

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Submission of Information Collection to the Office of Management and Budget for Review Under the Paperwork Reduction Act**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, this notice announces that the Bureau of Indian Affairs is submitting an information collection request to the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs for clearance and extension. The information collection, Tribal Reassumption of Jurisdiction over Child Custody Proceedings, is cleared under OMB Control Number 1076-0112 through June 30, 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.

**DATES:** Submit comments on or before July 30, 2009.

**ADDRESSES:** Written comments may be sent to the Desk Officer for the Department of the Interior, Office of Management and Budget, Office of Regulatory Affairs via facsimile to (202) 395-5806, or by e-mail to [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov).

Send a copy of your comments to Sue V. Settles, Chief, Division of Human Services, Office of Indian Services, Bureau of Indian Affairs, Department of the Interior, 1849 C Street, NW., MIB Mail Stop 4513, Washington, DC 20240, or fax to (202) 208-2648 or e-mail to [Sue.Settles@bia.gov](mailto:Sue.Settles@bia.gov).

**FOR FURTHER INFORMATION CONTACT:** Interested persons can obtain additional information regarding collection requests with no additional charge by contacting Sue V. Settles, Chief, Division of Human Services, at (202) 513-7621.

**SUPPLEMENTARY INFORMATION:****I. Abstract**

The Department has issued regulations prescribing procedures by which an Indian Tribe may reassume jurisdiction over Indian child proceedings when a State asserts any jurisdiction. Tribes have the right to pursue this alternative because this action is authorized by the Indian Child Welfare Act, Public Law 95-608, 92 Stat. 3069, 25 U.S.C. 1918. A 60-day notice for public comments was published in the **Federal Register** on

February 27, 2009. No comments were received regarding this collection.

**II. Request for Comments**

The Department invites comments on:

(1) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility;

(2) The accuracy of the Bureau's estimate of the burden of the information collection, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and,

(4) Ways to minimize the burden of the information collection on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other collection techniques or forms of information technology.

Please submit your comments to the persons listed in the **ADDRESSES** section. Before including your address, phone number, e-mail address or other personally identifiable information, be advised that your entire comment—including your personally identifiable information—may be made public at any time. While you may request that we withhold your personally identifiable information, we cannot guarantee that we will be able to do so.

OMB has up to 60 days to approve or disapprove this information collection, but may respond after 30 days. To ensure maximum consideration, send your comments to OMB by the date listed in the **DATES** section near the beginning of this notice.

**III. Data**

*OMB Control Number:* 1076-0112.

*Title:* Tribal Reassumption of Jurisdiction over Child Custody Proceedings, 25 CFR 13.

*Brief Description of Collection:* The collection of information will ensure that the provisions of Public Law 95-608 are met. Any Indian Tribe that became subject to State jurisdiction pursuant to the provisions of the Act of August 15, 1953 (67 Stat. 588), as amended by title IV of the Act of April 11, 1968 (82 Stat. 73, 78), or pursuant to any other Federal law, may reassume jurisdiction over child custody proceedings. The collection of information provides data that will be used in considering the petition and feasibility of the plan of the Tribe for reassumption of jurisdiction over Indian child custody proceedings. We collect the following information: full name, address, and telephone number of

petitioning Tribe or Tribes; a Tribal resolution; estimated total number of members in the petitioning Tribe or Tribes with an explanation of how the number was estimated; current criteria for Tribal membership; citation to provision in Tribal constitution authorizing the Tribal governing body to exercise jurisdiction over Indian child custody matter; description of Tribal court; copy of any Tribal ordinances or Tribal court rules establishing procedures or rules for exercise of jurisdiction over child custody matters; and all other information required by 25 CFR 13.11. Response is required to obtain or retain a benefit.

*Type of Review:* Renewal.

*Respondents:* Federally recognized Tribes who submit Tribal reassumption petitions for review and approval by the Secretary of the Interior.

*Number of Respondents:* 2.

*Estimated Time per Response:* 8 hours.

*Frequency of Response:* Annually.

*Total Annual Burden Hours:* 16 hours.

Dated: June 24, 2009.

**Alvin Foster,**

*Acting Chief Information Officer—Indian Affairs.*

[FR Doc. E9-15406 Filed 6-29-09; 8:45 am]

**BILLING CODE 4310-4J-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

**[FWS-R4-ES-2009-N120; 40120-1112-0000-F2]**

**Endangered and Threatened Wildlife and Plants; Etowah River Habitat Conservation Plan, Bartow, Cherokee, Cobb, Dawson, Forsyth, Paulding, and Pickens Counties, GA**

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

**ACTION:** Notice: receipt of applications for incidental take permits (ITPs) for the Etowah River Habitat Conservation Plan (HCP); availability of proposed HCP and environmental assessment (EA); request for comment.

**SUMMARY:** We, the Fish and Wildlife Service, announce the availability of a proposed HCP, 13 accompanying ITP applications, and an EA related to proposed development that would effect three fish species in a covered area encompassing 3,773 square kilometers (km<sup>2</sup>) (932,000 ac). Each county and municipality seeking incidental take authorization has prepared a separate application in conjunction with the one HCP and EA. The HCP analyzes the take

of the Federally endangered fish species amber darter (*Percina antesella*) and Etowah darter (*Etheostoma etowahae*), and the Federally threatened Cherokee darter (*Etheostoma scotti*), incidental to the applicants' regulation of development and construction in their respective jurisdictions. The applicants request ITPs under the Endangered Species Act of 1973 (Act), as amended. The Applicants' HCP describes the mitigation and minimization measures proposed to address the effects on the species.

**DATES:** We must receive any written comments on the ITP applications, EA, and HCP at our Regional Office (*see ADDRESSES*) on or before August 31, 2009.

**ADDRESSES:** Documents will be available for public inspection by appointment during normal business hours at, and are available from, the Fish and Wildlife Service's Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345 (Attn: David Dell); or Fish and Wildlife Service, West Park Center, Suite D, 105 West Park Drive, Athens, GA 30606.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional HCP Coordinator (*see ADDRESSES*), telephone: 404/679-7313; or Ms. Robin Goodloe, Field Office Project Manager (*see ADDRESSES*), at 706/613-9493, ext. 221.

**SUPPLEMENTARY INFORMATION:** We announce the availability of a proposed HCP, 13 accompanying ITP applications, and an EA, which analyzes the take of the amber darter, Etowah darter, and Cherokee darter incidental to programs in the 13 applicant counties and municipalities. The applicants request 25-year ITPs under section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act; 16 U.S.C. 1531 *et seq.*), as amended.

We specifically request information, views, and opinions from the public via this notice on our proposed Federal action, including identification of any other aspects of the human environment not already identified in the EA pursuant to NEPA regulations (40 CFR 1506.6). Further, we specifically solicit information regarding the adequacy of the HCP per 50 CFR parts 13 and 17.

An assessment of the likely environmental impacts associated with the implementation of the Etowah River HCP, the EA considers the environmental consequences of two alternatives and the proposed action. The proposed action alternative is issuance of the ITPs and implementation of the HCP as submitted by the Applicants. The HCP covers activities associated with the new

development and redevelopment of land by participating local governments and private entities, except for: (1) Construction of sewer lines, (2) stormwater runoff from roads constructed by jurisdictions, and (3) utility crossings of streams that are not part of a larger common plan of development or sale. The HCP also addresses water supply planning by participating local governments and their partners. Avoidance, minimization, and mitigation measures include stormwater management, riparian buffers, erosion and sediment control, stream crossing requirements, and a reservoir siting protocol.

#### Public Comments

If you wish to comment, you may submit comments by any one of several methods. Please reference "Etowah River HCP" in such comments. You may mail comments to the Fish and Wildlife Service's Regional Office (*see ADDRESSES*). You may also comment via the Internet to [david\\_dell@fws.gov](mailto: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 under **FOR FURTHER INFORMATION CONTACT**.

Finally, you may hand-deliver comments to either of our offices listed under **ADDRESSES**. 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.

#### Covered Area

The area covered by the Etowah Aquatic HCP includes all those portions of the Etowah basin that are in Bartow, Cherokee, Cobb, Dawson, Forsyth, Paulding, and Pickens Counties, Georgia, including all municipalities that lie within that area, as well as the portion of the City of Roswell (Roswell lies in another county not participating in the HCP) that lies within the Etowah Basin. The entire covered area encompasses 3,773 km<sup>2</sup> or approximately 932,000 ac. The following counties and municipalities have applied for ITPs under the Etowah Aquatic HCP:

Bartow County .....	TE179735-0
Cherokee County .....	TE179736-0
Paulding County .....	TE179734-0
Pickens County .....	TE179722-0
The City of Acworth .....	TE179730-0
City of Ball Ground .....	TE179731-0
City of Canton .....	TE179727-0
City of Dawsonville .....	TE179723-0
City of Dallas .....	TE179724-0
City of Holly Springs .....	TE179733-0
City of Roswell .....	TE179732-0
City of Waleska .....	TE179726-0
City of Woodstock .....	TE179728-0

#### Next Steps

We will evaluate these ITP applications, including the HCP and any comments we receive, to determine whether these applications meet the requirements of section 10(a)(1)(B) of the Act. We will also evaluate whether issuance of the section 10(a)(1)(B) ITPs complies with section 7 of the Endangered Species Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether or not to issue the ITPs. If we determine that the requirements are met, we will issue the ITPs for the incidental take of the amber darter, Etowah darter, and Cherokee darter.

#### Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: June 9, 2009.

**Cynthia K. Dohner,**

*Deputy Regional Director.*

[FR Doc. E9-15401 Filed 6-29-09; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### New Merced Wild and Scenic River Comprehensive Management Plan; Yosemite National Park; Mariposa and Madera Counties, CA; Notice of Intent To Prepare Environmental Impact Statement

*Summary:* Pursuant to the National Environmental Policy Act (Pub. L. 91-190) and the Wild and Scenic Rivers Act (Pub. L. 90-542), the National Park Service is reopening public scoping for planning and environmental impact analysis for a new Merced Wild and Scenic River Comprehensive Management Plan and Environmental Impact Statement (NMRP/EIS) in Yosemite National Park. The NMRP/EIS