

comments. However, we will not 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.

TE129505-0

Applicant: Gary Richard, O'Neill, Jr., Warren, Arkansas

The applicant requests authorization to take (capture, identify, release) the red-cockaded woodpecker (*Picoides borealis*) while conducting population surveys and management activities. The proposed activities would occur in Bradley, Calhoun, Drew, and Cleveland Counties, Arkansas.

TE132772-0

Applicant: USDA Forest Service, National Forests in Alabama, Montgomery, Alabama

The applicant requests authorization to take (capture, identify, measure, release) the following species: Southern acornshell (*Epioblasma othcaloogensis*), Cumberlandian combshell (*Epioblasma brevidens*), upland combshell (*Epioblasma metastrata*), triangular kidneyshell (*Ptychobranthus greeni*), Coosa moccasinshell (*Medionidus parvulus*), southern pigtoe (*Pleurobema georgianum*), blue shiner (*Cyprinella caerulea*), flattened musk turtle (*Sternotherus depressus*), Cahaba shiner (*Notropis cahabae*), goldline darter (*Percina aurolineata*), orange-nacre mucket (*Lampsilis perovalis*), Alabama moccasinshell (*Medionidus acutissimus*), southern clubshell (*Pleurobema decisum*), dark pigtoe (*Pleurobema furvum*), ovate clubshell (*Pleurobema perovatum*), Lacy elimia (*Elimia crenatella*), round rocksnail (*Leptoxis ampla*), painted rocksnail (*Leptoxis taeniata*), flat pebblesnail (*Lepyrium showalteri*), cylindrical lioplax (*Lioplax cyclostomaformis*), and tulotoma snail (*Tulotoma magnifica*) while conducting presence/absence surveys. The proposed activities would occur in the National Forests located in Alabama.

Dated: August 8, 2006.

Cynthia K. Dohner,

Acting Regional Director.

[FR Doc. E6-14241 Filed 8-25-06; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Receipt of an Application for an Incidental Take Permit for Construction of a Single-Family Residence in Sarasota County, FL**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Paul Athanas (Applicant) requests an incidental take permit (ITP) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant anticipates taking about 0.275 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 residence and supporting infrastructure in Sarasota County, Florida (Project). The Applicant's 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 September 27, 2006.

ADDRESSES: Persons wishing to review the application and HCP may obtain a copy by writing the Service's Southeast Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (*Attn:* Endangered Species Permits), or the Services's Vero Beach Field Office, Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida, 32960-3559. Please reference permit number TE126176-0 in such requests. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office or the Vero Beach field office.

FOR FURTHER INFORMATION CONTACT: Mr. David Dell, Regional HCP Coordinator, (see **ADDRESSES** above), telephone: 404/679-7313, facsimile: 404/679-7081; or Elizabeth Stafford, Fish and Wildlife Biologist, South Florida Ecological Services Office, Vero Beach, Florida (see **ADDRESSES** above), telephone: 772/562-3909, ext. 304.

SUPPLEMENTARY INFORMATION: If you wish to comment, you may submit comments by any one of several methods. Please reference permit number TE126176-0 in such comments. You may mail comments to the

Service's Regional Office (see **ADDRESSES**). You may also comment via the Internet to david_dell@fws.gov. Please 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 below (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 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.

The Florida scrub-jay is geographically isolated from other species of scrub-jays found in Mexico and the western United States. The 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 has adversely affected the distribution and numbers of scrub-jays. The total estimated population is between 7,000 and 11,000 individuals.

According to surveys accomplished in 1992-1993, 2000, and 2004, the Applicant's lot is within the territory of a family of scrub-jays. The scrub-jays using the Project area and adjacent properties are part of a larger complex of scrub-jays located in a matrix of urban and natural settings in southern Sarasota County. Construction of the Project's infrastructure and facilities will result in harm to scrub-jays, incidental to the carrying out of these otherwise lawful activities. Habitat alteration associated with the proposed residential construction will reduce the availability of foraging, sheltering, and possible nesting habitat for one family of scrub-jays.

The Applicant proposes to mitigate the take of scrub-jays through contribution of \$25,875 to the Sarasota County Scrub-jay Mitigation Plan Fund administered by Sarasota County. Funds in this account are earmarked for use in the conservation and recovery of scrub-jays and may include habitat acquisition, restoration, and management.

The Service has determined that the Applicants' proposal, including the proposed mitigation and minimization measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of 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. Low-effect HCPs are those 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.

The Service 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 it is determined that those requirements are met, the ITPs will be issued for incidental take of the Florida scrub-jay. The Service 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. The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP. This notice is provided pursuant to section 10 of the Endangered Species Act and National Environmental Policy Act regulations (40 CFR 1506.6).

Dated: August 9, 2006.

Cynthia K. Dohner,

Acting Regional Director, Southeast Region.
[FR Doc. E6-14244 Filed 8-25-06; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of an Application and Availability of an Environmental Assessment for an Incidental Take Permit for Urban Development Within the City of Palm Bay, Brevard County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The City of Palm Bay (Applicant) requests an incidental take permit (ITP) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant prepared a Habitat Conservation Plan (HCP) identifying anticipated impacts to two federally-listed threatened species, the Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) and the eastern indigo snake (*Drymarchon corais couperi*). The Applicant also requests incidental take authorization for the gopher tortoise (*Gopherus polyphemus*) in the event this species becomes federally-listed as either threatened or endangered during the 30-year term of the requested ITP. Take of these species is anticipated as a result of residential, commercial, industrial, and municipal construction projects and associated infrastructure within the city limits of the City of Palm Bay. The Applicant's HCP describes the mitigation and minimization measures proposed to address the effects of urban development on the scrub-jay, eastern indigo snake, and gopher tortoise. These measures are outlined in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Written comments on the ITP application, HCP, and environmental assessment should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before October 27, 2006.

ADDRESSES: Persons wishing to review the application, HCP, and environmental assessment may obtain a copy by writing the Service's Southeast Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or Jacksonville Field Office, Fish and Wildlife Service, 6620 Southpoint Drive South, Suite 310, Jacksonville, Florida 32216-0912. Please reference permit number TE118199-0 in such requests. Documents will also be available for public inspection by appointment during normal business hours at the

Service's regional office or the Jacksonville field office.

FOR FURTHER INFORMATION CONTACT: Mr. David Dell, Regional HCP Coordinator, (see **ADDRESSES** above), telephone: 404/679-7313, facsimile: 404/679-7081; or Mr. Mike Jennings, Fish and Wildlife Biologist, Jacksonville Field Office, Jacksonville, Florida (see **ADDRESSES** above), telephone: 904/232-2580.

SUPPLEMENTARY INFORMATION: If you wish to comment, you may submit written comments by any one of several methods. Please reference permit number TE118199-0 in such comments. You may mail comments to the Service's Regional Office (see **ADDRESSES**). You may also comment via the Internet to david_dell@fws.gov. Please 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 above (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 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.

The scrub-jay is geographically isolated from other species of scrub-jays found in Mexico and the western United States. The 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 that has adversely affected the distribution and numbers of scrub-jays. The total estimated population is between 7,000 and 11,000 individuals.

The eastern indigo snake is distributed in dry pinelands of the