

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Receipt of an Application for an Incidental Take Permit for Construction of the Fire Station/Emergency Medical Services (EMS) 11 Facility in Charlotte County, FL**

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

**ACTION:** Notice.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) and Habitat Conservation Plan (HCP). Charlotte County Facilities Construction and Maintenance (applicant) requests an ITP pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking about 4.56 acres (1.85 hectares (ha)) of Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) foraging and sheltering habitat incidental to lot preparation for the construction of the Fire Station/EMS 11 facility and supporting infrastructure in Charlotte County, Florida (project). The applicant's HCP describes the mitigation and minimization measures proposed to address the effects of the project on the Florida scrub-jay.

**DATES:** We must receive your written comments on the ITP application and HCP on or before July 23, 2007.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing to the South Florida Ecological Services Office, Attn: Permit number TE108859-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Trish Adams, Fish and Wildlife Biologist, South Florida Ecological Services Office (see **ADDRESSES**); telephone: (772) 562-3909, ext. 232.

**SUPPLEMENTARY INFORMATION:** If you wish to comment on the ITP application and HCP, you may submit comments by any one of the following methods. Please reference permit number TE108859-0 in such comments.

1. Mail or hand-deliver comments to our South Florida Ecological Services Office address (see **ADDRESSES**).

2. E-mail comments to [trish\\_adams@fws.gov](mailto:trish_adams@fws.gov). If you do not

receive a confirmation that we have received your e-mail message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**.

Before including your address, phone number, e-mail address, or other personal identifying information in your comments, 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.

Construction for the Fire Station/EMS 11 HCP will take place within Section 16, Township 40 South, Range 23 East, Punta Gorda, Charlotte County, Florida, at 2403 Highlands Road, in the Harbor Heights Subdivision. This lot is within scrub-jay occupied habitat.

The lot encompasses about 4.56 acres (1.85 ha), and the footprint of the project facility, infrastructure, and landscaping precludes retention of scrub-jay habitat on this lot. In order to minimize take on site, the applicant proposes to mitigate for the loss of 4.56 acres (1.85 ha) of scrub-jay habitat by restoring and managing 9.02 acres (3.65 ha) of a conservation easement that they have acquired for scrub-jays.

We have 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). 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. Based on our review of public comments that we receive in response to this notice, we may revise this preliminary determination.

We 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 we determine that the application meets the requirements, we will issue the ITP for incidental take of the Florida scrub-jay. We 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. We will use the results of this

consultation, in combination with the above findings, in the final analysis to determine whether or not to issue the ITP.

**Authority:** We provide this notice pursuant to Section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: June 8, 2007.

**Paul Souza,**

*Field Supervisor, South Florida Ecological Services Field Office.*

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**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Habitat Conservation Plan, Town of Marana, AZ**

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

**ACTION:** Notice of intent to prepare an environmental impact statement (EIS); announcement of public scoping meeting; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), advise the public that we intend to prepare an EIS to evaluate the impacts of, and alternatives to, the proposed issuance of an incidental take permit (ITP), pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended, to the Town of Marana (Applicant), in Pima County, Arizona. The Town of Marana intends to apply for an ITP through the development and implementation of a Habitat Conservation Plan (HCP), as required by the Act. We also announce a public scoping meeting and public comment period.

**DATES:** We must receive written comments on alternatives and issues to be addressed in the EIS on August 20, 2007. We will hold public scoping meetings on July 9, 2007 from 6 p.m. to 8 p.m. at the Marana Operations Center (5100 W. Ina Road, Tucson, Arizona, 85743), July 11, 2007 from 6 p.m. to 8 p.m. at the Marana Municipal Complex (11555 W. Civic Center Dr., Marana, Arizona, 85653), and on July 24, 2007 from 6 p.m. to 8 p.m. at the Marana Municipal Complex. We will accept written comments at these meetings.

**ADDRESSES:** Written comments should be sent to Mr. Steven L. Spangle, Field Supervisor, U.S. Fish and Wildlife Service, 2321 West Royal Palm Road, Suite 103, Phoenix, AZ 85021.