ENDANGERED SPECIES—Continued

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**FOR FURTHER INFORMATION CONTACT:** Ms. Trish Adams, Fish and Wildlife Biologist, South Florida Ecological Services Office (see ADDRESSES); telephone: (772) 362–3909, ext. 232.

**SUPPLEMENTARY INFORMATION:** If you wish to comment on the ITP application and HCP, you may submit comments by any one of the following methods. Please reference permit number TE165374–0 in such comments.

1. Mail or hand-deliver comments to our South Florida Ecological Services Office (see ADDRESSES).
2. E-mail comments to trish_adams@fws.gov. If you do not receive a confirmation that we have received your e-mail message, contact us directly at the telephone number listed under FOR FURTHER INFORMATION CONTACT.

Before including your address, phone number, e-mail address, or other personal identifying information in your comments, 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.

Commercial construction for the West County Library HCP will take place at latitude 26.942 and longitude 82.271 in Englewood, Charlotte County, Florida. This lot is within scrub-jay occupied habitat.

The lot encompasses about 12.06 acres, and the footprint of the library, infrastructure, and landscaping preclude retention of scrub-jay habitat. In order to minimize take on site, the applicant proposes to mitigate for the loss of 0.46 acre of scrub-jay habitat by restoring and protecting in perpetuity 1.16 acres of occupied scrub-jay habitat adjacent to existing conservation lands.

We have determined that the applicant’s proposal, including the proposed mitigation and minimization measures, will 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) (40 CFR 1506.6), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1). 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. Based on our review of public comments that we receive in response to this notice, we may revise this preliminary determination.

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 the 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 pursuant to section 10 of the Endangered Species Act (16 U.S.C. 1531 et seq.) and NEPA regulations (40 CFR 1506.6).

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

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

**ACTION:** Notice of receipt of applications for permit.

**SUMMARY:** The public is invited to comment on the following applications to conduct certain activities with endangered species and/or marine mammals.

**DATES:** Written data, comments or requests must be received by August 21, 2008.
SUPPLEMENTARY INFORMATION:

Endangered Species

The public is invited to comment on the following applications for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

Applicant: Molecular Anthropology Laboratory, Arizona State University, Tempe, AZ, PRT–185767.

The applicant requests a permit to acquire from Coriell Cell Repositories, Camden, NJ, in interstate commerce thirteen DNA samples from gorillas (Gorilla gorilla) and one DNA sample from red-capped mangabey (Cercocebus torquatus) for the purpose of scientific research.

Applicant: Byron G. Sadler, Lake Jackson, TX, PRT–187324.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (Damaliscus pygargus pygargus) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Applicant: Hollis B. Higginbothan, McMurray, PA, PRT–185730.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (Damaliscus pygargus pygargus) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Endangered Marine Mammals

The public is invited to comment on the following application for a permit to conduct certain activities with endangered marine mammals and/or marine mammals. The application was submitted to satisfy requirements of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 et seq.), and the regulations governing endangered species (50 CFR Part 17) and marine mammals (50 CFR Part 18). Written data, comments, or requests for copies of the complete applications or requests for a public hearing on these applications should be submitted to the Director (address above). Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such a hearing is at the discretion of the Director.

Applicant: ABR, Inc.-Environmental Research & Services, Fairbanks, AK, PRT–187053.

The applicant requests a permit to conduct on-shore, boat-based and aerial surveys of northern sea otters (Enhydra lutris kenyoni) at various locations in the coastal waters of Alaska for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a five-year period.

Concurrent with the publication of this notice in the Federal Register, the Division of Management Authority is forwarding copies of the above applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Dated: June 27, 2008.

Michael L. Carpenter,
Senior Permit Biologist, Branch of Permits, Division of Management Authority.

[FR Doc. E8–16712 Filed 7–21–08; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Safe Drinking Water Act

Notice is hereby given that on July 16, 2008, a proposed Consent Decree (the “Decree”) in United States v. City of Middletown, New York, Civil Action No. 08 Civ. 6369 (SCR) (LMS) was lodged with the United States District Court for the Southern District of New York.

In a complaint, filed simultaneously with the Decree, the United States charged that the City of Middletown (the “City”) violated the Safe Drinking Water Act, 42 U.S.C. 300f, et seq., by violating the Interim Enhanced Surface Water Treatment Rule, found at 40 CFR part 141, subpart P; 40 CFR 141.170–141.175 (“IESWR”), and specifically failing to comply with the February 28, 2006 deadline, set in an Administrative Order issued by EPA against the City on