

The applicant requests a permit to take (harass by survey and locate and monitor nests) the southwestern willow flycatcher (*Empidonax traillii extimus*) and the California least tern (*Sterna antillarum browni*), and take (locate and monitor nests) the least Bell's vireo (*Vireo bellii pusillus*) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

**Permit No. TE-094983**

*Applicant:* Santa Barbara Botanic Garden, Santa Barbara, California.

The applicant requests a permit to remove/reduce to possession (collect) *Arabis hoffmannii* (Hoffmann's rock-cress), *Arenaria paludicola* (Marsh sandwort), *Astragalus pycnostachyus* var. *lanosissimus* (Ventura marsh milk-vetch), *Berberis nevinii* (Nevin's barberry), *Berberis pinnata* ssp. *insularis* (island barberry), *Castilleja grisea* (San Clemente Island Indian paintbrush), *Castilleja mollis* (soft-leaved Indian paintbrush), *Caulanthus californicus* (California jewelflower), *Cirsium fontinale* var. *obispoense* (Chorro Creek bog thistle), *Cirsium loncholepis* (La Graciosa thistle), *Clarkia speciosa* ssp. *immaculate* (Pismo clarkia), *Cordylanthus maritimus* ssp. *maritimus* (salt marsh bird's-beak), *Deinandra increscens* ssp. *villosa* (Gaviota tarplant), *Delphinium variegatum* ssp. *kinkiense* (San Clemente Island larkspur), *Dudleya traskiae* (Santa Barbara Island dudleya), *Eremalche kernensis* (Kern mallow), *Eriodictyon altissimum* (Indian Knob mountain balm), *Eriodictyon capitatum* (Lompoc yerba santa), *Erysimum menziesii* ssp. *yadonii* (Menzies' wall-flower), *Galium buxifolium* (island bedstraw), *Gilia tenuiflora* ssp. *hoffmannii* (Hoffman's slender-flowered gilia), *Layia carnosa* (beach layia), *Lithophragma maximum* (San Clemente Island woodland star), *Lotus dendroideus* var. *traskiae* (San Clemente Island broom), *Lupinus nipomensis* (Nipomo Mesa lupine), *Malacothamnus clementinus* (San Clemente Island bush mallow), *Malacothamnus fasciculatus* var. *nesioticus* (Santa Cruz Island bush mallow), *Malacothrix indecora* (Santa Cruz Island malacothrix), *Malacothrix squalida* (island malacothrix), *Pentachaeta lyonii* (Lyon's pentachaeta), *Rorippa gambellii* (Gambel's watercress), *Sibara filifolia* (Santa Cruz Island rock-cress), and *Thysanocarpus conchuliferus* (Santa Cruz Island fringe-pod) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

**Permit No. TE-095561**

*Applicant:* Bertin Anderson, Blythe, California.

The applicant requests a permit to take (harass by survey) the southwestern willow flycatcher (*Empidonax traillii extimus*) and the Yuma clapper rail (*Rallus longirostris yumanensis*) in conjunction with surveys in Riverside County, California, for the purpose of enhancing their survival.

We solicit public review and comment on each of these recovery permit applications.

Dated: November 15, 2004.

**Paul Henson,**

*Acting Manager, California/Nevada Operations Office, Fish and Wildlife Service.*  
[FR Doc. 04-26911 Filed 12-7-04; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Endangered and Threatened Wildlife and Plants; Initiation of a 5-Year Review of Topeka Shiner (*Notropis topeka*)**

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

**ACTION:** Notice of review.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces a 5-year review of the Topeka shiner (*Notropis topeka*), a species of fish native to streams of the central plains region, under section 4(c)(2)(A) of the Endangered Species Act of 1973 (Act) (16 U.S.C. 1531 *et seq.*). A 5-year review is a periodic process conducted to ensure that the listing classification of a species is accurate. A 5-year review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of any such information on the Topeka shiner that has become available since its original listing as an endangered species in 1998 (63 FR 69008). Based on the results of this 5-year review, we will make the requisite finding under section 4(c)(2)(B) of the Act.

**DATES:** To allow us adequate time to conduct this review, we must receive your information no later than February 7, 2005. However, we will continue to accept new information about any listed species at any time.

**ADDRESSES:** Submit information to the U.S. Fish and Wildlife Service, Kansas Ecological Services Field Office, 315 Houston Street, Suite E, Manhattan, Kansas 66502. Information received in

response to this notice and review will be available for public inspection, by appointment, during normal business hours, at the above address.

**FOR FURTHER INFORMATION CONTACT:** Vernon Tabor at the above address, by telephone (785) 539-3474, by facsimile (785) 539-8567, or by e-mail [Vernon\\_Tabor@fws.gov](mailto:Vernon_Tabor@fws.gov).

**SUPPLEMENTARY INFORMATION:** Under the Act, the Service maintains a list of endangered and threatened wildlife and plant species at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the Act requires that we conduct a review of listed species at least once every 5 years. Then, on the basis of such reviews under section 4(c)(2)(B), we determine whether or not any species should be removed from the list (delisted), or reclassified from endangered to threatened or from threatened to endangered. Delisting a species must be supported by the best scientific and commercial data available and only considered if such data substantiate that the species is neither endangered nor threatened for one or more of the following reasons—(1) the species is considered extinct; (2) the species is considered to be recovered; and/or (3) the original data available when the species was listed, or the interpretation of such data, were in error. Any change in Federal classification would require a separate rulemaking process. The regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species currently under active review. This notice announces our active review of the Topeka shiner currently listed as an endangered species.

**Public Solicitation of New Information**

To ensure that the 5-year review is complete and based on the best scientific and commercial information, we are soliciting new information from the public, concerned governmental agencies, Tribes, the scientific community, industry, environmental entities, and any other interested parties concerning the status of Topeka shiner.

The 5-year review considers the best scientific and commercial data and all new information that has become available since the listing determination or most recent status review. Categories of requested information include—(A) Species biology, including but not limited to, population trends, distribution, abundance, demographics, and genetics; (B) habitat conditions, including but not limited to, amount, distribution, and suitability; (C) conservation measures that have been

implemented that benefit the species; (D) threat status and trends; and (E) other new information, data, or corrections, including but not limited to, taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

If you wish to provide information for this 5-year review, you may submit your comments and materials to the Kansas Ecological Services Field Office (see **ADDRESSES** section). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Respondents may request that we withhold a respondent's identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comment. However, we will not consider anonymous comments. To the extent consistent with applicable law, 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. Comments and materials received will be available for public inspection, by appointment, during normal business hours (see **ADDRESSES** section).

**Authority** This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: November 24, 2004.

**Benjamin Tuggle,**

*Regional Director, Denver, Colorado.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-010-04-1020-DF]

#### Notice of Intent To Prepare an Environmental Impact Statement on Sensitive Bird Species in Three Grazing Allotments in Elko County, NV

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** In accordance with section 102(2)(C) of the National Environmental Policy Act of 1969 and regulations at 40 CFR Parts 1500-1508, the Bureau of Land Management, Elko Field Office, will be preparing an Environmental

Impact Statement (EIS) on the effects of three multiple use decisions on sensitive bird species in three grazing allotments in Elko County, Nevada.

**DATES:** This Notice initiates the 30-day public scoping period. Within 30 days of the publication of this Notice, a public scoping meeting will be held at the BLM Elko Field Office, 3900 East Idaho Street, Elko, Nevada, to familiarize interested publics with the project and to identify issues and concerns to be addressed in the EIS. The scoping meeting will be announced through the local news media, newsletters, and the BLM Web site at [www.nv.blm.gov/Elko](http://www.nv.blm.gov/Elko) at least 15 days prior to the event. Any additional public meetings, if necessary, will be announced similarly. Comments on issues can also be submitted in writing to the address listed below and for 30 days after publication of this Notice in the **Federal Register**. In addition to the ongoing public participation process, formal opportunities for public participation will be provided upon publication of the BLM Draft EIS.

**ADDRESSES:** You may submit comments by any of the following methods:

—E-mail: [rlister@nv.blm.gov](mailto:rlister@nv.blm.gov)

—Fax: (775) 753-0255

—Mail: Send to the attention of the Sensitive Species EIS Project Manager, BLM Elko Field Office, 3900 East Idaho Street, Elko, NV 89801

Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours, 7:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the EIS. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. However, we will not consider anonymous comments. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be available for public inspection in their entirety.

**FOR FURTHER INFORMATION CONTACT:** Ray Lister, Project Manager at the Elko Field Office, 3900 E. Idaho Street, Elko, NV 89801. Telephone: (775) 753-0200. E-mail: [rlister@nv.blm.gov](mailto:rlister@nv.blm.gov).

**SUPPLEMENTARY INFORMATION:** The BLM is preparing this EIS to comply with a

minute order issued by the Honorable Howard D. McKibben, U.S. District Judge, District of Nevada, on August 18, 2004 (CV-N-03-197-HDM(VPC)). The order followed a hearing on a complaint against three final multiple use decisions (*Western Watersheds Project and Committee for the High Desert v. Clinton R. Oke, Assistant Field Manager, Elko Field Office, et al.*). The final decisions, which were left intact by the judge, are for the Sheep Allotment Complex, Big Springs Allotment and Owyhee Allotment. The Sheep Allotment Complex and Big Springs Allotments are located in the southeastern portion of Elko County, Nevada, and the Owyhee Allotment is in the northwest portion of Elko County.

The order is to prepare the EIS with respect to burrowing owls, raptors and sage grouse on the Sheep Complex and the Owyhee Allotment, and sage grouse on the Big Springs Allotment. BLM will evaluate the impact of livestock grazing, to the extent applicable, to these sensitive bird species and consider springs, seeps, riparian areas and upland habitat.

Preparation of the EIS will require coordination with the Nevada Department of Wildlife (NDOW). NDOW previously supplied information and commented on allotment evaluations on which the multiple use decisions were based. NDOW will be requested to supply additional information on the species to be analyzed and invited to participate in preparation of the EIS, possibly as a cooperating agency.

Dated: September 23, 2004.

**Helen M. Hankins,**

*Field Manager.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before November 13, 2004.

Pursuant to § 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic