

**DEPARTMENT OF THE INTERIOR****Office of the Secretary****Natural Resource Damage Assessment and Restoration Program Office; Notice of Natural Resource Damage Assessment and Restoration Advisory Committee Meeting**

**ACTION:** Notice; FACA Committee meeting announcement.

**SUMMARY:** As required by the Federal Advisory Committee Act, Public Law 92-463, the Department of the Interior, Natural Resource Damage Assessment and Restoration Program Office gives notice of the fourth meeting of the Department's Natural Resource Damage Assessment and Restoration Advisory Committee. The Advisory Committee will meet at the U.S. Department of the Interior, South Building Auditorium, 1951 Constitution Avenue, NW., Washington, DC 20240 from 8:30 a.m. to 5 p.m. on November 29 and November 30, 2006. Members of the public are invited to attend the Committee Meeting to listen to the committee proceedings and to provide public input.

*Public Input:* Any member of the public interested in providing public input at the Committee Meeting should contact Mr. Steve Glomb, whose contact information is listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice. Each individual providing oral input is requested to limit those comments to three minutes. This time frame may be adjusted to accommodate all those who would like to speak. Requests to be added to the public speaker list must be received in writing (letter, e-mail, or fax) by noon eastern standard time on November 20, 2006. Anyone wishing to submit written comments should provide a copy of those comments to Mr. Glomb in the following formats: One hard copy with original signature, and one electronic copy via e-mail (acceptable file formats are: Adobe Acrobat, WordPerfect, Word, or Rich Text files) by noon eastern standard time on November 20, 2006.

*Document Availability:* Interested individuals may view the draft agenda for the meeting online at <http://restoration.doi.gov/faca> or may request the draft agenda from Mr. Glomb. In preparation for this meeting of the Advisory Committee, the Committee and the public can find helpful background information at the Restoration Program Web site <http://restoration.doi.gov>. The site provides a good introduction to the program for those who are relatively new to the damage assessment and restoration

arena and a useful reference for seasoned practitioners and policy leaders. Links to the statutory and regulatory framework for the program are found at <http://restoration.doi.gov/laws.htm>. DOI Program policies are found at <http://restoration.doi.gov/policy.htm>.

**Agenda for Meeting**

The agenda will cover the following principal subjects:

- Presentation and discussion on cultural services provided by natural resources.
- Discussion of subcommittee reports.
- Formal public input (if any).
- Committee agreement on each subcommittee scope and plan.
- Develop schedule for next Committee meeting.

We estimate that each subcommittee report, discussion, and associated public input will take approximately three to four hours. However, the timeframes will remain flexible. If a subcommittee report and discussion requires less time, the committee will move directly on to the next topic.

*Meeting Access:* Individuals requiring special accommodation at this meeting must contact Mr. Steve Glomb (see contact information below) by noon eastern standard time on November 15, 2006, so that appropriate arrangements can be made.

**DATES:** November 29, 2006, from 8:30 a.m. to 5 p.m. (open to the public). November 30, 2006, from 8:30 a.m. to 5 p.m. (open to the public).

**ADDRESSES:** Auditorium, U.S. Department of the Interior, South Building, 1951 Constitution Avenue, NW., Washington, DC 20240.

All individuals attending the Committee Meeting will be required to present photo identification to security officers to gain access to the South Interior Building.

**FOR FURTHER INFORMATION CONTACT:** Steve Glomb, U.S. Department of the Interior, Natural Resource Damage Assessment and Restoration Program, Mail Stop MIB 4449, 1849 C Street, NW., Washington, DC 20240; phone 202-208-4863; fax 202-208-2681; or [steve\\_glomb@ios.doi.gov](mailto:steve_glomb@ios.doi.gov).

Dated: November 3, 2006.

**Frank M. DeLuise,**  
*Designated Federal Officer, DOI Natural Resource Damage Assessment and Restoration Advisory Committee.*  
[FR Doc. E6-18871 Filed 11-7-06; 8:45 am]  
**BILLING CODE 6820-PE-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Construction of a Commercial Park, Brevard County, FL**

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

**ACTION:** Notice: receipt of application for an incidental take permit; request for comments.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of one ITP and Habitat Conservation Plan (HCP)/Application for one incidental take permit. Marsol Development Corporation (Applicant) requests an incidental take permit (ITP) for a duration of 2 years pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant anticipates taking about 7.5 acres of Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) foraging, sheltering, and possibly nesting habitat incidental to lot preparation for the construction of a commercial park and supporting infrastructure in Brevard County, Florida (Project). The destruction of 7.5 acres of foraging, sheltering, and possibly nesting habitat is expected to result in the take of one family of scrub-jays. The Applicant's Habitat Conservation Plan (HCP) describes the mitigation and minimization measures proposed to address the effects of the Project to the Florida scrub-jay.

**DATES:** We must receive any written comments on the ITP application and HCP at the Jacksonville Field Office (see **ADDRESSES**) on or before December 8, 2006.

**ADDRESSES:** Persons wishing to review the application and HCP may obtain a copy by writing the Service's Jacksonville Field Office. Please reference permit number TE126179-0 in such requests. Documents will also be available for public inspection by appointment during normal business hours at the Jacksonville Field Office, 6620 Southpoint Drive South, Suite 310, Jacksonville, Florida 32216-0912.

**FOR FURTHER INFORMATION CONTACT:** Ms. Erin Gawera, Fish and Wildlife Biologist, Jacksonville Field Office (see **ADDRESSES**), telephone: 904/232-2580, ext. 121.

**SUPPLEMENTARY INFORMATION:** If you wish to comment, you may submit comments by any one of several methods. Please reference permit number TE126179-0 in all requests or comments. You may mail comments to the Service's Jacksonville Field Office

(see **ADDRESSES**). You may also comment via the internet to [erin\\_gawera@fws.gov](mailto:erin_gawera@fws.gov). Please include your name and return 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 the telephone number listed above (**FOR FURTHER INFORMATION CONTACT**). Finally, you may hand deliver comments to the Service office listed under **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.

Commercial construction for Marsol Development Corporation will take place within Section 31, Township 26 South, Range 37 East, Port St. Johns, Brevard County, Florida, on the southeast corner of Wickham Road and Summer Brook Drive. This parcel is within locations where scrub-jays were sighted during surveys for this species during the period 1999–2003.

The project encompasses about 9.0 acres, of which there is 7.5 acres of scrub-jay foraging, sheltering, and possibly nesting habitat. The footprint of the commercial park, infrastructure, and landscaping preclude retention of scrub-jay habitat. In order to minimize take on site, the Applicant agrees to avoid construction during the nesting season if active nests are found on site, but no other on-site minimization measures are proposed to reduce take of scrub-jays.

The Applicant proposes to mitigate for the loss of 7.5 acres of scrub-jay habitat by purchasing a minimum of 15 acres of occupied scrub-jay habitat within property in holdings mapped within the Valkaria portion of the Brevard County Environmentally Endangered Lands Program (EEL) Coastal Scrub Ecosystem. In addition, \$1,200 per acre will be provided for management of this land.

The Service has determined that the Applicant's proposal, including the proposed mitigation and minimization measures, will have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). This preliminary information may be revised based on our review of public comments that we receive in response to this notice. Low-effect HCPs are those involving (1) minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If it is determined that those requirements are met, the ITP will be issued for the incidental take of the Florida scrub-jay. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the 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 ITP.

**Authority:** This notice is provided pursuant to Section 10 of the Endangered Species Act and NEPA regulations (40 CFR 1506.6).

Dated: October 17, 2006.

**David L. Hankla,**

*Field Supervisor, Jacksonville Field Office.*

[FR Doc. E6-18822 Filed 11-7-06; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Proposed Holland Properties Safe Harbor Agreement, Orange County, FL

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

**ACTION:** Notice.

This notice advises the public that Holland Properties Inc. (Applicant), has applied to the Fish and Wildlife Service (Service) for an enhancement of survival permit (permit) pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1539 *et seq.*). The permit application includes a proposed Safe Harbor Agreement

(Agreement) for the endangered red-cockaded woodpecker (*Picoides borealis*) (Woodpecker) for a period of 30 years.

We (the Service) announce the opening of a 30-day comment period and request comments from the public on the Applicant's enhancement of survival permit application and the accompanying proposed Agreement. All comments we receive, including names and addresses, will become part of the administrative record and may be released to the public. For further information and instructions on reviewing and commenting on this application, see the **ADDRESSES** section, below.

**DATES:** Written comments should be received on or before December 8, 2006.

**ADDRESSES:** You may obtain a copy of the information available by contacting the Service's Regional Safe Harbor Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345, or Field Supervisor, U.S. Fish and Wildlife Service, 6620 Southpoint Drive S., Suite 310, Jacksonville, Florida 32216. Alternatively, you may set up an appointment to view these documents at either location during normal business hours. Written data or comments should be submitted to the Atlanta, Georgia, Regional Office. Requests for the documentation must be in writing to be processed, and comments must be written to be considered.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Gooch (telephone: 404/679-7124; facsimile: 404/679-7081), or Ms. Annie Dziergowski (telephone: 904/232-2580; facsimile: 904/232-2404).

**SUPPLEMENTARY INFORMATION:** Under a safe harbor agreement, a participating property owner voluntarily undertakes management activities on its property to enhance, restore, or maintain habitat benefiting species listed under the Endangered Species Act. Agreements encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring them they will not be subjected to increased property use restrictions if their efforts attract listed species to their property or increase the numbers of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits through safe harbor agreements are found in 50 CFR 17.22 and 17.32.

We have worked with the Applicant to design conservation measures intended to benefit the Woodpecker on about 3,863 acres of pine-dominated forest in southern Orange County. Under the Agreement, the Applicant