for the cost of collection and laboratory analysis activities, including the preparation of the filter holder log and other documentation. The Federal Bureau of Investigation (FBI) has instructed the BioWatch Program to maintain a written record for each collected filter sample to support law enforcement activities, including criminal prosecution in the case of a deliberate release of a biological agent. Collection of written records establishing chain of custody for samples containing biological agents and toxins for the purpose of evidence in a criminal proceeding is consistent with the “Best Evidence Rule”, Section 1002, of the federal Rules of Evidence. The FBI instruction to the BioWatch program is consistent with Section 7 of the FBI Quality Assurance Guidelines for Laboratories Performing Microbial Forensic Work, produced by the members of the Scientific Working Group on Microbial Genetics and Forensics (SWGGMF). Such record keeping supports mandatory reporting requirements directed by The APHS Interim Final Rule 7 CFR Part 331, Possession, Use, and Transfer of Biological Agents and Toxins; and the CDC Interim Final Rule 42 CFR Part 73 Possession, Use, and Transfer of Select Agents and Toxins, inter alia.

Analysis


Title: BioWatch Filter Holder Log.

DHS Form: 9500 (5/07).

OMB Number: 1601–NEW.

Frequency: Once daily.

AFFECTED PUBLIC: State, Local, and Tribal Governments.

Number of Respondents: 522.

Estimated Time per Respondent: 1 minute.

Total Burden Hours: 3,182 annual burden hours.

Total Burden Cost (capital/startup): $0.00.

Total Burden Cost (operating/maintaining): $144,770.

Dated: July 17, 2008.

Richard Mangonea
Chief Information Officer.

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

Endangered and Threatened Wildlife and Plants; 5-Year Status Review of 20 Southeastern Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service (Service) is initiating 5-year status reviews of the slender chub (Erimystax cahnii), blackside dace (Phoxinus cumberlandensis), vermilion darter (Etheostoma chernockii), pygmy madtom (Noturus stansellii), palezone shiner (Notropis albizonus), fanshell (Cyprugenai stegaria), inflated heelsplitter (Potamilius inflatus), pink mucket (Lampsis abrupta), spruce-fir moss spitter (Microhuxura montivaga), cave crayfish (Cambarus aculabrum), Pyne’s ground plum (Astragalus bobilatus), small-anthered buttercress (Cardamine micranthera), leafy prairie clover (Dalea foliosa), smooth coneflower (Echinacea laevigata), spreading avens (Geum radiatum), Roan Mountain darter (Etheostoma palpebromontana), rough-leaved loosestrife (Lysimachia asperulaefolia), Michaux’s sumac (Rhus michauxii), Alabama canebrake picker plant (Sarracenia rubra ssp. abalamensis), and Blue Ridge goldenrod (Solidago spithamaea), under section 4(c)(2) of the Endangered Species Act of 1973, as amended (Act). The purpose of reviews conducted under this section of the Act is to ensure that the classification of species as threatened or endangered on the List of Endangered and Threatened Wildlife and Plants (50 CFR 17.11 and 17.12) is accurate. A 5-year review is an assessment of the best scientific and commercial data available at the time of the review.

DATES: To allow us adequate time to conduct this review, information submitted for our consideration must be received on or before September 29, 2008. However, we will continue to accept new information about any listed species at any time.


FOR FURTHER INFORMATION CONTACT:
Geoff Call at Cookeville, Tennessee address above for the slender chub, pygmy madtom, Pyne’s groundplum and leafy prairie clover (telephone, 931/528–6481 ext. 213, e-mail geoff_call@fws.gov); Mike Floyd at the Frankfort, Kentucky, address above for the palezone shiner, blackside dace, and fanshell (telephone, 502/695–0468 ext. 102, e-mail mike_floyd@fws.gov); Dale Suiter at the Raleigh, North Carolina address above for the smooth coneflower, Michaux’s sumac, and rough-leaved loosestrife (telephone, 919/856–4520 ext. 18, e-mail dale_suiter@fws.gov); Bob Butler at Asheville, North Carolina address above for the pink mucket (telephone, 828/258–3939 ext. 235, e-mail robert_butter@fws.gov); John Fridell at the Asheville, North Carolina for the spruce fir moss spitter (telephone, 828/258–3939 ext. 225, e-mail john_fridell@fws.gov); Carolyn Wells at Asheville, North Carolina for the spreading avens, Blue Ridge goldenrod, Roan Mountain bluet, and small-anthered buttercress (telephone, 828/258–3939 ext. 231, carolyn_wells@fws.gov); Cary Norquist at Jackson, Mississippi address above for the vermillion darter, inflated heelsplitter, and Alabama canebrake pitcher plant (telephone, 601/321–1128,
e-mail cary_norquist@fws.gov); and
David Kampwerth at Conway, Arkansas
for the cave crayfish (telephone, 501–501–4477, e-mail
david_kampwerth@fws.gov).

SUPPLEMENTARY INFORMATION: Under the Act (16 U.S.C. 1531 et seq.), the Service maintains a list of endangered and threatened wildlife and plant species at 50 CFR 17.11 (for wildlife) and 17.12 (for plants) (collectively referred to as the List). Section 4(c)(2)(A) of the Act requires that we conduct a review of listed species at least once every 5 years. Then, on the basis of such reviews, under section 4(c)(2)(B), we determine whether or not any species should be removed from the List (delisted), or reclassified from endangered to threatened or from threatened to endangered. Delisting a species must be supported by the best scientific and commercial data available and only considered if such data substantiate that the species is neither endangered nor threatened for one or more of the following reasons: (1) The species is considered extinct; (2) the species is considered to be recovered; and/or (3) the original data available when the species was listed, or the interpretation of such data, were in error. Any change in Federal classification would require a separate rulemaking process. Amendments to the List through final rules are published in the Federal Register.

The regulations at 50 CFR 424.21 require that we publish a notice in the Federal Register announcing those species currently under active review. This notice announces our active review of the following species that are currently listed as endangered: vermilion darter, pygmy madtom, palezone shiner, fanshell, pink mucket, spruce-fl moss spider, cave crayfish, Pyne’s groundplum, small-anthered bittercress, leafy prairie clover, smooth coneflower, spreading avens, Roan Mountain blueb, rough-leaved loosestrife, Michaux’s sumac, and Alabama canebrake pitcher plant. The other four species in this notice are currently listed as threatened. The List is also available on our Internet site at http://endangered.fws.gov/wildlife.html#Species.

What information is considered in the review?

A 5-year review considers the best scientific and commercial data that have become available since the current listing determination or most recent status review of each species, such as:
A. Species biology, including but not limited to population trends,
distribution, abundance, demographics, and genetics;
B. Habitat conditions, including but not limited to amount, distribution, and suitability;
C. Conservation measures that have been implemented to benefit the species;
D. Threat status and trends (see five factors under heading “How do we determine whether a species is endangered or threatened?”); and
E. Other new information, data, or corrections, including but not limited to taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

Definitions Related to This Notice

We provide the following definitions to assist individuals submitting information regarding the species being reviewed:
A. Species includes any species or subspecies of fish, wildlife, or plant, and any distinct population segment of any species of vertebrate which interbreeds when mature.
B. Endangered means any species that is in danger of extinction throughout all or a significant portion of its range.
C. Threatened means any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

How do we determine whether a species is endangered or threatened?

Section 4(a)(1) of the Act establishes that we determine whether a species is endangered or threatened based on one or more of the following five factors:
A. The present or threatened destruction, modification, or curtailment of its habitat or range;
B. Overutilization for commercial, recreational, scientific, or educational purposes;
C. Disease or predation;
D. The inadequacy of existing regulatory mechanisms; or
E. Other natural or manmade factors affecting its continued existence.

What could happen as a result of this review?

If we find that there is new information concerning any of these 20 species indicating that a change in classification may be warranted, we may propose a new rule that could do one of the following: (a) Reclassify the species from endangered to threatened (downlist); (b) reclassify the species from threatened to endangered (uplist); or (c) delist the species. If we determine that a change in classification is not warranted, then the species will remain on the List under its current status.

Public Solicitation of New Information

We request any new information concerning the status of any of these 20 species. See “What information is considered in the review?” heading for specific criteria. Information submitted should be supported by documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources. 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 addresses, etc., but if you wish us to withhold this information, you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documental circumstances, this information will be released. We will always make 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.

Authority

This document is published under the authority of the Endangered Species Act (16 U.S.C. 1531 et seq.).

Dated: June 30, 2008.

Cynthia K. Dohner,
Acting Regional Director.
[FPR Doc. E8–17368 Filed 7–28–08; 8:45 am]
BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR
Bureau of Land Management
[Wy–050–08–1310–DB]

Notice of Intent To Prepare an Environmental Impact Statement for the Beaver Creek Coal Bed Natural Gas Development Project, Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: The Bureau of Land Management (BLM) Lander Field Office intends to prepare an Environmental Impact Statement for the Beaver Creek Coal Bed Natural Gas Development Project located in the City of Dubois, Fremont County, Wyoming. The project site includes approximately 1,280 acres of BLM land and 414 acres of land owned by the State of Wyoming. The purpose of the project is to develop a coal bed methane (CBM) resource that is located under agricultural lands in the City of Dubois. The BLM has recently completed an environmental assessment for the project (2006) and intends to prepare an environmental impact statement for the project. The BLM is seeking public input concerning the draft EIS. Public hearing information will be provided in the Federal Register. Individuals are invited to attend the public hearing and provide written comments. Public comments should be submitted to the Wyoming Field Office of the BLM at 1001 Grand Avenue, Cheyenne, WY 82002.