

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R7-SM-2009-N0035] [70101-1261-0000-L6]

Information Collection Sent to the Office of Management and Budget (OMB) for Approval; OMB Control Number 1018-0120; Federal Subsistence Regional Advisory Council Membership Application/Nomination and Interview Forms

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice; request for comments.

SUMMARY: We (Fish and Wildlife Service) have sent an Information Collection Request (ICR) to OMB for review and approval. The ICR, which is summarized below, describes the nature of the collection and the estimated

burden and cost. This ICR is scheduled to expire on March 31, 2009. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

DATES: You must send comments on or before March 19, 2009.

ADDRESSES: Send your comments and suggestions on this ICR to the Desk Officer for the Department of the Interior at OMB-OIRA at (202) 395-6566 (fax) or OIRA_DOCKET@OMB.eop.gov (e-mail). Please provide a copy of your comments to Hope Grey, Information Collection Clearance Officer, Fish and Wildlife Service, MS 222-ARLSQ, 4401 North Fairfax Drive, Arlington, VA 22203 (mail) or hope_grey@fws.gov (e-mail).

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Hope Grey by mail or e-mail (see ADDRESSES) or by telephone at (703) 358-2482.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 1018-0120.
Title: Federal Subsistence Regional Advisory Council Membership Application/Nomination and Interview Forms.

Service Form Number(s): FWS Forms 3-2321, 3-2322, and 3-2323.

Type of Request: Extension of currently approved collection.

Affected Public: Alaska residents.

Respondent's Obligation: For applicants and persons nominating someone for council membership, response is required to obtain or retain a benefit. For references and key contacts, response is voluntary.

Frequency of Collection: On occasion.

Activity	Number of annual respondents	Number of annual responses	Completion time per response	Annual burden hours
FWS Form 3-2321	75	75	2 hours	150
FWS Form 3-2322	75	75	30 minutes	38
FWS Form 3-2323	250	250	15 minutes	62
Totals	400	400	250

Abstract: Title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101) designates the Departments of the Interior and Agriculture as the key agencies responsible for implementing the subsistence priority on Federal public lands for rural Alaska residents. These responsibilities include the establishment of Regional Councils with members from each region who are knowledgeable about the region and subsistence uses of the public lands. One-third of the seats on the Regional Councils become vacant each year. Additional vacancies may occur due to resignations or deaths of sitting members.

Each person desiring to serve on a Regional Council must complete FWS Form 3-2321 (Federal Subsistence Regional Advisory Council Membership Application/Nomination). Persons nominating other individuals for membership also complete this form. Applicants must provide three references and information on:

- (1) Their knowledge of fish and wildlife resources as well as subsistence and other uses of the resources.
- (2) Their service on working groups, conservation committees, etc.
- (3) How they would represent the people in the region.

(4) Their willingness to travel and attend meetings.

Federal staff use FWS Form 3-2322 (Regional Advisory Council Candidate Interview) to conduct applicant interviews by telephone. Respondents do not see the printed form. Interviewers ask applicants:

- (1) About their willingness to serve on the Regional Council, and
- (2) To explain information provided on FWS Form 3-2321.

Federal staff use FWS Form 3-2323 (Regional Advisory Council Reference/Key Contact Interview) to conduct interviews of references/key contacts for prospective Regional Council members. We conduct all interviews by telephone and the respondents do not see the printed form. Interviewers will ask questions about the applicant's:

- (1) Knowledge of fish and wildlife resources as well as subsistence practices and commercial/sport activities.
- (2) Leadership ability.
- (3) Ability to communicate.

The Federal Subsistence Board uses this information to make recommendations to the Secretary of the Interior for appointment of members to the Regional Councils. We restrict the information collected to the Regional Council member selection process and

only to staff that the Federal Subsistence Board deems necessary.

Comments: On December 10, 2008, we published in the **Federal Register** (73 FR 75124) a notice of our intent to request that OMB renew this ICR. In that notice, we solicited comments for 60 days, ending on February 9, 2008. We did not receive any comments in response to that notice.

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: February 10, 2009

Hope Grey,

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

FR Doc. E9-3409 Filed 2-13-09; 8:45 am

BILLING CODE 4310-55-S

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XL01

Notice of Intent to Conduct Public Scoping and to Prepare an Environmental Impact Statement Related to the Environmental and Social Effects of Implementing the Idaho Forestry Program

AGENCY: Fish and Wildlife Service (FWS), Interior; National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; scoping meetings.

SUMMARY: The FWS and NMFS (collectively, the Services) intend to conduct public scoping under the National Environmental Policy Act (NEPA) to gather information to prepare an Environmental Impact Statement (EIS), and to respond to a request from the State of Idaho (State) to enter into a Cooperative Agreement (Agreement) under Section 6 of the Endangered Species Act (ESA) with the Services. Under the Agreement, the State would implement the Idaho Forestry Program with measures that would provide conservation benefits for listed fish species in the Salmon River Basin and Clearwater River Basin, and the Services would authorize incidental take of listed species caused by forest management activities to the extent that the effects of these activities on listed species are compliant with the requirements of Section 7 of the ESA.

DATES: Written comments should be received on or before April 3, 2009. See the **SUPPLEMENTARY INFORMATION** section for the dates and locations of the scoping meetings.

ADDRESSES: All comments concerning the preparation of the EIS and the NEPA process should be addressed to: Jeri Wood, FWS, 1387 S. Vinnell Way, Suite

368, Boise, ID 83709, facsimile (208) 378-5262, or Ken Troyer, NMFS, 10095 W. Emerald Street, Boise, ID 83704, facsimile (208) 378-5699. Comments may be submitted by e-mail to the following address:

IdahoForestry@noaa.gov. In the subject line of the e-mail, include the document identifier: Idaho Forestry Program.

FOR FURTHER INFORMATION CONTACT: Jeri Wood, FWS, telephone (208) 378-5289; or Ken Troyer, NMFS, telephone (208) 378-5692.

SUPPLEMENTARY INFORMATION:

Dates and Addresses of Scoping Meetings

The dates and locations for the public scoping workshops are:

1. February 23, 2009, 7 – 9 p.m., Best Western, 1010 S Hwy 95, Riggins, ID 83549.
2. February 24, 2009, 7 – 9 p.m., Nez Perce National Forest, Supervisor's Office, 104 Airport Road, Grangeville, ID 83530.
3. February 25, 2009, 7 – 9 p.m., Clearwater National Forest, Supervisor's Office, 12730 Highway 12, Orofino, ID 83544.
4. February 26, 2009, 7 – 9 p.m., Idaho Fish and Game, 3316 16th St., Lewiston, ID 83501.
5. March 3, 2009, 7 – 9 p.m., Forest Service's Public Lands Center (Hwy 93 S), 1206 S. Challis St., Salmon, ID 83467.

Statutory Authority

Section 9 of the ESA (16 U.S.C. 1538) and implementing regulations prohibit the taking of animal species listed as endangered or threatened. The term "take" is defined under the ESA (16 U.S.C. 1532(19)) as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. "Harm" is further defined by FWS regulation to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering (50 CFR 17.3). NMFS' definition of "harm" includes significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, spawning, migrating, rearing, and sheltering (50 CFR 222.102). Although Section 9 prohibits the taking of listed species, the ESA provides opportunities for authorized take if specified conditions are met.

Background

The State of Idaho is seeking to enter into an Agreement with the Services as part of a settlement agreement resulting from the Snake River Basin Adjudication (SRBA). The Snake River Water Rights Act of 2004 directs the heads of Federal agencies to execute and perform all actions necessary to carry out the terms of the SRBA settlement agreement, which are set forth in a document entitled "Mediator's Term Sheet." The Term Sheet includes a provision for the negotiation of a Cooperative Agreement under Section 6 of the ESA to address forest management activities on State and private lands in the Salmon and Clearwater River basins that may affect federally listed fish species. The Term Sheet identifies specific forest management prescriptions for inclusion in the Cooperative Agreement and directs that the Agreement "not vary materially" from those prescriptions. The Term Sheet prescriptions thus form the basis for the State's proposed forest management program. However, the Services must determine that the State's proposed program is consistent with the standards and requirements contained in the ESA prior to entering in the Agreement. If the Services determine that the State's proposed program does not meet the requirements of the ESA, then the Services either will not sign the Agreement or will work with the State to modify the proposed program so that it does meet the standards of the ESA. The Term Sheet and the State's Program document can be viewed at http://www.idl.idaho.gov/eis/eis_index.html.

The Services are considering entering into an Agreement with the State of Idaho for the purpose of implementing a conservation program for salmon, steelhead, and bull trout as part of the Idaho Forestry Program. Under the proposed Agreement, the State of Idaho is seeking incidental take coverage for five listed fish species: (1) the Snake River sockeye salmon (*Oncorhynchus nerka*); (2) Snake River spring/summer Chinook salmon (*O. tshawytscha*), (3) Snake River fall Chinook salmon (*O. tshawytscha*), (4) Snake River steelhead (*O. mykiss*), and (5) the bull trout (*Salvelinus confluentus*). The Snake River sockeye salmon is currently listed as endangered under the ESA, while the other four fish species are listed as threatened under the ESA.

The Agreement would apply to State and private forest lands in the Salmon River and Clearwater River basins. The need for this action is: (1) to fulfill the Services' duties under the Snake River Water Rights Act of 2004; (2) to provide