

### Consultation and Coordination With Tribal Governments (Executive Order 13175)

To fulfill its consultation responsibility to tribes and tribal organizations, BIA communicates, coordinates, and consults on a continuing basis with these entities on issues related to water delivery, water availability, and costs of administration, operation, maintenance, and rehabilitation of projects that concern them. This is accomplished at the individual irrigation project by Project, Agency, and Regional representatives, as appropriate, in accordance with local protocol and procedures. This notice is one component of our overall coordination and consultation process to provide notice to these entities when we adjust irrigation assessment rates.

### Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (Executive Order 13211)

The rate adjustments will have no adverse effects on energy supply, distribution, or use (including a shortfall in supply, price increases, and increase use of foreign supplies) should the proposed rate adjustments be implemented. This is a notice for rate adjustments at BIA-owned and operated irrigation projects, except for the Fort Yuma Irrigation Project. The Fort Yuma Irrigation Project is owned and operated by the Bureau of Reclamation with a portion serving the Fort Yuma Reservation.

### Regulatory Planning and Review (Executive Order 12866)

These rate adjustments are not a significant regulatory action and do not need to be reviewed by the Office of Management and Budget under Executive Order 12866.

### Regulatory Flexibility Act

These rate adjustments are not a rule for the purposes of the Regulatory Flexibility Act because they establish "a rule of particular applicability relating to rates." 5 U.S.C. 601(2).

### Unfunded Mandates Reform Act of 1995

These rate adjustments do not impose an unfunded mandate on State, local, or tribal governments in the aggregate, or on the private sector, of more than \$130 million per year. The rule does not have a significant or unique effect on State, local, or tribal governments or the private sector. Therefore, the Department is not required to prepare a statement containing the information

required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*).

### Takings (Executive Order 12630)

The Department has determined that these rate adjustments do not have significant "takings" implications. The rate adjustments do not deprive the public, state, or local governments of rights or property.

### Federalism (Executive Order 13132)

The Department has determined that these rate adjustments do not have significant Federalism effects because they will not affect the States, the relationship between the national government and the States, or the distribution of power and responsibilities among various levels of government.

### Civil Justice Reform (Executive Order 12988)

In issuing this rule, the Department has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988.

### Paperwork Reduction Act of 1995

These rate adjustments do not affect the collections of information which have been approved by the Office of Information and Regulatory Affairs, Office of Management and Budget, under the Paperwork Reduction Act of 1995. The OMB Control Number is 1076-0141 and expires August 31, 2009.

### National Environmental Policy Act

The Department has determined that these rate adjustments do not constitute a major Federal action significantly affecting the quality of the human environment and that no detailed statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370(d)).

### Information Quality Act

In developing this notice, we did not conduct or use a study, experiment, or survey requiring peer review under the Information Quality Act (Pub. L. 106-554).

Dated: April 13, 2009.

George Skibine,

Acting Deputy Assistant Secretary for Policy and Economic Development.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-ES-2009-N0067; 40120-1113-0000-C2]

### Technical Agency Draft Recovery Plan for the Endangered St. Andrew Beach Mouse

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

**ACTION:** Notice of document availability and opening of public comment period.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce the availability of the technical agency draft recovery plan for the St. Andrew beach mouse (*Peromyscus polionotus peninsularis*). This technical agency draft recovery plan includes specific recovery objectives and criteria to be met in order to reclassify this species to threatened status and delist it under the Endangered Species Act of 1973, as amended (Act). We request review and comment on this technical agency draft recovery plan from local, State, and Federal agencies, and the public.

**DATES:** In order to be considered, comments on the technical agency draft recovery plan must be received on or before June 22, 2009.

**ADDRESSES:** If you wish to review this technical agency draft recovery plan, you may obtain a copy by contacting Janet Mizzi, U.S. Fish and Wildlife Service, 1601 Balboa Ave, Panama City, FL 32405, tel. (850) 769-0552, or by visiting either the Service's recovery plan Web site at <http://endangered.fws.gov/recovery/index.html#plans> or the Panama City Field Office Web site at <http://www.fws.gov/panamacity/>. If you wish to comment, you may submit your comments by one of the following methods:

1. You may submit written comments and materials to Janet Mizzi, at the above address.
2. You may hand-deliver written comments to our Panama City Field Office, at the above address.
3. You may fax your comments to (850) 763-2177.
4. You may send comments by e-mail to [janet\\_mizzi@fws.gov](mailto:janet_mizzi@fws.gov). For directions on submitting comments electronically, see the "Public Comments Solicited" section.

**FOR FURTHER INFORMATION CONTACT:** Janet Mizzi at the above addresses or telephone: (850) 769-0552, ext. 247.

**SUPPLEMENTARY INFORMATION:**

## Background

The St. Andrew beach mouse was listed as endangered on December 18, 1998 (63 FR 70053). The St. Andrew beach mouse is one of five subspecies of beach mice that inhabit the northern Gulf of Mexico coast (James 1992). Beach mice are fossorial creatures that inhabit the complex of coastal dune systems composed of the primary and secondary dunes and adjacent inland scrub dunes (Blair 1951, Bowen 1968, Holliman 1983, Holler 1992, James 1992, Moyers *et al.* 1996, Sneckenberger 2001). The beach mouse subspecies are differentiated from each other by their non-overlapping geographic distributions and pelage coloration (Hipes *et al.* 2000).

Currently, there are only two known core populations of the St. Andrew beach mouse, which occur in Bay and Gulf counties, Florida. Threats to the St. Andrew beach mouse include habitat loss/alteration from land development and associated human use, hurricanes and other tropical storm events, non-native predators, and recreational activity associated with development and tourism, that weaken and encroach on the dune ecosystem. Availability of suitable habitat may be a limiting factor during periods of population expansion or following catastrophic weather events.

A primary goal of the endangered species program is to restore an endangered or threatened species to the point where it is again a secure, self-sustaining member of its ecosystem and protection under the Act is no longer necessary. Recovery plans are developed, for most listed species, to help guide this process. Within these plans we define measurable criteria that are used as benchmarks for downlisting or delisting the species. To achieve these benchmarks, the recovery plans describe actions considered necessary for conservation of the species and the time and costs estimates associated with implementing these recovery measures. The status of the species will be reviewed and it will be considered for removal from the *Federal List of Endangered and Threatened Wildlife and Plants* (50 CFR part 17) when the recovery criteria are met.

The Act requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act requires us to provide a public notice and an opportunity for public review and comment during recovery plan development. We will consider all information presented during a public

comment period prior to approval of each new or revised recovery plan. We and other Federal agencies will take these comments into account in the course of implementing approved recovery plans.

## Request for Public Comments

We will consider all comments received by the date specified above prior to final approval of the recovery plan.

## Public Availability of Comments

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.

## Authority

The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: March 25, 2009.

**Ed Buskirk,**

*Acting Regional Director, Southeast Region.*  
[FR Doc. E9-9178 Filed 4-21-09; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Bureau of Alcohol, Tobacco, Firearms and Explosives

**[OMB Number 1140-NEW]**

### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 60-day notice of information collection under review: Supplemental information on water quality considerations.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for “sixty days” until June 22, 2009. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Gary Kirchoff, Federal Explosives Licensing Center, 244 Needy Road, Martinsburg, WV 25405.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection:* New.

(2) *Title of the Form/Collection:* Supplemental Information on Water Quality Considerations.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 5000.30. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: None. The data supplied by the applicant is used by ATF to determine if any environmental impact statement or environmental permit is necessary for the proposed operation.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 680 respondents will complete a 30 minute form.

(6) *An estimate of the total public burden (in hours) associated with the*