

Mariana Islands for the purpose of enhancing its survival.

**Permit No. TE-122117**

*Applicant:* Dawn M. Reding, Honolulu, Hawaii.

The applicant requests a permit to take (capture, measure, band, collect blood, and release) the Hawaii akepa (*Loxops coccineus coccineus*), the Hawaii creeper (*Oreomystis mana*), and the akiapolaau (*Hemignathus munroi*); and take (capture, band, and release) the Hawaiian hawk (*Buteo solitarius*) in conjunction with genetic and demographic research on the island of Hawaii in the state of Hawaii for the purpose of enhancing their survival.

**Permit No. TE-122076**

*Applicant:* Gustav R. Bodner, Honolulu, Hawaii.

The applicant requests a permit to take (capture, measure, examine, band, collect biological samples, and release) the Hawaii akepa (*Loxops coccineus*), the Hawaii creeper (*Oreomystis mana*), the akiapolaau (*Hemignathus munroi*), Hawaiian hawk (*Buteo solitarius*), and the ou (*Psittirostra psittacea*) in conjunction with disease and parasite research at Hakalau Forest National Wildlife Refuge, Hawaii, for the purpose of enhancing their survival.

**Permit No. TE-122762**

*Applicant:* Liba Pejchar, Palo Alto, California.

The applicant requests a permit to take (capture and release) the akiapolaau (*Hemignathus munroi*), akepa (*Loxops coccineus*), and the Hawaii creeper (*Oreomystis mana*) in conjunction with ecological research on the island of Hawaii in the State of Hawaii for the purpose of enhancing their survival.

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

Dated: March 30, 2006.

**David J. Wesley,**

*Acting Regional Director, Region 1, U.S. Fish and Wildlife Service.*

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**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Proposed Safe Harbor Agreement for the Valley Elderberry Longhorn Beetle for River Partners in Glenn County, California**

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

**ACTION:** Notice of availability; receipt of application.

**SUMMARY:** This notice advises the public that River Partners (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an enhancement of survival permit pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act). The permit application includes a proposed Safe Harbor Agreement (Agreement) between the Applicant and the Service for the threatened valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*). The Agreement and permit application are available for public comment.

**DATES:** Written comments should be received on or before May 19, 2006.

**ADDRESSES:** Comments should be addressed to Shannon Holbrook, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825. Written comments may be sent by facsimile to (916) 414-6711.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shannon Holbrook, Sacramento Fish and Wildlife Office (see **ADDRESSES**); telephone: (916) 414-6600.

**SUPPLEMENTARY INFORMATION:**

**Availability of Documents**

You may obtain copies of the documents for review by contacting the individual named above. You may also make an appointment to view the documents at the above address during normal business hours.

**Background**

Under a Safe Harbor Agreement, participating landowners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Act (16 U.S.C. 1531 et seq.). Safe Harbor Agreements, and the subsequent enhancement of survival permits that are issued pursuant to Section 10(a)(1)(A) of the Act, 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 as a result of their efforts to attract listed species to their property, or to increase the numbers or distribution 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(c).

We have worked with the Applicant to develop the proposed Agreement for

the conservation of the VELB on the Del Rio Wildland Preserve (Enrolled Property) in Butte City, Glenn County, California. The 259-acre Del Rio Wildland Preserve subject to this Agreement is located in the southeastern corner of Glenn County just south of the Llano Seco Rancho. The property occupies flood-prone land between the Sacramento River Flood Control Project setback levee and Angel Slough. The property currently is divided into existing riparian habitat, an ongoing restoration project, and a walnut orchard.

This Agreement provides for the restoration, enhancement, and management of riparian habitat suitable for the VELB on the Enrolled Property. The proposed duration of the Agreement is 20 years, and the proposed term of the enhancement of survival permit is 25 years, provided that the Service determines that the actions identified in the Agreement were implemented prior to the Agreement's expiration. When fully implemented, the Agreement and requested enhancement of survival permit will allow the Applicants to return to baseline after the end of the 20-year term of the Agreement and prior to the expiration of the 25-year permit, if so desired by the Applicants. The Agreement fully describes the management activities to be undertaken by the Applicant, and the net conservation benefits expected to the VELB.

Upon approval of this Agreement, and consistent with the Service's Safe Harbor Policy published in the **Federal Register** on June 17, 1999 (64 FR 32717), the Service would issue a permit to the Applicants authorizing take of the VELB incidental to the implementation of the management activities specified in the Agreement, incidental to other lawful uses of the Enrolled Property including normal, routine land management activities, and to return to pre-Agreement conditions (baseline).

Under the Agreement, the Applicants would undertake management activities to benefit the VELB by planting over 1,500 elderberry plants in a matrix of native riparian plants that will benefit a variety of riparian dependent wildlife species including the VELB; completing restoration of 231 acres of agricultural land into riparian habitat with a diverse native plant community and high structural diversity; controlling invasive weeds; and increasing the connectivity of riparian forest within the Enrolled Property and along the Sacramento River.

Elderberry bushes (*Sambucus* sp.) are the exclusive host plants for the larval

VELB, which develops inside the stems of the bush. In order to receive the above assurances regarding incidental take of the VELB, the Applicant must maintain baseline on the Enrolled Property. The Service and Applicants have determined that the measure of baseline for VELB will be the number of elderberry bushes having one or more stems that are 1 inch or greater in diameter at the base. Therefore, the Enrolled Property's baseline is one naturally occurring elderberry bush with nine stems each greater than 1 inch in diameter at the base.

#### Public Review and Comments

The Service has made a preliminary determination that the proposed Agreement and permit application are eligible for categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). We explain the basis for this determination in an Environmental Action Statement that is also available for public review.

Individuals wishing copies of the permit application, copies of our Environmental Action Statement, and/or copies of the full text of the Agreement, including a map of the proposed permit area, references, and legal descriptions of the proposed permit area, should contact the office and personnel listed in the **ADDRESSES** section above.

If you wish to comment on the permit application or the Agreement, you may submit your comments to the address listed in the **ADDRESSES** section of this document. Comments and materials received, including names and addresses of respondents, will be available for public review, by appointment, during normal business hours at the address in the **ADDRESSES** section above and will become part of the public record, pursuant to section 10(c) of the Act. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

We will evaluate this permit application, associated documents, and

comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the Act and NEPA regulations. If we determine that the requirements are met, we will sign the proposed Agreement and issue an enhancement of survival permit under section 10(a)(1)(A) of the Act to the Applicants for take of the VELB incidental to otherwise lawful activities in accordance with the terms of the Agreement. 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.

The Service provides this notice pursuant to section 10(c) of the Act and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: April 13, 2006.

**Susan Moore,**

*Acting Field Supervisor, Sacramento Fish and Wildlife Office, Sacramento, California.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of an Application for an Incidental Take Permit for Proposed Construction of a Single-family Home in Charlotte County, FL

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

**ACTION:** Notice.

**SUMMARY:** Michael Perez and Cynthia Perez (Applicants) request an incidental take permit (ITP) for a two-year term pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicants anticipate the removal of about 0.22 acre of Florida scrub-jay (*Aphelocoma coerulescens*)(scrub-jay) foraging, sheltering, and possibly nesting habitat, incidental to lot preparation for the construction of a single-family home and supporting infrastructure in Charlotte County, Florida (Project). The Applicants' Habitat Conservation Plan (HCP) describes the mitigation and minimization measures proposed to address the effects of the Project to the Florida scrub-jay. These measures are outlined in the **SUPPLEMENTARY INFORMATION** section below.

**DATES:** Written comments on the ITP application and HCP should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before May 19, 2006.

**ADDRESSES:** Persons wishing to review the application and HCP may obtain a copy by writing the Service's Southeast Regional Office at the address below. Please reference permit number TE098970-0 in such requests.

Documents will also be available for public inspection by appointment during normal business hours at the Southeast Regional Office, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or Field Supervisor, South Florida Ecological Services Field Office, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida 32960-3559.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional HCP Coordinator, Southeast Regional Office (see

**ADDRESSES** above), telephone: 404/679-7313, facsimile: 404/679-7081; or Mr. Jeff Howe, Fish and Wildlife Biologist, South Florida Ecological Services Field Office, Vero Beach, Florida (see **ADDRESSES** above), telephone: 772/562-3909, extension 283.

**SUPPLEMENTARY INFORMATION:** If you wish to comment, you may submit written comments by any one of several methods. Please reference permit number TE098970-0 in such comments. You may mail comments to the Service's Southeast Regional Office (see **ADDRESSES**). You may also comment via the Internet to [david\\_dell@fws.gov](mailto:david_dell@fws.gov). Please also 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 either telephone number listed below (see **FOR FURTHER INFORMATION CONTACT**). Finally, you may hand-deliver comments to either Service office listed above (see **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 addresses 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