

may be viewed on the internet at the following address: <http://www.fws.gov/easternwashington/>. You may also request copies of the documents by contacting the Service's Upper Columbia Fish and Wildlife Office [see **FOR FURTHER INFORMATION CONTACT**]. The Service is furnishing this notice to provide the public, other State and Federal agencies, and interested Tribes an opportunity to review and comment on these applications. All comments received will become part of the public record. If you wish us to withhold your name and/or address to the extent allowable under law, you must state this prominently at the beginning of your comments. All comments received from organizations, businesses, or individuals representing organizations or businesses are available for public inspection in their entirety.

### Background

On September 7, 2006, the Service announced the availability for public review and comment of a draft Template SHA for the Columbia Basin pygmy rabbit, which was jointly developed by the Service and the Washington Department of Fish and Wildlife (WDFW), and a draft Environmental Assessment, which was developed by the Service pursuant to Federal responsibilities under the National Environmental Policy Act. The Service's September 7, 2006, notice also announced the receipt of three Permit applications that were developed in accordance with the Template SHA (71 FR 52816). The final Template SHA, which contained only minor modifications from the draft released for public review, was signed by the Service and WDFW on October 24, 2006.

The primary objective of the Template SHA is to facilitate collaboration between the Service, WDFW, and prospective participants to voluntarily implement conservation measures to benefit the Columbia Basin pygmy rabbit. Another objective of the Template SHA is to facilitate the processing of enhancement of survival permit applications that would provide incidental take coverage for participants to relieve them of additional section 9 liability under the Act if implementation of their conservation measures results in increased numbers or distribution of Columbia Basin pygmy rabbits on their enrolled properties.

This notice is provided pursuant to section 10(c) of the Act. The Service has previously determined that implementation of the Template SHA will result in conservation benefits to

the Columbia Basin pygmy rabbit and will not result in significant effects to the human environment. The Service will evaluate the thirteen permit applications noticed herein, related documents, and any comments submitted thereon to determine whether they are consistent with the measures prescribed by the Template SHA and comply with relevant statutory and regulatory requirements. If it is determined that the requirements are met, permits to exempt incidental take of the Columbia Basin pygmy rabbit will be issued to the applicants. The final permit determinations will not be completed until after the end of the 30-day comment period, and will fully consider all comments received.

Dated: April 19, 2007.

**David J. Wesley,**

*Deputy Regional Director, Region 1, U.S. Fish and Wildlife Service, Portland, Oregon.*

[FR Doc. E7-7899 Filed 4-24-07; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Construction of a Commercial Development in Brevard County, FL

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

**ACTION:** Notice: receipt of application for an incidental take permit; request for comments.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an Incidental Take Permit (ITP) Application and Habitat Conservation Plan (HCP) from the following applicant: Pineda Development Corporation (applicant) requests one ITP for a duration of 5 years under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking approximately 0.54 acre (ac) of Florida scrub-jay (*Alphelocoma coerulescens*)—occupied habitat incidental to constructing a commercial development in Brevard County, Florida (Project). The applicant's HCP describes the mitigation and minimization measures the applicant proposes to address the effects of the Project to the scrub-jay.

**DATES:** We must receive any written comments on the ITP application and HCP on or before May 25, 2007.

**ADDRESSES:** If you wish to review the application and HCP, you may write the Field Supervisor at our Jacksonville Field Office, 6620 Southpoint Drive South, Suite 310, Jacksonville, FL,

32216, or make an appointment to visit during normal business hours. If you wish to comment, you may mail or hand deliver comments to the Jacksonville Field Office, or you may e-mail comments to [paula\\_sisson@fws.gov](mailto:paula_sisson@fws.gov). For more information on reviewing documents and public comments and submitting comments, see

#### SUPPLEMENTARY INFORMATION.

#### FOR FURTHER INFORMATION CONTACT:

Paula Sisson, Fish and Wildlife Biologist, Jacksonville Field Office (see **ADDRESSES**); telephone: 904/232-2580, ext. 126.

#### SUPPLEMENTARY INFORMATION:

#### Public Review and Comment

Please reference permit number TE143105-0 for Pineda Development in all requests or comments. Please include your name and return address in your e-mail message. If you do not receive a confirmation from us that we have received your e-mail message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**. 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 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 organizations or businesses, available for public inspection in their entirety.

#### Background

The Florida scrub-jay (scrub-jay) is found exclusively in peninsular Florida and is restricted to xeric uplands (predominately in oak-dominated scrub). Increasing urban and agricultural development has resulted in habitat loss and fragmentation, which have adversely affected the distribution and numbers of scrub-jays.

The total estimated population is between 7,000 and 11,000 individuals. The decline in the number and distribution of scrub-jays in east-central Florida has been exacerbated by tremendous urban growth in the past 50

years. Much of the historic commercial and residential development has occurred on the dry soils which previously supported scrub-jay habitat. Much of this area of Florida was settled early because few wetlands restricted urban and agricultural development. Due to the effects of urban and agricultural development over the past 100 years, much of the remaining scrub-jay habitat is now relatively small and isolated. What remains is largely degraded due to the exclusion of fire, which is needed to maintain xeric uplands in conditions suitable for scrub-jays.

#### **Applicant's Proposal**

The applicant is requesting take of approximately 0.54 ac of occupied scrub-jay habitat incidental to the construction of a commercial development (Palm Shore Retail). Palm Shore Retail is located within Section 19, Township 26 South, Range 37 East. The parcel is north of Pineda Causeway and west of the FEC Railroad, Palm Shores, Brevard County, Florida.

Development of the Project, including infrastructure, parking areas and landscaping, preclude retention of scrub-jay habitat onsite. Therefore, the applicant proposes to mitigate for the loss of 0.54 ac of occupied scrub-jay habitat by donating \$9,072 to the Florida Scrub-jay Fund administered by The Nature Conservancy. Funds in this account are ear-marked for use in the conservation and recovery of scrub-jays and may include habitat acquisition, restoration, and/or management.

We have determined that the applicant's proposal, including the proposed mitigation and minimization measures, would have minor or negligible effects on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies for categorical exclusions 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). This preliminary information may be revised based on our review of public comments that we receive in response to this notice. A low-effect HCP is one 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.

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 those 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 under Section 10 of the Endangered Species Act and NEPA regulations (40 CFR 1506.6).

Dated: April 17, 2007.

**David L. Hankla,**

*Field Supervisor, Jacksonville Field Office*

[FR Doc. E7-7872 Filed 4-24-07; 8:45 am]

**BILLING CODE 4310-55-P**

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

**[F-14868-B; AK-964-1410-KC-P]**

#### **Alaska Native Claims Selection**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of decision approving lands for conveyance.

**SUMMARY:** As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to K'oyit'ots'ina, Limited, Successor in Interest to Bin Googa, Inc. The lands are in the vicinity of Huslia, Alaska, and are located in:

#### **Kateel River Meridian, Alaska**

T. 6 N., R. 13 E.,  
Secs. 31 and 32.  
Containing 992.19 acres.

The subsurface estate in these lands will be conveyed to Doyon, Limited when the surface estate is conveyed to K'oyit'ots'ina, Limited, Successor in Interest to Bin Googa, Inc. Notice of the decision will also be published four times in the Fairbanks Daily News Miner.

**DATES:** The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until May 25, 2007 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

**ADDRESSES:** A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599.

**FOR FURTHER INFORMATION CONTACT:** The Bureau of Land Management by phone at 907-271-5960, or by e-mail at [ak.blm.conveyance@ak.blm.gov](mailto:ak.blm.conveyance@ak.blm.gov). Persons who use a telecommunication device (TTD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8330, 24 hours a day, seven days a week, to contact the Bureau of Land Management.

**D. Kay Erben,**

*Land Law Examiner, Branch of Adjudication II.*

[FR Doc. E7-7880 Filed 4-24-07; 8:45 am]

**BILLING CODE 4310-SS-P**

## **DEPARTMENT OF THE INTERIOR**

### **Bureau of Land Management**

**[AA-6984-D; AK-964-1410-KC-P]**

#### **Alaska Native Claims Selection**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of decision approving lands for conveyance.

**SUMMARY:** As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to Klawock Heenya Corporation. The lands are in the vicinity of Klawock, Alaska, and are located in:

#### **Copper River Meridian, Alaska**

T. 73 S., R. 80 E.,  
Sec. 1.  
Containing 9.70 acres.

The subsurface estate in these lands will be conveyed to Sealaska Corporation when the surface estate is conveyed to Klawock Heenya Corporation. Notice of the decision will also be published four times in the Island News.

**DATES:** The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until May 25, 2007 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.