delta angle of 06°16'28", a radius of 11,609.16 feet and is subtended by a chord that bears S 14°12'52" W a distance of 1270.70 feet; Thence S 11°04'38" W a distance of 286.72 feet; Thence S 34°58'27" W a distance of 713.99 feet; Thence S 53°09'38" W a distance of 1070.00 feet; Thence S 68°06'45" W a distance of 353.64 feet; Thence S 84°50'34" W a distance of 542.00 feet, to the POINT OF BEGINNING.

The above-described lands contain a total of 110.06 acres, more or less, which are subject to all valid rights, reservations, rights-of-way, and easements of record.

This proclamation does not affect title to the land described above, nor does it affect any valid existing easements for public roads and highways, public utilities and for railroads and pipelines and any other rights-of-way or reservations of record.

Dated: August 23, 2012.

Donald E. Laverdure,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 2012-21825 Filed 9-4-12; 8:45 am]

BILLING CODE 4310-W7-P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****Proclaiming Certain Lands, Sugar Parcel Lands, as an Addition to the Bay Mills Indian Reservation for the Bay Mills Indian Community of Michigan**

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Reservation Proclamation.

SUMMARY: This notice informs the public that the Assistant Secretary—Indian Affairs proclaimed approximately 80.00 acres, more or less, to be added to the Bay Mills Indian Reservation for the Bay Mills Indian Community of Michigan.

FOR FURTHER INFORMATION CONTACT: Ben Burshia, Bureau of Indian Affairs, Division of Real Estate Services, Mail Stop 4639–MIB, 1849 C Street NW., Washington, DC 20240, telephone (202) 208–7737.

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Bay Mills Indian Community Reservation

Township of Bay Mills, Chippewa County, Michigan

East One Half (E½) of Northeast One Quarter (NE ¼), Section 36, Township 47 North, Range 3 West (80 acres).

The above-described lands contain a total of 80.00 acres, more or less, which are subject to all valid rights, reservations, rights-of-way, and easements of record.

This proclamation does not affect title to the land described above, nor does it affect any valid existing easements for public roads and highways, public utilities and for railroads and pipelines and any other rights-of-way or reservations of record.