

In our general refuge regulations, we provide for public entry for specialized purposes, including economic activities such as the operation of guiding and other visitor services on refuges by concessionaires or cooperators under the appropriate legal instrument or special use permits (50 CFR 25.41, 25.61, 26.36, 27.71, 27.91, 27.97, 29.1, 29.2, 30.11, 31.2, 31.13, 31.14, 31.16, and 32.2(1), and 43 CFR 5). These regulations provide the authorities and procedures for allowing permits on refuges outside of Alaska.

We will issue special use permits for a specific period as determined by the type and location of the use or visitor service provided. These permits authorize activities such as:

- (1) Farming operations (hay and grazing, 50 CFR 29.2).
- (2) Beneficial management tools that we use to provide the best habitat possible on some refuges (50 CFR 30.11, 31.14, and 31.16).
- (3) Recreational visitor service operations (50 CFR 25.41 and 25.61).
- (4) Commercial filming (50 CFR 27.71) and other commercial activities (50 CFR 29.1).
- (5) Research and other noncommercial activities (50 CFR 26.36).

We collect the following information in both form (FWS Form 3-1383) and nonform format:

- (1) Identifying data (name, organization, address, and telephone number);
- (2) Activity for which the permit is being requested (agriculture, commercial, research/monitoring, commercial visitor services, commercial filming, special event, etc.);
- (3) Description of the activity including:
  - (a) Where it will take place (units, trails, roads);
  - (b) When (seasons, days, hours);
  - (c) How (methods, techniques, transportation);
  - (d) Frequency (one time, daily, occasionally);
  - (e) Number of people/vehicles/boats;
  - (f) Special needs/access.

In addition to the above, we may require researchers to provide a copy of their research proposal. This information helps us to:

- (1) Determine if requested activities are compatible and appropriate with the purpose for which the refuge was established.
- (2) Ensure that the applicant is eligible for the permit.

*Comments:* On November 28, 2007, we published in the Federal Register (72 FR 67313) a notice of our intent to request that OMB renew this ICR. In that

notice, we solicited comments for 60 days, ending on January 28, 2008. We received one comment. The commenter did not address the information collection requirements, but stated that there should be no economic use on national wildlife refuges and requested a list of all permits granted in the past year. As stated in item 1 above, the Administration Act authorizes us to permit public accommodations, including commercial visitor services, on lands of the System when we find that the activity is compatible and appropriate with the purpose for which the refuge was established. We do not maintain a consolidated list of special use permits. We encouraged the commenter to contact individual refuges to obtain the desired information and provided a website that lists contact information. We did not make any changes to our information collection requirements as a result of this comment.

We again invite comments concerning this information collection on:

- (1) whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- (2) the accuracy of our estimate of the burden for this collection of information;
- (3) ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, 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 OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Dated: January 8, 2008

**Hope Grey,**

*Information Collection Clearance Officer,  
Fish and Wildlife Service.*

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**BILLING CODE 4310-55-S**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Final Comprehensive Conservation Plan and Environmental Assessment for Bear Butte National Wildlife Refuge, South Dakota

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

**ACTION:** Notice of availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service) announce the availability of our Final Comprehensive Conservation Plan (Plan), Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) for Bear Butte National Wildlife Refuge (Refuge). This Final Plan describes how the Service intends to manage the Refuge for the next 15 years.

**ADDRESSES:** A copy of the Plan may be obtained by writing to U.S. Fish and Wildlife Service, Division of Refuge Planning, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225; or by download from <http://mountain-prairie.fws.gov/planning>.

**FOR FURTHER INFORMATION CONTACT:** Michael Spratt, at (303) 236-4366, (303) 236-4792 (fax), or e-mail [Michael\\_Spratt@fws.gov](mailto:Michael_Spratt@fws.gov).

**SUPPLEMENTARY INFORMATION:** This Refuge was established as a Limited-interest Refuge in the late 1930s with the acquisition of easements from private landowners, the State of South Dakota (State) and the War Department (now transferred to the Bureau of Land Management at Fort Meade), to maintain an area for "migratory bird, wildlife conservation, and other purposes." The Refuge is 374.20 acres and has no fee title. The easement obtained from the State only applies to lands below the ordinary high-water mark of the lake. A Cooperative Agreement was entered into with the State on July 12, 1967, to administer, operate, and maintain the Refuge pursuant to the rights and interest in real property acquired by the United States, and more particularly described in the easement agreements.

The draft Plan and EA was made available for public review and comment following the announcement in the **Federal Register** on February 8, 2007 (72 FR 5990). The draft Plan and EA identified and evaluated two alternatives for managing the Refuge for the next 15 years. Under the No Action Alternative (Current Management), the Service would continue to manage the Refuge within the parameters of the Cooperative Agreement with South Dakota Game, Fish and Parks. Existing habitat within the easement and all

public programs would continue to be administered and maintained by the State. Current habitat and wildlife management practices would be carried out by State Game, Fish, and Parks personnel and levels of public use would remain the same. The facilities and activities (hiking, picnicking, designated camping, fishing and a horse camp) would remain the same.

Alternative B, the Proposed Action (Relinquish Easement to Current Landowners), would take the Refuge out of the National Wildlife Refuge System and transfer the easements to current landowners. Under this Alternative, the habitat, public use, cultural resources and operations would be managed by the landowners (primarily the State). The Service's easement requirements would no longer exist. The Service would divest its interest in the Refuge. This would be carried out within the 15-year life of the Plan. Once the Plan was approved, the managing station would work with the Division of Realty and the Division of Planning to prepare a proposal to divest this Refuge. The proposal would be submitted to the Migratory Bird Conservation Commission for concurrence and then submitted for Congressional approval.

The Service evaluated whether or not to divest the Refuge. After careful consideration of tribal concerns and issues raised by the public, the Preferred Alternative was changed from Alternative B: Proposed Action (Relinquish Easement to Current Landowners) to Alternative A: No Action (Current Management). A large number of comments were received from tribal governments expressing concern regarding divesting this Limited-interest Refuge. While there was recognition that the Service interests are extremely limited, there was overwhelming support for the Service to continue its presence, particularly in light of the National significance of Bear Butte itself (not part of the Refuge). Therefore, the Refuge will continue to be managed according to its 1967 Cooperative Agreement with the State. According to Refuge Planning Policy (May 25, 2000), the Plan and EA should be revised when significant new information becomes available. This should occur every 15 years or sooner, if necessary. It is important to note, that if conditions change, the Service could reconsider actions approved in the Plan. If revisions were considered, full disclosure through extensive public involvement utilizing the requirements of the National Environmental Policy Act and other compliance procedures would be closely followed.

The Service is furnishing this Notice to advise other agencies and the public of the availability of the final Plan and EA, to provide information on the desired conditions for the Refuge, and to detail how the Service will implement management strategies. Based on the review and evaluation of the information contained in the EA, the Regional Director has determined that implementation of the Final Plan does not constitute a major Federal action that would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act. Therefore, an Environmental Impact Statement will not be prepared.

Dated: January 24, 2008.

**Gary G. Mowad,**

*Acting Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R8-ES-2008-N0008; 80221-1113-0000-F5]**

#### Endangered Species Recovery Permit Applications

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

**ACTION:** Notice of receipt of permit applications; request for comment.

**SUMMARY:** We invite the public to comment on the following applications to conduct certain activities with endangered species.

**DATES:** Comments on these permit applications must be received on or before March 3, 2008.

**ADDRESSES:** Written data or comments should be submitted to the U.S. Fish and Wildlife Service, Endangered Species Program Manager, Region 8, 2800 Cottage Way, Room W-2606, Sacramento, CA 95825 (telephone: 916-414-6464; fax: 916-414-6486). Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

**FOR FURTHER INFORMATION CONTACT:** Daniel Marquez, Fish and Wildlife Biologist, see **ADDRESSES**, (telephone: 760-431-9440; fax: 760-431-9624).

**SUPPLEMENTARY INFORMATION:** The following applicants have applied for scientific research permits to conduct certain activities with endangered

species pursuant to section 10(a)(1)(A) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*). The U.S. Fish and Wildlife Service ("we") solicits review and comment from local, State, and Federal agencies, and the public on the following permit requests. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, 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.

#### Permit No. TE-085026

*Applicant:* Jeff Steinman, San Juan Capistrano, California

The applicant requests an amendment to take (locate and monitor nests) the least Bell's vireo (*Vireo bellii pusillus*) in conjunction with surveys and population monitoring throughout the range of the species in California, for the purpose of enhancing its survival.

#### Permit No. TE-172629

*Applicant:* Kirsten Sellheim, Davis, California

The applicant requests an amendment to take (capture, collect, and kill) the Conservancy fairy shrimp (*Branchinecta conservatio*), the longhorn fairy shrimp (*Branchinecta longiantenna*), and the vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with research and genetic analysis in Lassen, Plumas, Mendocino, Lake Colusa, Sacramento, Napa, Alameda, Merced, Stanislaus, Fresno, Solano, San Luis Obispo, and Santa Barbara Counties, California, and in Jackson County, Oregon, for the purpose of enhancing their survival.

#### Permit No. TE-035879

*Applicant:* Wildlands Incorporated, Rocklin, California

The permittee requests an amendment to take (harass by survey, capture, handle, and release) the California tiger salamander (*Ambystoma californiense*) in conjunction with surveys throughout the range of the species in California, for the purpose of enhancing its survival.

#### Permit No. TE-809232

*Applicant:* Bio-West, Incorporated, Logan, Utah

The applicant requests an amendment to remove/reduce to possession *Nitrophila mohavensis* (Amargosa nitrophila) from Federal lands in conjunction with research in Nye