

species' habitat requirements and the anticipated beneficial effects from implementation of the voluntary conservation measures on both species, we believe that it is appropriate to combine the CCAA/SHA elements in a single Agreement for consideration in this notice.

The ARFO, AFGC, NRCS, and TNC's proposed watershed wide joint Agreement is designed to encourage voluntary habitat restoration and/or enhancement actions to benefit either or both of the covered species. The geographic scope of the Agreement is approximately 558,615 acres of the upper Little Red River watershed in north central Arkansas. Lands potentially eligible for inclusion include all privately owned lands, State lands, and public lands owned by cities, counties, and municipalities, with potentially suitable habitat for the covered species in the upper Little Red River watershed. Simultaneous to implementation of voluntary management actions through the individual landowner agreements (the POMA), the Agreement will provide specific regulatory assurances.

Under the Agreement's CCAA program element (covering the YCD), the landowner will not have any responsibility under the Act beyond that which exists at the time he or she enters into the program, even if the YCD becomes federally listed. The POMA will identify any existing YCD habitat and will describe the actions that the landowner commits to take (e.g., riparian revegetation, livestock fencing, etc.) or will allow to be taken to improve YCD habitat on the property, and the time period within which those actions are to be taken and maintained. When combined with actions of other landowners throughout the watershed, conservation actions taken by a specific landowner should preclude the need to list the YCD as threatened or endangered under the Act.

Under the Agreement's SHA element (covering the SPB), each POMA will identify any existing SPB habitat on the landowner's property and will describe the actions that the landowner commits to take (e.g., riparian revegetation, livestock fencing, etc.) or will allow to be taken to improve SPB habitat on the property, and the time period within which those actions are to be taken and maintained. Under the POMA, the landowner will have the option of returning the enrolled lands to baseline conditions, even if such actions will result in the incidental taking of SPB.

The proposed Agreement is being evaluated for Categorical Exclusion from the NEPA process. As a result, no other

alternatives have been evaluated to implement conservation efforts for either the YCD or SPB at this time. Entering into a POMA is strictly voluntary for landowners. We do not foresee any detrimental effects to the human environment resulting from approval and implementation of this application and Agreement. We believe that the net effect of the Agreement will be to increase the amount of habitat available for the two covered species and improve overall water quality conditions throughout the watershed. It is therefore likely that the Agreement will meet the requirements to be categorically excluded from the NEPA process.

We provide this notice pursuant to section 10(c) of the Endangered Species Act and pursuant to implementing regulations for the National Environmental Policy Act (40 CFR 1506.6). We will evaluate the proposed Agreement, associated documents, and comments submitted thereon to determine whether the requirements of section 10(a) of the Act and NEPA regulations have been met. If we determine that the requirements are met, we will issue a permit under section 10(a)(1)(A) of the Act to the Applicants in accordance with the applicable regulatory requirements. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

Dated: August 30, 2006.

**Ed Buskirk,**

*Acting Regional Director, Southeast Region.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Proposed John W. Starr Memorial Forest, Mississippi State University Red-Cockaded Woodpecker Safe Harbor Agreement, Oktibbeha and Winston Counties, MS**

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice.

**SUMMARY:** Mississippi State University (MSU or Applicant) has applied to the Fish and Wildlife Service (Service) for an enhancement of survival permit (ESP) under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act). The ESP application includes a proposed Safe Harbor Agreement (Agreement) for the

endangered red-cockaded woodpecker (*Picoides borealis*) (RCW) for a period of 20 years. If approved, the Agreement would allow the Applicant to establish and enhance RCW habitat on the John W. Starr Memorial Forest (JSMF).

We announce the opening of a 30-day comment period and request comments from the public on the Applicant's ESP application, the accompanying proposed Agreement, and the supporting Environmental Action Statement (EAS) Screening Form.

**DATES:** Written comments should be received on or before October 10, 2006.

**ADDRESSES:** You may obtain a copy of the information available by contacting the Field Supervisor, Fish and Wildlife Service, Ecological Services Field Office, 6578 Dogwood View Parkway, Suite A, Jackson, Mississippi 39213. Alternatively, you may set up an appointment to view these documents during normal business hours. Written data or comments should be submitted to the Service's Regional Safe Harbor Coordinator, Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345. Note that requests for any documents must be in writing to be processed. When you are requesting or reviewing the information provided in this notice, please reference "Proposed Mississippi State University Red-cockaded Woodpecker Safe Harbor Agreement" in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathy Lunceford, Fish and Wildlife Biologist, Mississippi Ecological Services Field Office (see **ADDRESSES**), telephone: (601) 321-1132; or Mr. Rick Gooch, Regional Safe Harbor Program Coordinator at the Service's Southeast Regional Office (see **ADDRESSES**), telephone: (404) 679-7124.

**SUPPLEMENTARY INFORMATION:** Under a Safe Harbor Agreement, participating property owners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Act. Safe Harbor Agreements encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring property owners that they will not be subjected to increased property use restrictions if their efforts attract listed species to their property or increase the numbers or distributions of listed species already on their property. Application requirements and issuance criteria for ESPs through Safe Harbor Agreements are found in 50 CFR 17.22 and 17.32.

MSU's proposed Agreement is designed to allow for management activities for the RCW on the JSMF and

to provide regulatory assurance to MSU by relieving it from any additional responsibility under the Act beyond that which exists at the time it enters into the program, *i.e.*, the Safe Harbor Agreement. Specifically, the Applicant will restore and enhance RCW habitat by the following actions: (1) Grow and maintain trees of sufficient size and quantity for suitable nesting /roosting habitat for three recruitment clusters; (2) Install artificial nesting cavity inserts; and (3) Control hardwood mid and under story vegetation and provide diverse herbaceous groundcover by thinning timber and prescribing frequent fire.

No RCWs currently occupy the JSMF; therefore, MSU has a zero baseline. As a result of the specific conservation actions, however, it is expected that the RCW population on the JSMF will increase from this baseline. Under the Agreement, MSU may be allowed the opportunity to incidentally take RCWs at some point in the future if above-baseline RCWs are attracted to the enrolled property by the proactive management measures undertaken by MSU. The authorization for incidental take in the Agreement and ESP will have certain conditions. Further details on the topics described above are found in the aforementioned documents available for review under this notice.

The geographic scope of the Applicant's Agreement is approximately 8,136 acres of land (*e.g.*, the JSMF), which is located in Oktibbeha and Winston Counties, Mississippi.

We have made a preliminary determination that execution of the Agreement and associated issuance of the ESP will not result in significant environmental, economic, social, historical or cultural impacts and is, therefore, categorically excluded from review under the National Environmental Policy Act (NEPA) of 1969, as amended, pursuant to 516 Department Manual 2, Appendix 1 and 516 Department Manual 6 Appendix 1. In addition, we have evaluated the proposed Agreement and ESP application under section 106 of the National Historic Preservation Act and have concluded that approval will not affect cultural resources on, or eligible for, the National Historic Register of Historic Places. We base our conclusions on our review of the process for protection and consideration of cultural resources included in the associated Agreement as well as on the scope of the voluntary management actions identified in the Agreement. We have consulted with the Mississippi State Historic Preservation Officer and

have received concurrence with our conclusion.

We provide this notice under section 10(c) of the Act (16 U.S.C. 1531, *et seq.*) and under our implementing regulations for NEPA (40 CFR 1506.6). We will evaluate the proposed Agreement, associated documents, and comments submitted thereon to determine whether the requirements of section 10(a) of the Act and NEPA have been met. If we determine that the requirements are met, we will issue an ESP under section 10(a)(1)(A) of the Act to the Applicant in accordance with the terms of the Agreement and specific terms and conditions of the authorizing ESP. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

Dated: August 30, 2006.

**Ed Buskirk,**

*Acting Regional Director, Southeast Region.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of intent To Prepare a Comprehensive Conservation Plan and Environmental Assessment for Tensas River National Wildlife Refuge in Madison, Tensas, and Franklin Parishes, LA

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

**ACTION:** Notice of intent.

**SUMMARY:** The Fish and Wildlife Service, Southeast Region, intends to gather information necessary to prepare a comprehensive conservation plan and environmental assessment for Tensas River National Wildlife Refuge, pursuant to the National Environmental Policy Act of 1969 and its implementing regulations.

The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, requires the Service to develop a comprehensive conservation plan for each national wildlife refuge. The purpose in developing a comprehensive conservation plan is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandate, and Service policies. In

addition to outlining broad management direction on conserving wildlife and their habitats, plans identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation.

*The purpose of this notice is to machine the following:*

(1) Advise other agencies and the public of our intentions, and

(2) Obtain suggestions and information on the scope of issues to include in the environmental document.

**DATES:** To ensue consideration, written comments must be received no later than November 7, 2006.

**ADDRESSES:** Address comments, questions, and requests for more information to Tina Chouinard, Natural Resource Planner, Central Louisiana National Wildlife Refuge Complex, 401 Island Road, Marksville, Louisiana 71351.

**SUPPLEMENTARY INFORMATION:** Special mailings, newspaper articles, and other media announcements will be used to inform the public and state and local government agencies of meeting dates and opportunities for input throughout the planning process. All comments received from individuals become part of the official public record. Requests for such comments will be handled in accordance with the Freedom of Information Act and the Council on Environmental Quality's NEPA, regulations [40 CFR 15076.6(f)].

Tensas River National Wildlife Refuge lies within a physiographic region known as the Mississippi Alluvial Valley. This valley was, at one time, a 25-million-acre forested wetland complex that extended along both sides of the Mississippi River from Illinois to Louisiana. More than 90 percent of the original forest has been cleared for agriculture. Congress authorized the establishment of the refuge in June 1980, in an effort to conserve the largest privately owned tract of bottomland hardwoods remaining in the region. It was acquired through a joint effort of the Fish and Wildlife Service and the Army Corps of Engineers to mitigate the loss of fish and wildlife resources associated with six flood control projects under construction, or being planned in that portion of the state.

The refuge, totaling 71,217 acres, is located in the Tensas River Basin in northeast Louisiana, approximately 60 miles east of Monroe, Louisiana, and 25 miles west of Vicksburg, Mississippi. The office/visitor center and maintenance facilities are located on the