

Virginia (green blossom): Clinch River, Powell River, North Fork Holston River, and North Fork Clinch River.

Tennessee (green blossom): Clinch River, Powell River, Holston River, Nolichucky River, and North Fork Clinch River.

Arkansas (turgid-blossom): Spring Creek, Black River, and White River.

Missouri (turgid-blossom): White River.

Alabama (turgid-blossom): Shoal Creek and Bear Creek.

Tennessee (turgid-blossom): Tennessee River, Elk River, Duck River, Holston River, Clinch River, Emory River, and Cumberland River.

Alabama (yellow-blossom): Flint River, Hurricane Creek, Limestone Creek, Bear Creek, and Cypress Creek.

Tennessee (yellow-blossom): Tennessee River, Elk River, Duck River, Holston River, Little Tennessee River, Citico Creek, Clinch River, and Cumberland River.

We also request information concerning changes in habitat conditions in the above-listed streams since the last reported collection of the green-blossom, yellow-blossom, and turgid-blossom. This information will enable us to determine whether or not populations of the species may still exist in one or more of those streams.

Specific Information Requested for the Cumberland Elktoe, Cumberlandian Combshell, and Oyster Mussel

We are especially interested in information on surviving populations of the Cumberland elktoe, Cumberlandian combshell and oyster mussel. We specifically request any recent information regarding the collection of live or fresh dead shells of these species, as well as information on their location, numbers, habitats and/or threats.

Specific Information Requested for the Painted Snake Coiled Forest Snail

We are especially interested in obtaining any data pertaining to previously known or newly discovered occurrences of the painted snake coiled forest snail or biological studies related to this species. We specifically request information regarding: potential threats arising from commercial, industrial, or residential development, timber harvesting, or other land use activities; conservation activities directed towards this species; and studies related to life history, genetics, and ecology of these animals, including sensitivity to seismic disturbance or limestone dust deposition that could result from quarrying operations.

Specific Information Requested for the Seabeach Amaranth

We are especially interested in information on population trends, distribution and genetics, as well as, the effects of beach nourishment projects on seabeach amaranth individuals, populations and habitat.

Definitions Related to This Notice

The following definitions are provided to assist those persons who contemplate submitting information regarding the species being reviewed:

A. *Species* includes any species or subspecies of fish, wildlife, or plant, and any distinct population segment of any species of vertebrate which interbreeds when mature.

B. *Endangered* means any species that is in danger of extinction throughout all or a significant portion of its range.

C. *Threatened* means any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

How Do We Determine Whether a Species Is Endangered or Threatened?

Section 4(a)(1) of the Act establishes that we determine whether a species is endangered or threatened based on one or more of the following five factors:

A. The present or threatened destruction, modification, or curtailment of its habitat or range;

B. Overutilization for commercial, recreational, scientific, or educational purposes;

C. Disease or predation;

D. The inadequacy of existing regulatory mechanisms; or

E. Other natural or manmade factors affecting its continued existence.

Section 4(a)(1) of the Act requires that our determination be made on the basis of the best scientific and commercial data available.

What Could Happen as a Result of This Review?

If we find that there is new information concerning any of these 14 species indicating that a change in classification may be warranted, we may propose a new rule that could do one of the following: (a) Reclassify the species from endangered to threatened (downlist); (b) reclassify the species from threatened to endangered (uplist); or (c) delist the species. If we determine that a change in classification is not warranted, then these species will remain on the List under their current status.

Public Solicitation of New Information

We request any new information concerning the status of these 14 species. See "What information is considered in the review?" heading for specific criteria. Information submitted should be supported by documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources. Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home addresses from the supporting record, which we will honor to the extent allowable by law. There also may be circumstances in which we may withhold from the supporting 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. We will not consider anonymous comments, however. 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.

Authority: This document is published under the authority of the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: August 25, 2005.

Jeffrey Fleming,

Acting Regional Director, Southeast Region.

[FR Doc. 05-18688 Filed 9-19-05; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability of a Draft Safe Harbor Agreement and Receipt of an Application for an Enhancement of Survival Permit Associated With Proposed Restoration Activities for the Karner Blue Butterfly in the West Gary, Indiana Recovery Unit

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The Nature Conservancy (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an Enhancement of Survival Permit Associated with proposed restoration activities for the Karner blue butterfly (*Lycaeides melissa samuelis*) pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973 (U.S.C. 1531 *et seq.*), as amended (Act). This permit

application includes a draft Safe Harbor Agreement (SHA) between the Applicant and the Service. The proposed SHA and permit would become effective upon signature of the SHA and issuance of the permit and would remain in effect for 15 years. We are requesting comments on the permit application and on the Service's preliminary determination that the proposed SHA qualifies as a categorical exclusion (516 DM 6 Appendix 1, 1.4C(1)) under the National Environmental Policy Act (NEPA) of 1969, as amended. Further, the Service is specifically soliciting information regarding the adequacy of the SHA as measured against the Service's Safe Harbor Policy and the implementing regulations.

DATES: Written data or comments must be received on or before October 20, 2005.

ADDRESSES: 1. Regional Director, U.S. Fish and Wildlife Service, Ecological Services, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056.

2. U.S. Fish and Wildlife Service, Ecological Services, 620 South Walker Street, Bloomington, Indiana 47403-2121.

FOR FURTHER INFORMATION CONTACT: Mr. Peter Fasbender, (612) 713-5343.

SUPPLEMENTARY INFORMATION:

Availability of Documents

Individuals requesting copies of the enhancement of survival permit application and SHA should contact the Service by telephone at (612) 713-5343 or by letter (see **ADDRESSES**). Copies of the proposed SHA also are available for public inspection during regular business hours at the Bloomington, Indiana, Field Office (see **ADDRESSES**) or at the Service's Regional Web site at: <http://www.fws.gov/midwest/NEPA>. 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 1506.6(f)]. 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 record, which we will honor to the extent allowable by law. If a respondent wishes us to withhold his/her name and/or address, this must be stated prominently at the beginning of the comment.

Background

The Karner blue butterfly was once a locally common species ranging from New England across the Great Lakes Region, extending as far west as eastern Minnesota. In Indiana, the Karner was originally distributed across the northern tier of counties on outwash and lake deposited sands. Currently there are approximately 1,000 acres of dune and swale topography remaining in the West Gary Recovery Unit, of this approximately 650 acres is potential habitat. By 1990, the Karner blue butterfly survived at only two dune and swale remnants: Ivanhoe Nature Preserve and Tolleston Ridges Nature Preserve. At Ivanhoe Nature Preserve, the butterfly was found within scattered openings until it disappeared there in 1998. After several years of habitat restoration effort, the Nature Conservancy began a re-introduction program in 2001. Despite recent success, the Karner blue butterfly continues to persist at limited habitat patches within three relatively isolated natural areas. Ecological fragmentation, combined with complex landownership and land use patterns, has created a difficult landscape for developing and implementing conservation strategies in the West Gary Recovery Unit.

The purpose of the SHA is to allow the Applicant and the Service to address the regional needs of the species by working with individual landowners to develop site specific restoration and management plans for a variety of properties. These plans will be designed to maximize Karner blue butterfly habitat within the constraints of the site's landscape setting and current land use and management needs. In addition they will document baseline conditions, monitoring protocols, timeframes, legal and regulatory responsibilities of participants, and will serve as a framework for coordinating conservation work in the West Gary Recovery Unit.

The SHA will allow willing property owners to enroll private and non-federal governmental lands into a regional program under an umbrella section 10(a)(1)(A) permit issued to the Applicant by means of a Certification of Inclusion. In addition, the Applicant will develop individual restoration and management plans to address the specific conservation benefits that enrolled properties contribute to establishing a viable metapopulation.

The area encompassed by the SHA may contain facilities eligible to be listed on the National Register of Historic Places. Additionally, other historical or archeological resources

may be present. The National Historic Preservation Act and other laws require these properties and resources be identified and considered in project planning. The public is requested to inform the Service of concerns about archeological sites, buildings, and structures; historic events; sacred and traditional areas; and other historic preservation concerns.

Dated: August 23, 2005.

Wendi Weber,

Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.

[FR Doc. 05-18682 Filed 9-19-05; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

**Ohio Department of Natural Resources
Candidate Conservation Agreement
With Assurances and Enhancement of
Survival Permit Application for the
Eastern Massasauga Rattlesnake**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The Fish and Wildlife Service (Service) has received an application from the Ohio Department of Natural Resources (Applicant) for an enhancement of survival permit (ESP) pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973 (U.S.C. 1531 *et seq.*), as amended (Act). The Applicant proposes to implement conservation measures for the Eastern Massasauga rattlesnake (*Sistrurus sistrurus catenatus*) by removing the threats to the survival and protecting and managing its habitat within the Rome State Nature Preserve. The Service announces receipt of the ESP application as well as the availability of a proposed Candidate Conservation Agreement with Assurances (CCAA) intended to facilitate the implementation of conservation measures for the species by the Applicant. Compliance under the National Environmental Policy Act (NEPA) for the proposed action was addressed in an Environmental Assessment (EA) approved July 26, 2005. A copy of the final EA and Finding of No Significant Impact (FONSI) is available at: <http://www.fws.gov/midwest/NEPA>.

DATES: Written data or comments must be received on or before October 20, 2005.

ADDRESSES: 1. Regional Director, U.S. Fish and Wildlife Service, Ecological